

**2008 ELECTION OF COUNTY BOARD CHAIR AND VICE CHAIR WAS
CONDUCTED BY THE CLERK TO THE COUNTY BOARD ON TUESDAY, JANUARY
08, 2008; 10:20 A.M. BY UNANIMOUS VOTE COMMISSIONER WADE PAVLECK
WAS ELECTED AS BOARD CHAIR AND BY UNANIMOUS VOTE COMMISSIONER
KALLIE BRIGGS WAS ELECTED AS VICE CHAIR.**

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, January 8, 2008; 10:25 a.m.

MEMBERS PRESENT: Commissioners Briggs, Pavleck, Lepper, Hanson, Adee

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Doug Grindall, Terry Glowack, Dennis Hummitsch; Reporter
Lisa Kaczke

2008/01-01 Motion by Adee, seconded by Hanson to approve the agenda with additions and
deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-02 Motion by Hanson, seconded by Lepper to approve the minutes from the December
18, 2007 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-03 Motion by Lepper, seconded by Adee to ratify year end payments of the Auditor
and Health claims in the amount of \$40,344.30 under Board Motion 2007/12-04; to approve
payment of the monthly County Board expense claims in the amount of \$1,941.84; to approve
payment to Attorney Lyndon Larsen in the amount of \$5,039.60 for December 2007 contracted
legal services for the County Attorney's Office. Voting yes: Pavleck, Hanson, Adee, Lepper,
Briggs. Motion carried.

2008/01-04 Motion by Hanson, seconded by Briggs to award the low and only 2008 publication
bid to the Daily Journal and Northome Record as a joint bid with a 2% rate increase from 2007
rates. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair requested Commissioners to review the County Committee List and
appointments and provide change requests or comments to him by the next meeting.

2008/01-05 Motion by Briggs, seconded by Lepper to appoint Ashley Germain to the vacant
seat of the Koochiching Housing and Redevelopment Authority Board of Directors from the two
recommended applicants provided by the Housing and Redevelopment Authority. Voting yes:
Pavleck, Lepper, Briggs; voting no: Hanson; abstaining: Adee. Motion carried.

2008/01-06 Motion by Hanson, seconded by Briggs authorizing Board members' attendance to
a Luncheon with Congressman Oberstar on January 10, 2008 as a County Board activity. Voting
yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 Commissioner Pavleck informed the Board that he was asked to represent the MN Rural
Counties Caucus (MRCC) Board on the BWSR Advisory Committee which is dealing with

changes to the State Wetland Conservation Act (WCA) through the permanent rule making process, which would entail about 8 monthly advisory committee meetings and time reporting to MRCC (Koochiching County is a MRCC member).

2008/01-07 Motion by Lepper, seconded by Briggs appointing Commissioner Pavleck to represent the MRCC Board on the BWSR Advisory Committee handling changes to the State Wetland Conservation Act through the rule making process. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-08 Motion by Hanson, seconded by Lepper authorizing the Highway Engineer to call for annual fuel bids for bulk delivery and in and out county service stations. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-09 Motion by Lepper, seconded by Hanson to renew the service contract with the Occupational Development Center for 2008 cleaning services with no change from the 2007 contract as recommended by the Complex Superintendent. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-10 Motion by Adee, seconded by Lepper that at the request of the AB/Backus Organization to snowplow the south sidewalk of the Backus facility (Complex Department is snowplowing county property that abuts this area of the Backus facility), to accept the recommendation of the Complex Superintendent to provide in-kind snowplowing for the south sidewalk of the facility with services under the discretion of the Complex Superintendent and limited to what the County Complex Department's truck and plow can handle for snow removal in this particular area. Voting yes: Pavleck, Adee, Lepper, Briggs; voting no: Hanson. Motion carried.

000 The Board was informed that Thomas Hatfield was hired as a County Forester on December 31, 2007.

000 The Land Commissioner provided the Board a draft DNR News Release on holding open houses to allow public questions and view points on the upcoming work for forest classification and trail designation in Koochiching County. As recommended by the Land Commissioner, a meeting with the DNR and the County Board will be scheduled following the open house process. The Land Commissioner also requested a date from the County Board for the annual County Woods Tour of which the Board selected February 1, 2008.

2008/01-11 Motion by Adee, seconded by Briggs to approve a two-year contract with Luke's Tire Hauling to remove tires from the transfer station as recommended by the Environmental Service Director as low quote and upon review of the contract by the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-12 Motion by Briggs, seconded by Lepper to approve a one-year contract with Occupational Development Center for sorting and clean up work at the Transfer Station with a cost not to exceed \$2,704.00 as recommended by the Environmental Service Director and upon

review of the contract by the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-13 Motion by Hanson, seconded by Adee to approve a two-year recycling contract with CRT Processing, LLC to accept electronics from Koochiching County (at very low cost as manufacturers are now required to recycle more electronics to meet required quotas) as recommended by the Environmental Service Director and upon review of the contract by the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 11:20 a.m. No comment was presented.

2008/01-14 Motion by Lepper, seconded by Adee to adjourn the meeting at 11:20 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, January 15, 2008; 9:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Indus School 8th Grade Civics' Class and Teacher Lynn Beyer, Doug Grindall, Terry Murray, Richard Lehtinen, Dennis Hummitzsch; Reporter Lisa Kaczke

2008/01-15 Motion by Briggs, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Indus 8th Grade Civics' Class spent time with the County Board to learn about County government and the formation and role of the County Board.

2008/01-16 Motion by Hanson, seconded by Lepper to approve the minutes from the January 8, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received notice on the hire of Traci Wilke as a part time LPN in the County Health Department with a starting date of January 1, 2008.

2008/01-17 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$183,854.88 and to authorize the Board Chair's signature to the Auditor's December vendor payment listing verifying its review. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-18 Motion by Lepper, seconded by Adee to set the 2008 County Board of Equalization meeting dates as follows: Tuesday, June 17 to convene in the afternoon with Assessor's opening

report and appointments; Tuesday, June 24 to meet in the afternoon to continue appointments with intent to conclude work and adjourn; Friday June 27 is reserved if more meeting time is needed to conclude work (the County Board of Equalization must adjourn by June 30). Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-19 Motion by Adee, seconded by Hanson authorizing the County Coordinator to submit a grant application to the National Telecommunications and Information Administration (NTIA) for up to \$14,000 to install receivers on the 14 County TV Translators to convert the digital signal back to analog when the mandated switch to digital of TV power stations takes place on February 17, 2009 (allows county to maintain analog television until some future date when the FCC requires translator systems to convert to digital). Motion further authorizes the necessary County official signatures to the grant application. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-20 Motion by Lepper, seconded by Briggs authorizing a public hearing per MN Statute 375B.04 for creation of a Subordinate Service Taxing District for a described area within the boundaries of School District 361 for the purposes of receiving public comment on whether a taxing district should be established to support the service charge billing by the Rural Fire Protection Association to ensure the necessary funding to provide fire protection in a designated service area as recommended by the County Management Committee and the Rural Fire Protection Association with a public hearing date scheduled for February 5, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-21 Motion by Briggs, seconded by Lepper accepting the Highway Engineer's certification that the Annual Bridge Safety Inspection for the year 2007 has been completed as required by MN Statute 165.03, Subdivision 3 and Minnesota Rule 8810.9000 and includes the Highway Engineer's recommendation to post the bridge on a forestry road at the end of UT 143 as 10 tons. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-22 Motion by Briggs, seconded by Adee authorizing the Highway Engineer to call for bids for two passenger vehicles for the County Car Pool with the bid opening on February 11, 2007 and results to the County Board on February 12, 2007. Voting yes: Pavleck, Hanson, Adee Lepper, Briggs. Motion carried.

2008/01-23 Motion by Lepper, seconded by Adee to approve the following service agreements as recommended by the Community Service Director and upon approval by the County Attorney: renew the AEOA Employment & Training Agreement; approve an Addendum to AEOA Employment & Training Service Agreement; renew the AEOA SELF Service Agreement; renew the Title IV-D Cooperative Service Agreement; renew the Kootasca Senior Coordinator Service Agreement; renew the Kootasca Family Development Service Agreement; renew the ODC Supported Employment Service Agreement; renew the Rational Alternatives Service Agreement and renew the Summit Fiscal Entity Service Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-24 Motion by Lepper, seconded by Briggs to approve an amendment to the service agreement with CR Planning to extend the original performance timeline to June 30, 2008 (with

no additional cost) as additional time is needed to complete the public process in developing a revised County Zoning Ordinance as recommended by the Environmental Service Director and Planning Commission. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-25 Motion by Adee, seconded by Lepper to approve the employment separation of Forester Shawn Cannon effective January 18, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-26 Motion by Hanson, seconded by Adee authorizing the Land Commissioner to fill the vacant Forester position and to allow the Land Commissioner to consider applicants from the last County Forester application pool from November, 2007 before seeking a new application pool as requested by the Land Commissioner. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-27 Motion by Hanson, seconded by Adee to adjourn the meeting at 10:55 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, January 22, 2008; 10:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Richard Lehtinen, Steve Blair, Terry Murray, Susan Congrave, Einar Sundin; Reporter Lisa Kaczke

2008/01-28 Motion by Adee, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-29 Motion by Briggs, seconded by Adee to approve the minutes from the January 15, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received notice of temporary hire in the Sheriff's Department: Marilee Simons for fill-in Jail Cook; Charles Lessard, Duane Nelson and Richard Johnson for transports.

2008/01-30 Motion by Lepper, seconded by Briggs to approve payment of the Highway claims in the amount of \$194,340.08, to approve payment of the Health claims in the amount of \$51,406.23 and to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-31 Motion by Lepper, seconded by Adee authorizing the Sheriff to advertise in the local paper for bids to sell surplus radio equipment with a minimum bid price set for the equipment. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-32 Motion by Briggs, seconded by Hanson accepting the recommendation of the Planning Commission to approve the Preliminary Eagle's Nest on Black Bay Plat (#0702) for ENP, Inc. consisting of 8 lots in the Eagle's Nest area of Rainy Lake. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-33 Motion by Adee, seconded by Lepper accepting the recommendation of the Community Service Director for renewal of the following service agreements (with 2% legislative increase) and upon approval of the County Attorney: Pineview Detoxification Service Agreement, Pineview Primary Care Service Agreement, Pineview Extended Care Service Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-34 Motion by Lepper, seconded by Adee accepting the following Foster Day Care and Day Care Licensing recommendations: Peggy Gordon – license for family day care for ten children; Tara Cotter – license for family day care for ten children; George and Susan Franko – license home for child foster care for three children; Dale and Sandra Hansen – relicense home for child foster care for two children. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-35 Motion by Lepper, seconded by Briggs to table the request to fill the vacant part time Health Educator position in the Health Department. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Health Director provided information on the Local Public Health Association's 2008 legislative priorities, the WIC Program management evaluation and changes for Public Health Emergency Preparedness. A review and discussion was held on home care services following a meeting with providers and on the feasibility of dialysis services in the County.

