

PROCEEDINGS OF THE STEELE COUNTY BOARD OF COMMISSIONERS

SPECIAL SESSION

September 11, 2012

STATE OF MINNESOTA)
) ss
COUNTY OF STEELE)

The Steele County Board of Commissioners met in Special Session at 7:00 p.m. on September 11th, 2012 with Commissioners Kubicek, Huntington, Johnson, Schultz and Ebeling present. Also present were, County Attorney Dan McIntosh, Public Health Director DeeAnn Pettyjohn, Human Services Director Charity Floen, Engineer Anita Benson, Human Resources Director Patti Krueger, County Treasurer Steve Rohlik, County Administrator Tom Shea and County Auditor Laura Ihrke.

Call to Order and Pledge of Allegiance.

Motion by Commissioner Ebeling seconded by Commissioner Huntington to approve the Agenda. Ayes all.

Motion by Commissioner Huntington, seconded by Commissioner Schultz to approve the minutes of August 21st, 2012. Ayes all.

Commissioner Huntington, seconded by Commissioner Johnson to approve the Temporary Body Art Permits for Kat's Tats for September 28th, 2012 and October 6th, 2012. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Huntington to approve the Capital Improvement Agreement for Grant-In-Aid Trail Assistance in the amount of \$9,750. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to approve the transfer from General Fund Reserves to the Bixby Fund in the amount of \$790,000. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Schultz to approve the transfer from General Fund Reserves to the Capital Construction Fund in the amount of \$2,150,000. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Johnson to approve of the appointment of Bill Effertz as Assessor for a four year term commencing January 1, 2013 through December 31, 2016. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Huntington to approve the change in Dental Provider from Assurant to United Health Care effective January 1, 2013. Ayes all.

Motion by Commissioner Huntington, seconded by Commissioner Schultz to approve of Blue Cross Blue Shield insurance renewal rate effective January 1, 2013. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to establish a Committee of the Whole agenda item for backfill job opening approvals. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Huntington to approve the following Personnel actions for September 2012. Ayes all.

New Hires/Transfers

Christine Haas PHN 8/20/2012
Nancy Crandall Custodian 9/05/2012
Greg Huebbe Correctional Officer 8/27/2012
Rachel Schmidt PHN 9/04/2012

Resignations:

Nicole Kappes Correctional Officer 9/01/2012

Anniversaries:

Shelley Thom Correctional Officer Step 2 9/07/2012
Travis Ardolf Correctional Officer Step 2 9/27/2012
Justin Hebel Det Ctr Sgt Step 11 9/20/2012
Greg Skillstad Deputy Step 7 9/26/2012

Motion by Commissioner Ebeling, seconded by Huntington to approve the 2013 Road & Bridge Construction Plan. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to approve the amendment to the State Highway 14 Turn back Draft Resolution to add: Further be it resolved that Steele County would be willing to enter into a maintenance agreement with MNDOT for Old State Highway 14 effective November 1st, 2012 until the mediation is complete.

Commissioner Huntington offered the following **Resolution**, seconded by Commissioner Johnson to

WHEREAS, the Minnesota Department of Transportation (MNDOT) has completed the construction of State Highway 14 on a new alignment, and

WHEREAS, MNDOT intends to release the jurisdictional authority for the old State Highway 14 alignment to the County, and

WHEREAS, the County has sought to negotiate an agreement with MNDOT to provide for restoration of the highway through the County State Aid Turn Back Account which is funded by the gas tax; and

WHEREAS, MNDOT does not have a formal policy describing the parameters for turn back negotiations, and

WHEREAS, it is desirable for MNDOT to have a formal policy to ensure consistent and equitable administration of the turn back program, and

WHEREAS, the MNDOT District 6 position has been represented as being based on a draft policy that is expected to be adopted, and

WHEREAS, the MNDOT has been requested to provide a copy of the draft policy to the County, and