2008/01-36 Motion by Hanson, seconded by Briggs to renew a 2008 service contract with the Women's Health Center for the Family Planning Program as recommended by the Health Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 11:45 a.m. Einar Sundin again provided his position on the need for county-wide 911 signage.

2008/01-37 Motion by Lepper, seconded by Adee to adjourn the meeting at 11:50 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, January 29, 2008; 9:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Randolph, Dennis Hummitzsch; Reporter Lisa Kaczke

2008/01-38 Motion by Hanson, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-39 Motion by Hanson, seconded by Briggs to approve the minutes from the January 22, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-40 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$33,816.59. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-41 Motion by Lepper, seconded by Hanson to approve a 2008 Boat and Water Safety Grant Agreement with the State of Minnesota allocating funds to Koochiching County in the amount of \$6,602.00 on a reimbursement basis and authorizing the County Sheriff and Board Chair signatures to said Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair presented the final draft of the 2008 County Committee Listing with the only change being the appointment of Commissioner Lepper to the Car Pool Committee to replace Commissioner Pavleck. No other changes to the listing were requested by the Board.

000 Commander Terry Randolph of the VFW Post informed the Board of an upcoming planning session for an event this summer referred to as a Stand Down which is an outreach program for veterans in need. This will be a county-wide effort and representation of the County Board is requested.

2008/01-42 Motion by Lepper, seconded by Hanson authorizing as a County Board activity, Board members' attendance to a planning session at the VFW Post in International Falls on February 6, 2008 at 11:30 a.m. to begin organizing the summer Stand Down event to assist veterans in need. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-43 Motion by Hanson, seconded by Adee to approve an application for repurchase of forfeited lands for lands described as Lots 16, 17, 18, 19, 20 and 21, Block 6, American Suburbs Company's East Side Addition to Koochiching County for applicant Brent Hanson under County Policy and as recommended by the Land Commissioner. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Land Commissioner provided an update on the County's Forest Certification process giving the tentative audit timeframe and informing the Board of the continued support received

from the forest industry for forest certification. In addition, Blandin Foundation is providing funding for creation of a website data base to assist the five-county consortium, which the County is a part of, with their work on forest certification.

000 The Land Commissioner reviewed the results of the January 16 timber auction resulting in all tracts selling, 13,900 cords sold for a total auction sale value of \$369,794.

000 Commissioner Briggs informed the Board that the annual MN Chamber Legislative Session Priorities Dinner in St. Paul is scheduled for February 12, 2008, noting that a representative of the County Board normally attends but this year it falls on a County Board meeting date.

2008/01-44 Motion by Hanson, seconded by Adee authorizing Board members' attendance to a January 31, 2008 Chamber of Commerce Luncheon in which Senator Saxhaug and Representative Anzelc will be in attendance. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/01-45 Motion by Adee, seconded by Hanson to adjourn the meeting at 10:15 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, February 5, 2008; 2:30 p.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Florence Hervey, Jaci Nagle, Terry Murray, Doug Grindall, Rob Boyd, Chris Mostad, Shawn Mason, Merlin Holme, Jerry Arason, Aarden Barnes, Jerry Snyker, Dennis Wagner, Tom Wherley, Barry Sherwood, Bill Dougherty, Bob Anderson, Donny Pullar, Mr. and Mrs. Sandy Dexter, Dan McCarthy, Randy Pozniak, Bill Gray, Bob Peterson, Don Billig, Ed Oerichbauer; Reporter Lisa Kaczke

2008/02-01 Motion by Lepper, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-02 Motion by Briggs, seconded by Hanson to approve the minutes from the January 29, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received notice on the temporary hire of Rita Eisterhold as fill-in/weekend Jail Cook.

2008/02-03 Motion by Lepper, seconded by Adee to approve payment of the monthly County Board expense claims in the amount of \$8,394.17. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-04 Motion by Lepper, seconded by Briggs to table approval of the 2008 Northern Counties Land Use Coordinating Board (NCLUCB) dues until the February 12 County Board meeting to allow County Board representatives serving on NCLUCB to review the reason for the increase in dues. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-05 Motion by Hanson, seconded by Briggs to approve a Minnesota Lawful Gambling LG215 Lease for the VFW Post 3869 in Northome for lawful gambling activities at the Country Sampler Restaurant and Saloon located at 10814 County Road 25, Mizpah, MN 56660 for the period of May 1, 2008 to April 30, 2009 as recommended by County License Committee. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-06 Motion by Adee, seconded by Lepper authorizing the purchase of an A-VOX Logger Recording System to replace the existing system in the amount of \$19,516.13 for the Law Enforcement Dispatch Center with funding from the 2008 E911 Budget and as recommended by the Sheriff and Information Systems Manager. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-07 Motion by Lepper, seconded by Briggs to approve the employment separation of Financial Worker Cathy Gordon effective March 4, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-08 Motion by Lepper, seconded by Adee authorizing the Community Service Director to fill the vacant Financial Worker position due to an employment separation. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-09 Motion by Briggs, seconded by Hanson to renew the Lutheran Social Service Guardianship Contract as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-10 Motion by Adee, seconded by Hanson to approve a Medica Health Plans Agreement providing for waived case management services by Community Service Financial Assistance staff for payment of \$45,000 as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-11 Motion by Lepper, seconded by Hanson to approve the Crabtree Senior Home Contract for waived service adult foster care as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-12 Motion by Briggs, seconded by Lepper to award low bid for County Bulk Fuel Delivery as recommended by the Highway Engineer with modification in that Diesel #2 for

International Falls and Diesel #1 for Littlefork will be awarded to the low local bidder. Voting yes: Pavleck, Hanson, Lepper, Briggs; voting no: Adee. Motion carried.

2008/02-13 Motion by Hanson, seconded by Lepper to award low bid for Fuel Service Stations as recommended by the Highway Engineer. Voting yes: Pavleck, Hanson, Lepper, Briggs, Adee. Motion carried.

2008/02-14 Motion by Lepper, seconded by Hanson authorizing the Highway Engineer to further advertise for applicants for the Assistant Engineer position under the County Hiring Policy. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Highway Engineer provided the Board an overview of the process should the Board approve moving forward on the proposed Highway 332 Realignment Project as previously presented, noting that some of the original plan would change without the vacation of the Burner Road. The Board Chair opened the meeting for further public comment on the project. Comments were received from Highway 53 business owners concerned that this new route of Highway 332 to Highway 11 will detour traffic from entering Highway 53 into International Falls and therefore hurt their businesses. Comments were received on support of rerouting Highway 332 to the Foreign Trade Zone (FTZ), which was officially supported by the City of International Falls (City would vacate the Burner Road if the route went to the FTZ). Comments were received as to new safety concerns that will result by increasing car traffic with truck traffic on Highway 332 and intersecting on both Highway 11 and Highway 53 which has 50 MPH traffic. Comments were received that the County and City need to work together on the end result and represent all the stakeholders. Comments were received concerning safety on Highway 11 at the entrance of the City of Ranier if Highway 332 is rerouted to the FTZ and out to Highway 11 at this point. The International Falls Mayor stated that the City is willing to use the revenue received from Boise for vacation of the Burner Road to invest in the route to the FTZ in collaboration with the County and that the City is now working with Boise to resolve what they can with safety concerns on the Burner Road. Representatives of Boise spoke to (and written comments received) supporting the vacation of the Burner Road due to the increasing work activity in that area and increasing safety concerns with the mix of industry and public traffic. A representative of Boise commented on the company's investment in this community in employment and to the business community and their commitment to continue to support the local economy. In addition, it was stated that Boise is prepared to provide the County the right of way for its proposed road project as the reroute will take some traffic off the Burner Road should the City not vacate it. In response to the comment, the Board members and Highway Engineer provided responses. With regards to the suggested route to the Foreign Trade Zone (FTZ), this route would not meet Trunk Highway status so MNDot would not approve this route as an extension of State Highway 332. The Board Chair stated the County is not out to hurt businesses and that any new road has the potential of having accidents and that is why you rely on the expertise of engineers and federal and state highway standards to make roads safe. The Highway Engineer's proposed Highway 332 reroute project provides for the vacation of the Burner Road to Boise for safety reasons and is fully funded with federal and state dollars. The suggested reroute to the FTZ will require a large investment by the local taxpayer and is not a feasible reroute option for the County taxpayer. A route to the FTZ could be dead ended as a County Road which construction and maintenance would require all local dollars. Or a route to

the FTZ could be routed to come out at Highway 11 by Ranier as a CSAH road, where state dollars could be used for construction and maintenance. However, if the CSAH designation is done, the Burner Road would have to remain as the extension of State Highway 332 so therefore could not be vacated. The estimated cost to put a road to the FTZ is \$1 million. The concerns that traffic will be diverted from the Highway 53 business district is understood but traffic can do that now with the current Highway 332 route and it is not realistic to think that all traffic coming in on Highway 71 and Highway 53 will use Highway 332 as it isn't now. The Board Chair stated that the County is committed to spurring economic growth in the County and spoke to the work of local representatives on bringing the Highway 53 four-lane project to reality, improving road infrastructure to International Falls. In addition, there is a Task Force formed to work on the VNP Gateway Corridor Project which very few businesses are attending. This Corridor Project is intended to enhance the entrance to International Falls as the entrance point to Voyageurs National Park and attract people to the Park, which will support all businesses. In supporting Boise in its need to vacate the Burner Road, it shows this Community's support for industry development and the local commitment to provide needed infrastructure for industry. Decision on this project is difficult for the County and sometimes leadership requires tough decisions. In the end the Board believes the project will improve the County's transportation infrastructure and not have the negative impact on the businesses that has been expressed in the public comment on this project.

2008/02-15 Motion by Lepper, seconded by Adee that after receiving the position of the Highway 332/Burner Road Task Force and upon receiving further public input, to reaffirm Board Motion 2006/09-48 in authorizing the Highway Engineer to proceed with the original TH 332 Relocation Project with amendments as recommended by the Highway Engineer to accommodate for the change in plans should the Burner Road not be vacated. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair opened a public hearing at 5:30 p.m. to receive comment on whether a subordinate service taxing district should be established to provide funding for fire protection within a described area of School District 361. The County Coordinator stated that under the current structure for providing fire protection in this designated service district, the County has entered into contract with the City of International Falls and the Rural Fire Protection Association and a structure is needed to ensure the necessary funding to provide the service. The intent of the County Board in establishing this taxing district is not to change the current flat fee assessment but provide a mechanism to certify unpaid service charges to the Auditor for collection through property tax statements. The Board Chair opened the hearing for public comment. The Coordinator noted that no written comment was received. Dan McCarthy in referencing the \$30,000 of uncollected 2006 and 2007 service charges stated that the County has an obligation to collect this money and the debt should not be written off. Representatives of the Rural Fire Protection Association stated that they continue to work on collection of this debt. Everyone needs to pay their share or the service charge has to be increased to cover the financial obligations for providing this fire protection. With no other public comment, the Board Chair closed public comment. Commissioner Hanson stated that he was contacted by a few properties that are closer to the Littlefork Fire Station than the International Falls Fire Station and feel they should receive service from Littlefork. RFPA representatives stated that the first step is for the property owners to contact them to review the situation but that they would also need to contact

the Littlefork Fire Department to determine if they can receive protection from the Littlefork Fire Service District. The Board Chair closed the hearing at 5:50 p.m.

2008/02-16 Motion by Lepper, seconded by Briggs adopting the following resolution for the purpose of creating a subordinate service taxing district for fire protection service for a described unorganized area within the boundaries of School District 361:

WHEREAS, a request has been presented to the County Board for establishment of a subordinate service taxing district for the purpose of providing necessary funding for fire protection service, and

WHEREAS, the County Board has determined a taxing district is necessary to ensure a funding mechanism to support the fire protection service, and

WHEREAS, a public hearing in this regard was held on Tuesday, February 5, 2008 at 5:30 p.m. in the Courthouse boardroom, as required by M.S. 375B.04, and

WHEREAS, formation of a fire protection service district has been deemed to be both beneficial and necessary.

NOW THEREFORE BE IT RESOLVED that a subordinate service taxing district be established for the provision of fire protection service under M.S. 375B, and

BE IT FURTHER RESOLVED, that the territory of the taxing district be described to include properties within the following unorganized area: All of Township 70-25, 70-24, 71-24, 69-24, 71-23, 70-23, 69-23, 71-22, 70-22, excluding all of the Islands on Rainy Lake.

BE IT FURTHER RESOLVED, that the Rural Fire Protection Association is authorized to assess an annual service charge to properties with dwellings and accessible by a maintained road within the district in accordance with policies and procedures and upon approval of the service charge by the County Board, and certify unpaid service charges to the County Auditor for collection on the property tax statement.

FURTHER, that said resolution will be published in the official newspaper of the County (publication date of February 8, 2008). The District will be deemed established 30 days after the date of publication unless a petition signed by five percent of the qualified voters within the territory of the proposed district is filed with the County Auditor prior to the effective date of its creation. Said petition shall cause the creation to be held in abeyance pending referendum vote of all qualified electors residing within the boundaries of the proposed district. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-17 Motion by Lepper, seconded by Briggs to adjourn the meeting at 5:55 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, February 12, 2008; 10:25 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Ed Oerichbauer, Bob Peterson, Richard Lehtinen, Tony Jaksa, Dan McCarthy, Eric Norstad; Reporters Lisa Kaczke and Jerry Franzen

2008/02-18 Motion by Hanson, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-19 Motion by Adee, seconded by Briggs to approve the minutes from the February 5, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-20 Motion by Hanson, seconded by Adee authorizing the Board Chair's signature to the Auditor's January vendor payment listing verifying its review and approving payment of the Auditor claims in the amount of \$24,155.97. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-21 Motion by Briggs, seconded by Hanson to approve payment from the City of International Falls' Sunset Cove Waterline Account as follows: to the City of International Falls in the amount of \$1,835.15, to the City of Ranier in the amount of \$12,153.28 (to include the County's portion as the waterline has been turned over to the City of Ranier). Motion further approves payment of the 2008 NCLUCB dues in the amount of \$5,000 and authorizing the Coordinator to make the necessary budget adjustment to accommodate the full payment of dues in 2008. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/02-22 Motion by Lepper, seconded by Briggs accepting the recommendation of the Project Architect and Courthouse Historical Committee to reject the only bid for the painting of the Courthouse historic corridors as not meeting bid specs and to accept the quote for \$46,000 from Adam McIntyre for the painting work and further, to approve the 2008 Project Budget at \$51,500 (rolled from the 2007 County Budget and partially funded by a \$25,000 State Historical Society Grant) and to approve additional expenses within the budget for electrical and cabinetry to accommodate the historical painting plan. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-23 Motion by Briggs, seconded by Hanson to table action on the Car Pool vehicles bid until the Highway Engineer is available to review the bid results and sale of the replacement vehicles. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-24 Motion by Lepper, seconded by Briggs to send the County Board's sincere appreciation to those who served on the Jackfish Sewer Committee for all their work and

dedication in making the sewer project a reality and working through the difficult issues. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director informed the Board of the upcoming plan for review of the draft County Development Ordinance which combines the Zoning, Rivers, Shoreland and Wetland Ordinances into one ordinance and adds a new septic system ordinance. The Consultant is scheduled to review the draft with the County Board at the February 26 committee session and thereafter, a number of public review meetings will occur to ensure adequate public notice and comment on the draft. Public hearings for adoption of the actual ordinance will be set at some later date. Board members stated that due to the complexity of this document, the planning process needs to reserve adequate time for the County Board's review so the Board has a comfort level and understanding of what it will be putting under ordinance before it is presented to the public. The Environmental Service Director stated that a draft document will be provided the Board as soon as possible and that setting additional meeting time with the Board can be further discussed at the February 26 meeting.

A representative from the Boise/RRCC Partnership in development of the RRCC Industrial Trade Program, met with the Board to review the current program and the need for an internship component to provide actual hands on experience. The program consists of 45 semester credits for the diploma or 60 semester credits for the A.A.S. in Industrial Technology. There are currently 22 students enrolled with expectation of filling this number of slots annually. From Boise's perspective, they are looking for skilled workers for millwright positions. With baby boomers reaching retirement age, Boise is anticipating a large turnover of millwrights (2/3rds of the force) by 2012 and there is a shortage of skilled workers in the market to replace these employees. In competing in the world market, companies have to do more with less and Boise has done this but in doing so, the employee training resources were lost. The RRCC Industrial Trade Program is a benefit for all employers looking for skilled labor and it provides a local training program to our young population to retain them in our local workforce. The Industrial Trade Program is in need of summer internship slots and the Partnership is looking to employers in the county to assist with this need. Board members expressed their support to look for internship slots in the County and their appreciation of the partnership in diversifying and providing a local program to benefit our local economy and workforce. The Board agreed to schedule a committee session with its department heads having work fitting the Industrial Trade Program to explore possible internship slots in the County.

000 The Board Chair called for public comment period at 11:40 a.m. Dan McCarthy again asked the Board members to use their microphones during the meetings and requested that the County Board meetings be taped as a matter of public record. Eric Norstad inquired as to the filling of the Assistant Engineer position as it relates to the County Hiring Policy and promotional opportunities for employees.

2008/02-25 Motion by Briggs, seconded by Lepper to adjourn the meeting at 11:50 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, February 19, 2008; 9:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Adee, Lepper, Briggs

MEMBERS ABSENT: Commissioner Hanson (Out of Town on County Business)

OTHERS IN ATTENDANCE: Jaci Nagle, Quinn McCarthy, Dennis Hummitzsch, Ann Scholler, Phil Miller, Doug Grindall, Mick Kuryla, Dan McCarthy, Einar Sundin; Reporters Lisa Kaczke and Jerry Franzen

2008/02-26 Motion by Adee, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

2008/02-27 Motion by Lepper, seconded by Adee to approve the minutes from the February 12, 2008 regular meeting. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

2008/02-28 Motion by Lepper, seconded by Briggs to approve payment of the Highway claims in the amount of \$51,545.71. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

2008/02-29 Motion by Lepper, seconded by Adee accepting the recommendation of the License Committee to approve On Sale and Sunday Intoxicating Liquor and Tobacco Licenses to the Falls Country Club located in International Falls, MN for the period of April 1 through October 31, 2008. Voting yes: Lepper, Adee, Briggs, Pavleck. Motion carried.

2008/02-30 Motion by Briggs, seconded by Lepper to approve a lobbyist service agreement with Flaherty & Hood, P.A. for the 2008 Legislative Session with an effective date of February 12, 2008 and with cost not to exceed \$10,000. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

000 The Board reviewed a letter from the Falls Memorial Hospital CEO requesting the support of the County and City of International Falls for wetland mitigation to assist in the building of the new hospital adjacent to the Duluth Clinic. With the property being located in the City of International Falls, the County Board acknowledged that the City would need to take the lead as wetland administrator in their city limits but that the County would be willing to provide assistance where it could. It was agreed the Board Chair would take the lead in getting the details and plan of action and work with the Environmental Service Director to find out what assistance the County could provide in conjunction with the City and report back to the Board.

000 The Board received notice of the hire of Quinn McCarthy as the GIS/Network Specialist with a starting date of February 13, 2008.