WHEREAS, the County has been unable to verify the MNDOT District 6 position is based on the draft policy and that the draft policy is not flawed as MNDOT has failed to provide the document to the County, and

WHEREAS, the draft policy has not been vetted by the groups most affected, the District State Aid Engineers, the State Aid office, the MNDOT District Engineers, the Association of Minnesota Counties and the Minnesota County Engineers Association, and

WHEREAS, lack of a formal policy and lack of a transparent process has resulted in a proposed turn back agreement that is inconsistent with MNDOT past practice, and

WHEREAS, MNDOT has presented the County with a proposed turn back agreement for execution, and

WHEREAS, MNDOT has informed the County that failure to execute an agreement on the jurisdictional change by October 12, 2012 will result in the State releasing the highway without an agreement in place; and

WHEREAS, MNDOT has informed the County that not having an executed agreement in place at the time of release will eliminate access to the County State Aid Turn Back Account to fund restoration of the highway, and

WHEREAS, the imposition by MNDOT of the ultimatum to either execute an agreement or lose access to County State Aid Turn Back fund is an unprecedented action in the history of State to County jurisdictional transfers, and

WHEREAS, the ultimatum is counter-productive to continuing negotiations in good faith, and

WHEREAS, the County has reviewed numerous turn back agreements between MNDOT and other counties and come to the conclusion that MNDOT is offering exceptionally unfavorable terms in the proposed turn back agreement, and

WHEREAS, MNDOT's proposed agreement substantially shifts the risk and financial burden for restoration of the highway to the County property taxpayers rather than the gas tax, and

WHEREAS, MNDOT District 6 and Steele County have reached an impasse in negotiations,

NOW, THEREFORE, BE IT RESOLVED by its Board of Commissioners that Steele County requests the Commissioner of Transportation exercise his authority to establish a timeline for release of the highway to County jurisdiction that does not eliminate access to the County State Aid Turn Back Account to fund restoration, and

FURTHER BE IT RESOLVED that Steele County would be willing to enter into a maintenance agreement with MNDOT for old State Highway 14 effective November 1, 2012 until the mediation is complete.

FURTHER BE IT RESOLVED that Steele County requests the Commissioner of Transportation exercise his authority to direct resolution of the outstanding issues through a mediation process to be completed by June 1, 2013.

Upon the vote being taken five commissioners vote in favor thereof, none absent not voting. A copy of the Resolution is on file in the Auditor's office.

Motion by Commissioner Johnson, seconded by Commissioner Huntington to acknowledge receipt of the 2011 Highway Department Annual Financial Report. Ayes all.

Motion by Commissioner Huntington, seconded by Commissioner Ebeling to approve of the low bid from Schultz Excavating in the amount of \$13,720 for repair on Public Tile Ditch #9. Ayes all.

Commissioner Ebeling offered the following **Resolution**, seconded by Commissioner Huntington;

BE IT RESOLVED THAT, Steele County Public Health Nursing Service enters into a grant agreement with the Minnesota Department of Public Safety, for a Safe Roads Community Project during the period from October 1, 2012 through September 30, 2014.

The Director of Steele County Public Health Nursing Service is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Steele County Public Health Nursing Service and to be the fiscal agent and administer the grant.

Upon the vote being taken five commissioners vote in favor thereof, none absent not voting. A copy of the Resolution is on file in the Auditor's office.

Motion by Commissioner Johnson, seconded by Commissioner Huntington to approve of the contract with Dodge County for Child Support Supervisor services in Dodge County effective 9/15/2012 through 9/15/2013. Ayes all.

Commissioner Huntington offered the following **Resolution**, seconded by Commissioner Johnson,

Resolved that Steele County Area Transit enter into an Agreement with the State of Minnesota to provide public transportation service in Steele County.

Further resolved that Steele County agrees to provide a local share of 15 percent of the total operating cost and 20% of the total capital costs.

Further resolved that Steele County authorizes the Board Chairman, Bruce Kubicek and the Executive Director, Charity Floen to execute the aforementioned Agreement and any amendments thereto.