2008/02-31 Motion by Adee, seconded by Lepper authorizing the purchase of 24 personal computers, 1 laptop and accompanying MS Office software under the County Department

Information Systems Plan in the 2008 Budget at a cost not to exceed \$39,500 as recommended by the I.S. Manager. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

000 The Board received notice of the hire of Joseph Meres as County Forester with a starting date of February 19, 2008.

2008/02-32 Motion by Lepper, seconded by Briggs to cancel the repurchase of forfeited lands for applicant Brent Hanson for Lots 16, 17, 18, 19, 20, 21, Block 6, American Suburbs Company of East Side Addition (approved in Board Motion 2008/01-43) due to failure to make the required payment under County Policy and further, authorizing the Land Commissioner to proceed with site cleanup and auctioning the property at the next scheduled land sale. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

2008/02-33 Motion by Lepper, seconded by Adee to waive the ten-percent penalty on total sale value of timber permit K5054 and K4137, being released by Joseph White, formerly doing business as J&J Logging with all other penalties to stand under the Timber Sale Forfeiture Policy and with consideration based on the Policy's exception to review hardship requests on an individual basis. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

2008/02-34 Motion by Lepper, seconded by Adee accepting the recommendation of the Car Pool Committee to award State bid (low bid) for two Chevy Impala E-85 vehicles at a bid price of \$31,538.66 and to sell the two replaced vehicles under sealed bid with a minimum bid to be established. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

2008/02-35 Motion by Adee, seconded by Briggs authorizing the purchase of a sander truck with steel sander and tandem axle dump truck with plow, wing and sander under State bid as recommended by the Highway Engineer with a cost not to exceed \$260,000, the amount set for equipment replacement in the 2008 Highway Budget. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

2008/02-36 Motion by Briggs, seconded by Lepper accepting the recommendation of the Highway Engineer to allow a private property owner to make improvements to a platted roadway in the Plat of Craig for access to his property under the following stipulations: that the road would be constructed to County standards and in the County's interest if the road is considered for future County maintenance; all construction costs are the responsibility of the petitioner; the public can not be denied usage of the road. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

2008/02-37 Motion by Lepper, seconded by Briggs adopting the following resolution for designating state aid mileage for the TH332 Relocation Project:

NOW THEREFORE, BE IT RESOLVED, by the County Board of the County of Koochiching that the road described as COUNTY STATE-AID HIGHWAY NO. 92 beginning at a point on Trunk Highway No. 11 said point beginning approximately 140 feet east and 55 feet north of the northwest corner of southwest quarter-northwest quarter, section 36, township 71 north, range 24 west; thence southeasterly to the north line of said southwest quarter-northwest quarter, section

36; thence east along or near said north line to the intersection of 2nd Avenue of Third East Side Addition; thence north of said 2nd Avenue to Trunk Highway No. 11 and there terminating, length – 0.5 mile, be and hereby is, revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT RESOLVED, by the County Board of the County of Koochiching that the road described as beginning at a point of Trunk Highway No. 332, said point being west of the east section line of Section 35, Township 71 North, Range 24 West, thence northwesterly and northerly to a point on Trunk Highway 11 and there terminating, length 0.6 mile, be and hereby established, located, and designated a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be forwarded to the Commissioner of Transportation for his consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a County State Aid Highway of the County of Koochiching to be numbered and known as County State Aid Highway 155.

Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 10:50 a.m. Mick Kuryla addressed several issues with regard to public comment period, the State Highway 332 Relocation Project, annexation law and the NACO Prescription Drug Card. Dan McCarthy addressed several issues pertaining to public comment period, the proposed County Zoning Ordinance and the State Highway 332 Relocation Project. Einar Sundin addressed the State's tax system.

2008/02-38 Motion by Lepper, seconded by Adee to adjourn the meeting at 11:30 a.m. Voting yes: Pavleck, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, February 26, 2008; 10:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Murray, Richard Lehtinen, Doug Grindall, Ryan Heinen, Susan Congrave, Nancy McHarg; Reporters Lisa Kaczke and Jerry Franzen

2008/02-39 Motion by Briggs, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-40 Motion by Adee, seconded by Lepper to approve the minutes from the February 19, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-41 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$27,389.85, to approve payment of the Health claims in the amount of \$12,980.69; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented and to approve the following burial payments: case #603262 in the amount of \$1,045.00 and case #375604 in the amount of \$2,287.50. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/02-42 Motion by Briggs, seconded by Lepper to table acceptance of the resignation of long standing member Tony Mueller from the East Koochiching Sanitary Sewer Board as recommended by the East Koochiching Sanitary Sewer Board. Voting yes: Lepper, Hanson, Adee, Briggs, Pavleck. Motion carried.

000 The Community Service Director reviewed the State DHS Report on Human Services Performance under 23 measures for evaluating financial assistance, child support and social service programs. The County's Community Service Agency ranked above State average for all measures but two, which the Agency is working on outreach options to inform the targeted population under these two program areas. The Community Service Director also provided notice to the Board that the Agency's Program Improvement Plan for Child/Family Review has been approved by the State.

2008/02-43 Motion by Lepper, seconded by Adee accepting the following recommendations for Foster Day Care and Day Care Licensing: relicense Kelly Jo Mattsen for family day care for ten children; relicense Kim O'Loughlin for group family child care for twelve children; license Jennifer Walls for family day care for ten children. Voting yes: Lepper, Hanson, Adee, Briggs, Pavleck. Motion carried.

2008/02-44 Motion by Briggs, seconded by Lepper accepting the recommendation of the Community Service Director to terminate the following non-mandated service agreements to pull needed resources back into the Agency: Stellher Human Services, Social Worker in School District 361 and Raynita Houglum Custody Studies. Voting yes: Lepper, Hanson, Adee, Briggs, Pavleck. Motion carried.

000 The Environmental Service Director provided options he believed existed with regards to the Army Corps stand on determination of wetland credits for the County Dunnick Lake Wetland Bank. From all indications, it does not appear the Corps will change its determination of the 8.28 acres of the created 19.42 acres but the County Board could meet with Army Corps officials to further discuss their determination. Or the County could take the Corps position of 8.28 acres, reject it entirely or evaluate the site for creating more wetlands that the Corps would improve. Board members questioned why the County should have to do the project twice when the original 19 acre site was approved by BWSR. The County should not be penalized for the Corps failure to make a determination at the time the site was established. The Highway Engineer stated that part of the reason the Corps will not approve credits in today's standards is because of the water depth. In his estimate, filling in this large area to lessen depth will be costly and limited to what equipment can reach. The Soil and Water Technician stated that in addition to the depth, the other determinations made by the Corps for non-acceptance of wetland credits is

due to lack of vegetation conducive to wetlands and the steep slopes. The credits accepted for the site are classed Type 4, which is not the typical wetland areas replaced in the County. The credits can be used for other wetland type replacement but more Type 4 wetland credits have to be used. The County could consider using the 19 acre bank for projects not involving the Corps since BWSR accepted the original wetland bank. However, the reality of a project not involving federal funding or Corps jurisdiction is minimal. Having no wetland bank in the County, the Board agreed to look at the cost of establishing more wetland credits at the site that would be acceptable by both BWSR and the Corps which will be needed for development projects in the County. It was agreed to allow the County Wetland Technical Advisory Committee, where all parties are represented, to look at the feasibility of doing work on the Dunnick Lake site to increase the number of acceptable wetland credits with a report and recommendation to come back to the County Board.

000 The Health Department reported that for the most part, the impact of the Freedom to Breathe Act on Koochiching County after one year went well. A review was provided on the 2007 Health Department's Statistical and Financial Report and information was provided on reported diseases to the public health system in 2006 for Northeast Minnesota. The Director reported on the work group looking at bringing dialysis services to the County.

2008/02-45 Motion by Lepper, seconded by Hanson to acknowledge receipt of the minutes from the Professional Advisory Committee meeting on November 19, 2007. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 12:00 p.m. No comment was presented.

2008/02-46 Motion by Lepper, seconded by Briggs to adjourn the meeting at 12:00 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, March 4, 2008; 10:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Tom Morris, Terry Murray, Richard Lehtinen, Paul Sandstrom;
Reporter Lisa Kaczke

2008/03-01 Motion by Adee, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-02 Motion by Hanson, seconded by Lepper to approve the minutes from the February 26, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-03 Motion by Lepper, seconded by Briggs to approve payment of the monthly County Board expense claims in the amount of \$8,698.09. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-04 Motion by Lepper, seconded by Briggs authorizing Commissioner Pavleck to again serve on the NACO Environment, Energy and Land Use Policy Committee as appointed by AMC and to include necessary out of state travel to attend meetings. Voting yes: Lepper, Hanson, Adee, Briggs, Pavleck. Motion carried.

2008/03-05 Motion by Hanson, seconded by Lepper that due to the City of Virginia's withdrawal from the Highway 53 Task Force and the respective cost share agreement, to increase the County's cost share to \$3,734 for 2008 lobbyist services with payment from the 2008 Legislative Budget (City of International Falls and St. Louis County have agreed to pay their share of the increased cost). Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-06 Motion by Hanson, seconded by Adee to sponsor the Ridgerunner Snowmobile Club in the MN Trail Assistance Program Off Highway Vehicles Grant-In-Aid Program covering the Blue Ox ATV Trail. Sponsorship by the County requires that a Club/County Agreement be in effect (on file in the Administration Office). As sponsor, the County is accountable to the State for expenditures charged to the program; sponsorship does not require financial support or liability for cost from the County. Motion further authorizes the Board Chair and Auditor's signature to the MN Trail Assistance Program OHV FY 2008 Traditional Grant Agreement as recommended by the Auditor. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-07 Motion by Hanson, seconded by Lepper that upon receipt of a petition by nine property owners requesting fire protection coverage from the Littlefork Fire Service Taxing District rather than the International Falls Rural Fire Service Taxing District, to submit the petition to the City of Littlefork and the Rural Fire Protection Association for their response on adjusting district boundaries to accommodate the nine property owners' request for a change in fire protection service. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-08 Motion by Hanson, seconded by Lepper to add obtaining contracts for summer County Park maintenance to the agenda at the request of the Assistant Land Commissioner. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-09 Motion by Hanson, seconded by Lepper authorizing the Land Commissioner to obtain quotes and execute contracts for two park attendants to provide site management at County administered river access points for the Rainy River early fishing season and to request the annual funding contribution from Lake of the Woods County. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-10 Motion by Lepper, seconded by Hanson authorizing the Land Commissioner to obtain quotes and execute contracts for a three-year period for summer maintenance for eight County Parks contingent on review of the contract form by the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-11 Motion by Briggs, seconded by Adee authorizing the purchase of two laptop computers for the Community Service Child Support and Social Service Units at a cost of \$2,882.06 with payment from the 2008 Community Services Budget as recommended by the Director and Information Systems Manager. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-12 Motion by Hanson, seconded by Adee to renew the service agreement with Connie Anderson Aagard for client psychotherapy services as recommended by the Community Service Director. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-13 Motion by Lepper, seconded by Briggs to approve payment in the amount of \$2,500 to Nelson Salvage and Recycling for grinding brush at the Transfer Station with payment from the 2008 Environmental Service Budget as recommended by the Director. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director reviewed a tentative schedule for review and comment on the draft Development (Zoning) Ordinance due to the Board's request to allow sufficient comment period due to the complexity of the document. During March and April, the draft will be circulated for public and agency review. A joint meeting of the County Board and the Planning Commission will be scheduled to discuss the ordinance. Public meetings will be scheduled from mid-May through mid-June with public hearings by the Planning Commission scheduled in August and September and by the County Board in September and October.

000 Laurentian RC&D Coordinator Paul Sandstrom met with the Board to review the Agency's assistance on local projects and the Agency's overall objectives.

000 The Board Chair called for public comment at 11:35 a.m. No comment was presented.

2008/03-14 Motion by Briggs, seconded by Lepper to adjourn the meeting at 11:35 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, March 11, 2008; 10:20 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Ann Scholler, Jaci Nagle, Susan Congrave, Doug Grindall, Richard Lehtinen, Chris Holbeck, Eric Fallstrom, Dan McCarthy; Reporter Lisa Kaczke and Jerry Franzen

2008/03-15 Motion by Adee, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-16 Motion by Briggs, seconded by Lepper to approve the minutes from the March 4, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-17 Motion by Briggs, seconded by Adee approving the employment separation of Veteran Service Officer Jerry Andre effective June 1, 2008 with the County Board's acknowledgement and appreciation of his service to the veterans of Koochiching County. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-18 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$19,499.01 and authorizing the Board Chair's signature to the Auditor's February vendor payment listing verifying its review. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-19 Motion by Lepper, seconded by Briggs accepting the recommendation of the County Coordinator for the following Quarter 1, 2008 County Budget adjustments: increasing the Public Health Budget by \$23,438 for the balance of unspent Family Planning Grant dollars for expenditure in 2008; increasing the Environmental Service Budget by \$25,000, deferring 2007 dollars for payment of the consultant for work on the new Development Ordinance; increasing the County Building Budget by \$51,500 for the Courthouse Historical Painting Project which was deferred from 2007; increase the Airport Budget by \$8,000 for an airport security payment with an offsetting reduction in the County Budget Contingency. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-20 Motion by Lepper, seconded by Briggs to approve the following 2008 annual service charge for the Rural Fire Subordinate Service Taxing District at the same level as 2007 as recommended by the Rural Fire Protection Association: \$70 for residential and commercial rates based on the following building valuation ranges: \$5,000 up to \$20,000 - \$100; \$20,000 up to \$40,000 - \$150; \$40,000 up to \$70,000 - \$200; \$70,000 up to \$100,000 - \$250; \$100,000 up to \$150,000 - \$300; \$150,000 up to \$200,000 - \$350; \$200,000 up to \$300,000 - \$400; \$300,000 up to \$400,000 - \$450; \$400,000 up to \$500,000 - \$500; \$500,000 up to \$600,000 - \$550; \$600,000 or more - \$600. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-21 Motion by Lepper, seconded by Adee accepting the recommendation of the Car Pool Committee for a separate and revised Car Pool Vehicle Usage Policy as presented. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-22 Motion by Hanson, seconded by Briggs directing Administration to review the 1999 county-wide vehicle usage policy and provide a recommendation for an updated policy. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-23 Motion by Hanson, seconded by Briggs to accept the recommended draft Koochiching County Rural Addressing Ordinance as presented by the 911 Signage Committee and to present the draft ordinance to a public hearing. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-24 Motion by Lepper, seconded by Adee to set a public hearing under M.S. 375.51 to receive public comment on the County's intent to implement a Koochiching County Rural Addressing Ordinance with the hearing set for Tuesday, April 1, 2008 at 5:30 p.m. in the County Courthouse boardroom. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-25 Motion by Hanson, seconded by Lepper to extend the 2007 physical and occupational therapy contract with Falls Memorial Hospital to accommodate County Home Care clients needing the service through 2008 as recommended by the Health Director and with no change in the contract from 2007. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-26 Motion by Hanson, seconded by Lepper authorizing the Highway Engineer to call for bids for culverts and hired truck with a bid letting on April 14 and results to the County Board on April 15, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-27 Motion by Lepper, seconded by Adee hereby authorizing the Highway Engineer to submit the County State Aid Highway Designation for CSAH 155 between TH 332 and TH 11 to the Municipal Dispute Resolution Board:

WHEREAS, the Koochiching County Board of Commissioners authorized the County Engineer to apply for Federal High Priority Projects funds for construction of a connection road, herein referred to as CSAH 155, between TH 332 and TH 11 in 2002; and

WHEREAS, funding for this project was included in the last federal highway bill; and

WHEREAS, several public meetings were held by the County Board beginning in April, 2006 to receive input on this project and including the County Board's support and appointment of County representation on a Burner Road Solution Task Force at the request of the City of International Falls; and

WHEREAS, the Koochiching County Board of Commissioners gave its approval for the CSAH 155 project in September, 2007; and

WHEREAS, the findings of the Burner Road Solution Task Force, provided in December, 2007, found that a majority saw the need to vacate the Burner Road for safety purposes as presented by Boise but there was no consensus with regards to a position on the County's proposed CSAH 155 project; and

WHEREAS, following the Burner Road Solution Task Force report, a resolution from the City of International Falls was provided to the Koochiching County Board of Commissioners concluding their position that vacation of the Burner Road (within the City limits) is approved contingent upon the construction of a truck bypass from Highway 332 to Highway 11 abutting and serving the Foreign Trade Zone; and

WHEREAS, the Koochiching County Board held public comment sessions on January 29 and again on February 5, 2008 to review and discuss the pros and cons of the County's CSAH 155 Project and the City's position to route the road to the Foreign Trade Zone; and

WHEREAS, the Koochiching County Board on February 5, 2008 reaffirmed its September 2007 authorization for the Highway Engineer to proceed with his recommended CSAH 155 Project and on February 19, 2008 designated this route as a County State Aid Highway;

WHEREAS, the proposed improvement is within the City of International Falls and therefore the County State Aid Highway designation must be approved by the City, and

WHEREAS, the City of International Falls took no action on the County's request to support the County State Aid Highway designation at their March 3, 2008 council meeting; and

WHEREAS, the City of International Falls prefers that a road be constructed to the Foreign Trade Zone in lieu of the County's proposed road; and

WHEREAS, the County needs to move forward with this project if this project is to have a construction letting date by October, 2009, the expiration date of the last federal highway bill.

NOW THEREFORE BE IT RESOLVED, that the County of Koochiching requests that the Minnesota Commissioner of Transportation convene the Municipal Resolution Dispute Board to resolve the CSAH designation dispute for Koochiching County's CSAH 155 Project. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director presented a proposal to the County Board for a Rainy Lake Water Quality Condition Assessment for an area from Tilson Creek to Sha Sha Point as a means to collect water quality data in the non-sewered areas of Rainy Lake. Voyageurs National Park, as explained by a representative of the Park, has an ongoing agreement with St. Cloud State University where each summer water testing is conducted and analyzed by University students and assisted by professors. Knowing the County was conducting a feasibility study on extension of sewer to this area, he suggested to the Environmental Service Director that maybe this service could be useful in collecting data to support the feasibility study and if so, the County could use the VNP partnership with the University to have the assessment done. The draft scope of work would include water quality analysis for impacts of fecal coliform, nitrates and phosphorus with a cost of \$10,000. Board members were supportive of the study and requested the scope of work include some suggested island areas.

2008/03-28 Motion by Lepper, seconded by Briggs authorizing the Environmental Service Director to enter into agreement with Voyageurs National Park and St. Cloud University for a Rainy Lake Water Quality Condition Assessment for an area from Tilson Creek to Sha Sha Point and to consider inclusion of suggested island areas with the assessment to collect water quality data in the non-sewered areas of Rainy Lake with a cost not to exceed \$12,000 and further, authorizing the County Coordinator to submit a recommendation for funding the project. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director in conjunction with a representative from Benchmark Engineering, submitted the Wastewater Feasibility Study for the Tilson Creek to Sha Sha Point which researched and concluded feasible options for wastewater management in this area. The study concluded that extension of the municipal sewer was the most feasible option for wastewater management in this area at a cost estimate of \$11 million. As the next step, it is recommended that the public be informed of the study and that the study is used with other supporting data, to find possible state and federal funding sources for determining a final cost to property owners and affordability of the project.

2008/03-29 Motion by Briggs, seconded by Lepper accepting the Wastewater Feasibility Study for the Tilson Creek to Sha Sha Point area with the next step to begin public informational sessions to inform the public and those living in the area of the study and also, to begin seeking potential partnerships and funding sources for consideration of sewer in this planning area. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 12:00 p.m. Dan McCarthy addressed the Board with several items pertaining to agenda time, KEDA finances and the proposed water quality assessment plan. No other comment was presented.