Upon the vote being taken five commissioners vote in favor thereof, none absent not voting. A copy of the Resolution is on file in the Auditor's office.

Commissioner Ebeling, offered the following **Resolution**, seconded by Commissioner Schultz

WHEREAS, the state of the economy and government budgets, the current and projected changes in demographics, the complexity of human services programs, and the inadequacy of state-supported human services technology, among other factors, result in:

A level of public funding allocated to the provision of human services that is out of alignment with the quantitative and qualitative demand for services; and unsustainability of the current human services system for the foreseeable future;

WHEREAS, counties can benefit in collaborating by reducing duplication of like administrative activities without negatively affecting service capacity and by adding value through sharing the specialized knowledge and experience of staff with the result of increased, aggregate service capacity;

WHEREAS, counties have successful multi-county collaborative arrangements in place, and the evolution of technology makes effective collaboration across distances even more feasible and efficient than in the past;

WHEREAS, the state-supervised, county-administered governance framework for the delivery of human services must be restructured, and levels of administrative authority, flexibility, and responsibility must be reassessed and adjusted as necessary to innovate and implement an improved human services system; and

WHEREAS, twelve counties in southeastern Minnesota—in collaboration with the Minnesota Department of Human Services—developed a blueprint for the redesign of human services, as well as an operating model and a business case;

WHEREAS, in June and July 2012, six of the twelve counties in southeastern Minnesota declared a preliminary intent to establish a service delivery authority (hereinafter “SDA”) under Minnesota Statutes 2011, Chapter 402A, as a consortium with other participating counties in southeastern Minnesota, some with contingencies;

WHEREAS, the next step in establishing a multi-county human services delivery authority is to enter a Mobilize phase; and

WHEREAS, these factors require leadership and innovation to assure that our county is well-positioned to serve our most vulnerable citizens well into the future, as we look to improve outcomes for our clients and our communities within the resources available.

NOW THEREFORE, be it first resolved that the Steele County Board of Commissioners hereby declares its intent to enter into a Mobilize phase, consisting of the first one to three months of implementation and focusing on standing up the necessary plans and infrastructure to establish a multi-county human services delivery authority with other participating counties in southeastern Minnesota.

The Mobilize phase includes the following steps:

- Allocating funding to support the Mobilize phase.
 - The cost of the Mobilize phase is estimated not to exceed \$160,000.
 - Funds would be sought from foundations and other sources.
 - The costs not funded by foundations and other sources would be allocated amongst the participating counties in proportion to their share of the total population in 2010.
- Confirming and convening a steering committee as a governance body.
 - Each participating county board would appoint up to three representatives to the steering committee, including at least one commissioner and at least one county administrator/coordinator or human services director.
 - Each participating county would have one vote.
 - The steering committee would be delegated authority to expend the funding allocated above for the purposes of this resolution, with regular and final accounting of expenditures to be provided to participating counties.
- Hiring or contracting with a project manager to manage and track the work required during this phase, with general direction from the steering committee.
- Revising the design, operating model, and business case based on the participating counties, including:
 - Organizational structure
 - Governance model
 - Funding model
 - Business case
- Establishing and confirming funding for the next Cross-Functional Detailed Design phase.
- Mobilizing program management.
- Mobilizing communications and change management approach.
- Developing plan and schedule for the next Cross-Functional Detailed Design phase.

Accordingly, Steele County Board of Commissioners hereby allocates funding for its share of the Mobilize phase, appoints Commissioner Nina Huntington, Administrator Tom Shea, and Human Services Director Charity Floen to serve on its behalf on the mobilize phase steering committee, and delegates expenditures authority of the allocated funding to the steering committee.

BE IT ALSO RESOLVED THAT, the vision for a multi-county human services delivery authority is a flexible partnership providing quality human services with great results; and the mission of the authority *is* to:

- Offer a full continuum of care with consistent high quality.
- Emphasize prevention and early intervention.
- Emphasize innovative, multi-county-wide use of a network of people and resources.
- Partner with consumers and community providers.
- Be accountable to citizens for effectiveness in care delivery and efficiency in the costs to serve.