2008/03-30 Motion by Adee, seconded by Lepper to adjourn the meeting at 12:07 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, March 25, 2008; 10:45 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs
MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Ann Scholler, Brian Youso, Terry Murray; Reporter Laurel Beager

2008/03-31 Motion by Adee, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-32 Motion by Briggs, seconded by Lepper to approve the minutes from the March 11, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-33 Motion by Lepper, seconded by Adee to defer a Step 3 Grievance Meeting with the LELS Union for a contract violation claim on overtime payment to a Correctional Officer to the Personnel Committee to review and provide a recommendation to the County Board. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-34 Motion by Hanson, seconded by Briggs accepting the Coordinator's recommendation to pay the \$12,000 Rainy Lake Water Quality Assessment authorized under Board Motion 2008/03-28 from the Environmental Trust Fund. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-35 Motion by Lepper, seconded by Briggs to approve payment of the Auditor claims in the amount of \$23,652.73; to approve payment of the Highway claims in the amount of \$135,222.98; to approve payment of the Health claims in the amount of \$9,556.53; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented and to approve the following burial payments: case #1002581 in the amount of \$1,962.50, case #NCN in the amount of \$1,962.50 and case #287041 in the amount of \$1,962.50. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received a report on the usage of the NACO Prescription Drug Discount Card in the County, which was implemented in late January. In the month of February, 94 prescriptions were submitted with 83 prescriptions receiving the reduced price under the NACO Program and 11 receiving the lower price from the local pharmacists. The program in total provided a savings of \$1,264 for the 56 residents using the card in the month of February. The NACO Prescription Discount Card offers substantial savings for the uninsured and underinsured residents of the County but can be used by all residents of the County to receive a reduced price on drugs that are not covered by their health plans.

2008/03-36 Motion by Lepper, seconded by Adee authorizing the Sheriff to hire an additional part time deputy due to losing other part time deputies to full time positions thereby reducing their availability to cover all the part time shifts. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/03-37 Motion by Lepper, seconded by Adee accepting the recommendation to relicense Toni Everett for group family day care for 12 children. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 11:12 a.m. No comment was presented.

2008/03-38 Motion by Lepper, seconded by Adee to adjourn the meeting at 11:12 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, April 1, 2008; 2:00 p.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Doug Grindall; Reporter Lisa Kaczke

2008/04-01 Motion by Briggs, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-02 Motion by Hanson, seconded by Lepper to approve the minutes from the March 25, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received notice of the temporary hire of Lori Lindberg in the Sheriff's Department for female transports.

2008/04-03 Motion by Lepper, seconded by Adee to approve payment to Flaherty & Hood in the amount of \$1,675.06 for 2008 lobbying services and to approve payment of the monthly County Board expense claims in the amount of \$7,839.87. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-04 Motion by Lepper, seconded by Briggs appointing Commissioner Pavleck to the DNR Shoreland Regulation Committee at the request of the DNR. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-05 Motion by Briggs, seconded by Adee accepting the following abatement recommendation of the County Assessor: Walter Buller – Parcel #92-120-06110 for taxes payable 2007 and 2008 for incorrect building size; Koochiching County/International Falls – Parcel #21-051-00081 for taxes payable 2008 for condemned property for tax exempt status; State of Minnesota – parcel #06-014-11000 for taxes payable 2007 for tax exempt status. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board reviewed information on the U.S. Fish and Wildlife Service proposal to expand the Critical Lynx Habitat from the current designation of Voyageurs National Park in Koochiching and St. Louis Counties to all lands east of Highway 53 to include 8,226 square miles in Cook, Lake, St. Louis and Koochiching Counties. The Board agreed to review the proposal with other northern counties at the upcoming AMC Legislative Conference before submitting comment by the April 28 deadline. The Board Chair deferred the item to the April 15 agenda and asked the Coordinator to pull information for the Board from the prior U.S. Fish and Wildlife Service's meeting with the County Board in which the current Lynx Habitat designation was reviewed.

2008/04-06 Motion by Lepper, seconded by Hanson to approve the employment separation of Information Systems Technician Todd Langevin on March 24, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-07 Motion by Hanson, seconded by Briggs to support the position of MRCC to request the Minnesota Office of Freight and Commercial Vehicle Operations to fund and authorize freight studies in each of the Mn/Dot districts in the state which will quantify commodity movement in each county which will provide county engineers valuable information in current and future transportation infrastructure needs. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-08 Motion by Lepper, seconded by Adee authorizing the County Engineer to set up the annual County auction for disposal of surplus equipment and vehicles which includes obtaining the services of an auctioneer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-09 Motion by Lepper, seconded by Briggs authorizing the County Engineer to fill a third Senior Engineering Technician or a Junior Engineering Technician position. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 2:50 p.m. No comment was presented.

2008/04-10 Motion by Adee, seconded by Hanson to adjourn the meeting at 2:50 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

PUBLIC HEARING OF THE KOOCHICHING COUNTY BOARD

Held on Tuesday, April 1, 2008; 5:30 p.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS ATTENDING: Steve Blair, Einar Sundin, Jerry Jensen, Marty Cody, Jaci Nagle, Brian Youso, Connelly Adams, Arden Barnes

PURPOSE: For adoption of a County Ordinance Establishing Koochiching County's Rural Addressing Requirements

000 The Board Chair opened the hearing with the County Sheriff and other 911 Signage Committee members providing an overview on the purpose of the Rural Addressing Ordinance and the tentative plan for incorporating 911 signage in the rural areas of the County.

The Board Chair opened the hearing for public comment. The Coordinator informed the Board that no written comment was received. Connelly Adams asked the Board how much property tax would increase for the cost of the county-wide 911 signage as his rural property taxes for 2008 went up 30%. It was explained that for Phase I of the signage plan, township funding from the annual Tax Forfeited Apportionment is earmarked to cover signage cost for properties with habitable dwellings on a maintain road, therefore no signage cost will be assessed to Phase I properties. Arden Barnes, resident of the City of Ranier, asked if her property would receive a 911 sign. Committee members explained that during this process, the cities in the County were informed of the County's plan to regulate rural addressing and place 911 signs for better emergency response services. In doing so, cities were asked to review their city addressing system and if interested in placing 911 signs in their city, to consider bidding with the County for a lower cost. Under law, cities are responsible for their own addressing and other than the City of Mizpah, all other cities have their own addressing system. Some cities are considering 911 signs in some of the rural areas of their city but the decision and cost is that of the city. In answer to Ms. Barnes question, the County would have extra signs for future property owners to purchase after getting a rural 911 address so she could purchase a sign but displaying it would have to follow any signage and addressing regulations of the City. With no other public comment, Committee members and Board members continued review.

Committee members stated that the 911 signs are designed so that the numbers can be seen from both sides and will be consistently placed, which greatly assists emergency responders in locating properties. It is definitely an improvement for public safety in the County. The question was asked about disposal of the current fire number signs. The Sheriff stated they are still working on a plan, hoping that someone will be interested in the material for scrap metal sale. The question was asked if the 911 sign will match the current address of properties or change the address as some businesses have large investments in their address for business advertisement purposes. The Sheriff stated that the rural county address will match the 911 sign. For the most part, the rural addressing is done so it is a matter of assigning the 911 sign number to the County's rural address system. For new signs, a rural address will be required to get the sign.

With no other comment from the public or County representatives, the Board Chair closed the public hearing at 5:55 p.m. informing those present that the draft County Rural Addressing Ordinance will be presented to the County Board on April 8, 2008 for adoption.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, April 8, 2008; 10:00 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Doug Grindall, Dennis Hummitzsch, Richard Lehtinen, Dave Serrano; Reporter Lisa Kaczke

2008/04-11 Motion by Briggs, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-12 Motion by Hanson, seconded by Lepper to approve the minutes from the April 1, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-13 Motion by Briggs, seconded by Adee to accept the recommendation of the Personnel Committee for a Part Time County Veteran Services Officer position description and further, to authorize the filling of the position due to the current Officer's employment separation on June 1, 2008. Motion further accepts the recommendation of the Personnel Committee for the County Board's hiring plan to fill the position. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-14 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$18,615.10; authorizing the following internal 2008 County Budget adjustment transferring \$1,832 from the Budget Contingency to the Complex Capital Outlay Budget and to approve payment to Northern Business Services in the amount of \$1,832 for the boardroom chairs with payment from the 2008 Complex Budget; to approve payment of \$7,391.86 to Kennedy Scales for repair of the weight scales at the transfer station with payment from the 2008 Environmental Service Budget. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-15 Motion by Adee, seconded by Lepper to approve the Confidentiality and Intellectual Property Agreement between the County, KDA, KEDA, Coronal, LLC, R.W. Beck and Westinghouse Plasma Corporation, presented as Exhibit B in the Professional Service Agreement with R.W. Beck for the Comprehensive Feasibility Study of a plasma gasification waste-to-energy facility proposed to be located in Koochiching County and further, to authorize the Board Chair's signature to the Agreement upon approval by the County Attorney.. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-16 Motion by Lepper, seconded by Briggs that the County Board of Koochiching County ordains the Koochiching County Rural Addressing Ordinance to provide a system by which all primary structures located outside of the incorporated limits of municipalities will be assigned an address, and all owners of primary structures are required to post the assigned address in specific locations in accordance with standards set forth in this ordinance. The purpose of this address system is to promote the public health, safety and general welfare and is intended to further the implementation of the Emergency Telephone Services Act, Minnesota Statute(s) §§145A.05; 145A.10 subd.7; and, 403.07. For the purpose of E911 signage within Koochiching County, Phase I parcels that will receive signage are described as all habitable dwellings on maintained roads as determined by a combination of criteria including, but not limited to, the property classification within the county property tax system, building value, county staff knowledge of the property and/or roadway accessing the property including all

exempt properties and excluding seasonal recreation, properties off maintained roads and island properties. Initial installation and costs of the signs in Phase 1 shall be performed by the County. The cost for any additional signs and ongoing maintenance is the responsibility of the property owner. Address applications for new construction or previously un-addressed property shall include a fee which covers trip charges for GPS work, assignment of address, and installation of emergency address signs. All persons, firms, corporations, and other legal entities constructing new structures or locating or relocating mobile homes in unincorporated areas of Koochiching County, shall obtain an E911 address application form, duly issued by the Koochiching County Zoning and Environmental Services Office. Coordinates shall be verified and addresses issued by the E911 Coordinator or appointee as part of the Construction Permit issuance process when application is made to locate a new residence or other commercial venture within Koochiching County. No utility company operating in Koochiching County, shall furnish its utility services to any new structure or manufactured home, including a stick-built residence or manufactured home that is moved from one location to another in an unincorporated area, until it has been issued a valid address by the E911 Coordinator. When a new Subdivision Plat is recorded or whenever a new road is established by other means it shall be the responsibility of the subdivider or individual petitioning to establish the road to provide an E911 sign which conforms to the standards in the ordinance. Any person who violates any of the provisions of this ordinance, or who fails or refuses to comply with the provisions of this ordinance shall be guilty of a misdemeanor. A complete copy of the Ordinance is available for inspection by any person during regular office hours at the Office of the County Auditor. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-17 Motion by Hanson, seconded by Lepper authorizing the Highway Engineer to call for bids for 911 signs and installation under the Phase I County-wide 911 Signage Plan as recommended by the 911 Signage Committee with a bid opening on May 12 and results to the County Board on May 13. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-18 Motion by Briggs, seconded by Lepper authorizing the Highway Engineer to call for bids for SAP 36-601-08, (replacement of Bridge No. 5804 and construction of approaches on CSAH 1), with a bid opening on May 12 and results to the County Board on May 13. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-19 Motion by Lepper, seconded by Adee to revise County Board Resolution 2008/03-27 authorizing the Highway Engineer to submit the County State Aid Highway Designation for CSAH 155 between TH 332 and TH 11 to the Municipal Dispute Resolution Board:

WHEREAS, the Koochiching County Board of Commissioners authorized the County Engineer to apply for Federal High Priority Projects funds for construction of a connection road, herein referred to as CSAH 155, between TH 332 and TH 11 in 2002; and

WHEREAS, funding for this project was included in the last federal highway bill; and

WHEREAS, several public meetings were held by the County Board beginning in April, 2006 to receive input on this project and including the County Board's support and appointment of

County representation on a Burner Road Solution Task Force at the request of the City of International Falls; and

WHEREAS, the Koochiching County Board of Commissioners gave its approval for the CSAH 155 project in September, 2007; and

WHEREAS, the findings of the Burner Road Solution Task Force, provided in December, 2007, found that a majority saw the need to vacate the Burner Road for safety purposes as presented by Boise but there was no consensus with regards to a position on the County's proposed CSAH 155 project; and

WHEREAS, following the Burner Road Solution Task Force report, a resolution from the City of International Falls was provided to the Koochiching County Board of Commissioners concluding their position that vacation of the Burner Road (within the City limits) is approved contingent upon the construction of a truck bypass from Highway 332 to Highway 11 abutting and serving the Foreign Trade Zone; and

WHEREAS, the Koochiching County Board held public comment sessions on January 29 and again on February 5, 2008 to review and discuss the pros and cons of the County's CSAH 155 Project and the City's position to route the road to the Foreign Trade Zone; and

WHEREAS, the Koochiching County Board on February 5, 2008 reaffirmed its September 2007 authorization for the Highway Engineer to proceed with his recommended CSAH 155 Project and on February 19, 2008 designated this route as a County State Aid Highway;

WHEREAS, the proposed improvement is within the City of International Falls and therefore the County State Aid Highway designation must be approved by the City, and

WHEREAS, the City of International Falls took no action on the County's request to support the County State Aid Highway designation at their March 3, 2008 council meeting; and

WHEREAS, the City of International Falls prefers that a road be constructed to the Foreign Trade Zone in lieu of the County's proposed road; and

WHEREAS, the County needs to move forward with this project if this project is to have a construction letting date by October, 2009, the expiration date of the last federal highway bill.

NOW THEREFORE BE IT RESOLVED, that the County of Koochiching requests that the Minnesota Commissioner of Transportation convene the Municipal Resolution Dispute Board to resolve the CSAH designation dispute for Koochiching County's CSAH 155 Project.

BE IT FURTHER RESOLVED that the Koochiching County Board of Commissioners request that plan approval by the City be granted concurrently with the County State Aid Highway designation in order to avoid placing federal funds at risk. The County will work with the City, Mn/DOT, and Boise to develop an acceptable design that meets state aid and Mn/DOT standards

and the needs of all parties. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Highway Engineer reviewed Minnesota Statute 161.16 which states that a road be turned back to its original owner unless there is an agreement between the original road authority and the local political subdivision. In reviewing documentation on the Burner Road no agreement was found between the County and City of International turning this road over to the City so therefore the Burner Road would be turned back to the County when it is undesignated as a portion of State Highway 332. The County Board concurred with this position.

2008/04-20 Motion by Hanson, seconded by Briggs to set aside \$80,000 for timber and resource development reserves and \$30,000 for park development reserves from the 2007 Trust Fund income as approved in the 2008 Land and Forestry Budget and as recommended by the Land Commissioner and to set aside \$4.00 per capita from the 2007 Trust Fund income (\$56,640) for promotion as allowed under MN Statute with allocation as follows: allocate forty percent of the promotion funds to the cities within Koochiching County with allocation ratio to be the same as in previous year and with a letter to accompany the checks stating what the funds can be expended on and when they have to be expended and to allocate sixty percent of the promotions funds to the Koochiching Development Authority to be held and utilized for the promotion of tourism, agricultural and industrial development as defined in MN Statutes. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Land Commissioner provided information on the new venture of putting managed forests under the Carbon Emission Offset Program which becomes a revenue producer for the forest authority. However, it was noted that it also restricts energy producers, creating cost to industry and consumers on the other end. It was suggested that Board members review the program with legislators to learn the pros and cons and potential for Koochiching County.

2008/04-21 Motion by Hanson, seconded by Adee to renew the Service Agreement with WLLSD for the annual household hazardous waste collections and one business collection at the same terms and cost as previous years as recommended by the Environmental Service Director. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 Commissioner Pavleck requested a review of the County's Wetland Flexibility Plan, (which was approved by the State), as to whether BWSR and the Army Corps recognize the flexibility granted to Koochiching County and work under its parameters when determining and mitigating wetlands in the County. Currently work is being done on wetland determination at the Foreign Trade Zone and the question was raised as to the application of the County's plan to BWSR and Army Corps wetland rules. The Environmental Service Director stated that the County works within the parameters of the County's Plan and that it is recognized by BWSR. However, the Army Corps does not recognize any flexibility in federal wetland rules and standards. The Director stated that the County uses its plan in wetland determination and mitigation, working with BWSR but thereafter, the wetland plan has to be worked out within the Corps rules and standards if the area is within their jurisdiction. The County Technical Advisory Committee brings BWSR and the Corps to the table which is helpful in getting positions upfront when looking at wetland determination and mitigation plans in the County.

000 The Board Chair called for public comment at 11:15 a.m. No comment was presented.

2008/04-22 Motion by Hanson, seconded by Adee to adopt the following resolution revising enrollment eligibility of County employees in the Courthouse AFSCME Union in a Post Employment Health Care Savings Plan at the request of the Union:

Whereas, it is the intent of the Koochiching County Board to adopt a policy for implementation of a Post Employment Health Care Savings Plan for AFSCME Council No. 65 LOCAL UNION NO. 510, representing County employees in the Courthouse Chapter (hereinafter, the "Eligible Employees).

Whereas the Union has submitted a Letter of Understanding to facilitate implementation of a Post Employment Health Care Savings Plan Policy for Eligible Employees at 100% of vacation (including bonus vacation) for those employees who have completed a minimum of three (3) years of employment with the County and entitled vested sick leave accumulations at the time of employment separation.

Now therefore, be it resolved that the Koochiching County Board hereby approves the Letter of Understanding from the AFSCME Local Union No. 510, Courthouse Chapter to facilitate implementation of the Post Employment Health Care Savings through adopted Policy with the Minnesota State Retirement System for Eligible Employees of the Courthouse Union of which a copy is on file in the Administration Office.

Further, that implementation of the Post Employment Health Care Savings Plan is effective upon Board approval and execution of documents with the Minnesota State Retirement System for enrolling said Eligible Employees. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-23 Motion by Adee, seconded by Hanson to adjourn the meeting at 11:20 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, April 15, 2008; 11:00 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper

MEMBERS ABSENT: Commissioner Briggs (illness)

OTHERS IN ATTENDANCE: Richard Lehtinen, Brian Youso, Doug Grindall; Reporter Lisa Kaczke

2008/04-24 Motion by Hanson, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/04-25 Motion by Hanson, seconded by Lepper to approve the minutes from the April 8, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/04-26 Motion by Lepper, seconded by Adee to approve payment of the Highway claims in the amount of \$55,016.03 and to authorize the Board Chair's signature to the Auditor's March vendor payment listing verifying its review. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/04-27 Motion by Hanson, seconded by Lepper accepting the recommendation of the County Assessor to abate property for Dean Blummer, Parcel # 92-120-03010, for taxes payable 2008 for relative homestead credit. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/04-28 Motion by Hanson, seconded by Adee approving a Safe and Sober Grant of \$3,500.00 as recommended by the Sheriff for public awareness and enforcement of the seat belt law for a grant period of May 1, 2008 through June 30, 2008 and further, authorizing the required County Officials signatures to the Grant Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/04-29 Motion by Adee, seconded by Hanson providing the County's conceptual support for proposed infrastructure projects at the International Falls/Koochiching County Airport requiring up to \$50,000 from the County as a local match (equal amount from the City of International Falls) to be provided in the form of a loan and/or grant dependent on the project and grant funding. Further, that the Airport Commission will finalize their projects, funding and local match need and present it to the County Board for a final determination. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 Board members reported on various issues from the AMC Legislative Conference. In summary, the legislature along with the Governor are at odds on many issues and though they continue to work on the state budget deficit for this session, the report for next year is the state budget shortfall will be more staggering and the impact will be felt by everyone. A report was provided on the Bovine virus being brought in to cattle herds by deer and the various environmental and natural resources bills, which are being watched very closely by northern counties.

000 The Environmental Service Director provided the Board the response from the Scenic Byways Commission to insert three signage gaps into the Highway 11 Scenic Byway as follows: 1) in Birchdale from County Road 4 to $\frac{3}{4}$ miles east; 2) in Pelland Junction, from 1,000 feet west of Highway 71 to 2,000 feet east of Highway 71; 3) in International Falls, from County Road 106 to Highway 53. Loman was not in the Commission's proposal, which was the area that brought the whole gap signage issue to the forefront and specifically requested by the County. Board members questioned why the Commission did not approve the County's request to include the Loman area. The Director could not answer the question but stated that as a part of the Commission's proposal, their next step would be to conduct an on site viewing of the gap areas

which could accommodate a viewing of the Loman area at the Board's request to reconsider gap signage in this area. The Board concurred and requested the Director to follow up with the Commission to schedule the onsite viewing and to include the Loman area with the County's request to reconsider this area for gap signage.