Be It Further Resolved that the multi-county human services delivery authority *may*:

- Include the administration of public health duties, at the option of the participating county.

Upon the vote being taken five commissioners vote in favor thereof, none absent not voting. A copy of the Resolution is on file in the Auditor's office.

Commissioner Johnson offered the following **Resolution**, seconded by Commissioner Ebeling:

BE IT RESOLVED that the preliminary tax levy for 2013 be set at \$21,349,842 and the preliminary total budget be set at \$43,437,965.

Upon the vote being taken five commissioners vote in favor thereof, none absent not voting. A copy of the Resolution is on file in the Auditor's office.

Motion by Commissioner Schultz, seconded by Commissioner Huntington to approve the bid for the replacement vehicle for the Sheriff Department from Kayser Automotive Group in the amount of \$25,374. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to support Hennepin County in their pursuit of the lawsuit to recover deed transfer taxes on foreclosures. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Johnson to appoint Lavonne Trotter to the Community & Child Services Advisory Board. Ayes all.

Motion by Commissioner Johnson, seconded Commissioner Huntington to go into a closed session for the Administrator's evaluation at 8:04 p.m. Ayes all

Motion by Commissioner Ebeling to return to open session, seconded by Commissioner Johnson. Ayes all.
Motion by Commissioner Johnson, seconded by Commissioner Schultz that the 6 month evaluation of Administrator Tom Shea was acceptable and step increase as negotiated is approved. Commissioner Johnson further moved that office of County Administrator for Steele County be affirmed and that Tom Shea has the backing of the Board in that position. Commissioner Johnson also reported that the evaluation was discussed with Mr. Shea and they mutually agreed on performance goals and objectives. Mr. Shea will be reviewed by the Board in 6 months to coincide with his 1 year anniversary of appointment as County Administrator. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Johnson to return to open session at 10:35 p.m. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Ebeling to approve the following listing of bills. Ayes all.

LISTING OF BILLS
9/11/12

| | |
|---------------------------------------|-------------------|
| A'viands LLC | 12,661.89 |
| Adjusters International Inc | 4,112.10 |
| Anoka County Corrections | 6,421.00 |
| Businessware Solutions Corporation | 3,233.13 |
| Computer Professionals Unlimited Inc. | 4,087.13 |
| Election Systems & Software Inc | 3,906.73 |
| Emergency Automotive Technology Inc | 3,853.36 |
| FFF Enterprises | 7,026.31 |
| Frontier Precision Inc | 4,478.67 |
| Huckle Media LLC | 2,693.62 |
| Information Systems Corp | 15,536.85 |
| Integra Telecom | 3,339.08 |
| Kayser Automotive Group | 25,374.00 |
| Leo Hoffman Center Inc | 6,246.25 |
| MCF-Red Wing | 8,184.00 |
| MN Dept of Transportation | 6,633.57 |
| Motorola Solutions Inc | 8,813.64 |
| Northland Farm Systems | 3,980.67 |
| Owatonna Public Utilities | 19,039.41 |
| RDO Equipment Co. Inc | 3,546.81 |
| Rocon Incorporated | 9,415.00 |
| Short Elliott Hendrickson Inc | 2,341.59 |
| Steele County Attorney | 2,593.25 |
| Steele County Revenue | 2,403.90 |
| Univ of Mn Regents | 2,322.38 |
| Wencl Plumbing Inc | 2,095.00 |
| West Payment Center | 2,997.05 |
| 178 Warrants Totaling | <u>64,720.22</u> |
| TOTAL | 242,056.61 |

Motion by Commissioner Huntington, seconded by Commissioner Johnson to adjourn to the call of the Chair at 10:40 p.m. Ayes all.

CHAIRMAN

ATTEST: _____
AUDITOR