2008/04-30 Motion by Lepper, seconded by Adee accepting the Sheriff's recommendation for low bid from Wherley Motors for a 2008 Ford F150 4x4 pickup with a trade in of the 2000 Chevrolet Silverado Extended Cab pickup for a final bid price of \$20,267.95 and a 2008 Ford Crown Victoria with a trade in of a 2005 Chevrolet Impala and 2000 Ford Taurus LX for a final bid price of \$18,691.95 with the bid prices including vehicle tax and fees. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/04-31 Motion by Lepper, seconded by Hanson accepting the Highway Engineer's recommendation for low bid for riveted and spiral corrugated steel culverts and aluminum coated spiral culverts from Contech Construction Products (no bids received on the concrete culverts) and to award low bid for the hired tandem axle dump truck and tractor and trailer combination to James Kennedy for all zones with second award on the hired tractor and trailer combination for Zones 4 and 7 to Tim Miovac. Detailed bid information is on file in the Highway Department. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Highway Engineer provided a report on the Municipal Dispute Resolution Board process and outcome with regards to the County's proposed CSAH 155 between TH 332 and TH 11 Road Project. In summary, the Board determined there was a dispute between the County and City of International Falls on the project, approved unanimously the County's route be designated as a CSAH without concurrence by the City and the County's project plan approval by the City be granted concurrently with the County State Aid Highway designation in order to avoid placing federal funds at risk with the understanding the County will work with the City, Mn/DOT, and Boise to develop an acceptable design that meets state aid and Mn/DOT standards and the needs of all parties. In addition, during preparation for the hearing and in review at the hearing, turn back of the Burner Road, formerly County Road 24, would go back to the County as the original road authority under Minnesota Statute absent a formal agreement with the City of International Falls, which the County has no record of. The next step in the project is to work on the federal environmental documents and soil borings for the project plan with September 2009 as the target date for a completed plan.

000 The Board Chair called for public comment at 12:05 p.m. No comment was presented.

000 The Board Chair adjourned the meeting at 12:05 p.m.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, April 22, 2008; 10:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Murray, Val Long, Rebecca Schultz, Richard Lehtinen, Ron Peterson, Steve Blair, John Palabiski, Terry Stone, Bruce LaVigne, Phil Delphey, Tony Sullins; Reporter Lisa Kaczke

2008/04-32 Motion by Hanson, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-33 Motion by Hanson, seconded by Lepper to approve the minutes from the April 15, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-34 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$21,943.87; to approve payment of the Health claims in the amount of \$13,057.83; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-35 Motion by Lepper, seconded by Briggs accepting the recommendation of the Convention and Visitors Board of Directors to appoint Cheryl Mickow to replace Mary Ann Kasich, who submitted her resignation as a Board of Directors member. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-36 Motion by Lepper, seconded by Adee authorizing Board members' attendance to an open house at Lake of the Woods High School on May 14, 2008 at the request of the MN DNR to meet new regional staff. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-37 Motion by Hanson, seconded by Adee authorizing Commissioner Lepper to represent the County Board at the Koochiching County Historical Society's annual meeting on April 24, 2008 as a Board activity. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board was notified of the hire of Rebecca Schultz as a Financial Worker with a starting date of April 14, 2008.

2008/04-38 Motion by Lepper, seconded by Briggs accepting the recommendation for the following Foster Day Care and Day Care Licensing: closing a day care home for Diana Bolstad at the request of the provider and relicensing a group family day care home of fourteen children for Stephanie Dremmel. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-39 Motion by Briggs, seconded by Hanson that due to the current contractor not being able to provide further services, to transfer the Silverdale Canister Site Contract from Walt King to Gary Novak for the remainder of the contract period, ending November 30, 2008, with no

change in terms and as recommended by the Environmental Service Director. Motion further authorizes the Director to submit on the Board's behalf, a letter of appreciation to Mr. King for his services. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-40 Motion by Lepper, seconded by Briggs accepting the recommendation of the Planning Commission to rezone 40 acres from O-1 to M-1 for property owned by Ron Peterson, (REZ 0704) described as part of the SE1/4 of the SW1/4 of Section 30 and part of the NE1/4 of the NW 1/4, Section 31, all east of the railroad and all in Township 71N, Range 23W (Parcel ID #15-030-34000 and 15-031-21000). Motion further accepts the recommendation of the Planning Commission to table the applicant's request for a Conditional Use Permit for a mining operation (rock blasting and crushing) due to insufficient information in the application, allowing the applicant to resubmit the application with the required information to the Planning Commission. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/04-41 Motion by Lepper, seconded by Briggs accepting the recommendation of the Planning Commission to rezone approximately 80 acres from AF-1 to RR-1 for property owned by Boundary Waters Land and Timber, Ltd, (REZ 0801), described as the SE1/4 of the SE/14 less Highway in Section 31 and parts of the SW1/4 of the SW1/4, NW1/4 of the SW1/4, and NE1/4 of the SW1/4 of Section 32, all in Township 71N, Range 22W (Parcel ID 07-31-44000, 07-32-31000, 07-32-32000, 07-32-33000). Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 Via conference call, representatives from the U.S. Fish and Wildlife Service reviewed the proposal to expand the critical habitat for the Canadian Lynx under the U.S. Wildlife Endangered Species Act. The Board was informed that the April 28, 2008 public comment deadline is extended but at this time the new deadline was not available. As explained, this is the first information sharing process for public comment and that a second comment period is planned after an economic assessment is completed of the impacted land in the proposal. The Board referenced an article in which a U.S. District Judge ordered the State of Minnesota to promptly take all action necessary to insure there is no further taking of threatened Canadian Lynx by trapping or snaring activities within the core lynx range in northeastern Minnesota. Representatives stated that they are currently working with the DNR to comply with this order and though parallel to the habitat designation issue, is a separate process. In response to the questions, representatives stated that the State is committed to its trapping season and the laws administered by the U.S. Fish and Wildlife Act is not anti-trapping. In addition, the judge's order gave a very short timeline for compliance so did not provide the State much time to consider an appeal. Board members expressed their strong position that this expansion of the critical habitat for the Canadian Lynx is unnecessary and just another diminishment of freedoms, coupled with the fear it will grow into something even more restrictive. U.S. Fish and Wildlife representatives stated that they have received no comment that the 2006 lynx habitat designation had an adverse affect. Board members stated that the 2006 designation was all within the area of Voyageurs National Park which has no trapping and is a wildlife preserve. This new proposal is impacting 8,226 miles of private, state and federal lands which supports recreation, forestry and development. Board members again expressed strong opposition to this proposal and do not understand why this is being pursued when the lynx is a protected species and its population is thriving. Board members questioned how the U.S. can protect the lynx in northern Minnesota

when right across the Canadian border, the Canadian Lynx can be trapped. Board members also feared that the Army Corps will support this designation and wetland mitigation and any other permitting under the federal Clean Water Act will become impossible. When asked, representatives stated that the lynx habitat is mostly upland and dense areas, however, low lands is also a part of their den habitat. The question was asked on how the U.S. Fish and Wildlife Service will weigh the public comment received on this proposal. U.S. Fish and Wildlife representatives stated that their minds are not made up on the proposal and are obligated to the public to consider all information, including their input, when making the final decision. When asked why they would not hold the public comment process after the economic assessment is completed, representatives stated that they break down the public comment into difference segments so not to overwhelm the review process with a ton of information at once. Board members thanked the representatives for the review and representatives stated they would provide the new public comment deadline as soon as it is known and will submit the address where public comment is to be sent.

2008/04-42 Motion by Lepper, seconded by Adee to adopt the following resolution and submit the position to the U.S. Fish and Wildlife Service in opposition to the proposed Critical Habitat Designation for the Canadian Lynx in Northern Minnesota:

WHEREAS, the U.S. Fish and Wildlife Service proposed on February 28, 2008 to revise the Canadian Lynx Critical Habitat by expanding it by 8,226 miles in Minnesota; and

WHEREAS, about 145 miles of the Lynx Critical Habitat expansion would be located within Koochiching County; and

WHEREAS, the actual economic impact of the Critical Habitat designation is presently unknown and likely unknowable; and

WHEREAS, the literature, including statements from the Canadian Ministry of the Environment, seems to largely concur that in general, human activities do not seem to be threatening lynx populations and that logging in the boreal forest that results in a good mix of mature conifer stands and in regenerating stands, may even enhance habitat for lynx with cover and food stock with increasing the snowshoe hare population; and

WHEREAS, the lynx population swings and covers a wide range making trends scientifically challenging to validate; and

WHEREAS, pending legislation (H.R. 2421 – Clean Water Restoration Act) would vastly add the power of federal licensure requirements to Koochiching County and other Minnesota lands; and

WHEREAS, our conclusion is that Best Management Practices in Silviculture, along with the existing trapping restrictions are the most reasonable and cost effective ways to support the Canadian Lynx population.

NOW THEREFORE BE IT RESOLVED that the Koochiching County Board finds that the expansion of the Canadian Lynx Critical Habitat is unnecessary, unduly costly and against the interests of the County of Koochiching. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 12:09 p.m. Bruce LaVigne thanked the Board for being on top of the Lynx Habitat Designation proposal as he too is concerned that it will further restrict and add more barricades to development in the County. Terry Stone asked if other resource management organizations in which the county is involved will be provided the County's position on the lynx matter. Board members concurred that they will carry the Board's resolution to their other county organizations for support.

2008/04-43 Motion by Lepper, seconded by Adee to adjourn the meeting at 12:15 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, May 6, 2008; 10:00 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Ann Scholler, Jaci Nagle, Terry Glowack, Keith Knaeble, Della Warren, Terry Murray, Shawn Mason, Robert Goede, Raoul Lufbery, Dan McCarthy; Reporter Lisa Kaczke

2008/05-01 Motion by Briggs, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-02 Motion by Hanson, seconded by Adee to approve the minutes from the April 22, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received notice of the temporary hire of Anita Gray in the Community Service Department and the hire notice of Assistant Engineer Michael Malachi on April 23, 2008.

2008/05-03 Motion by Adee, seconded by Briggs to approve payment of the monthly County Board expense claims in the amount of \$4,078.43 and to approve payment to Flaherty & Hood in the amount of \$1,429.42 as the final payment under the 2008 Lobbying Service Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-04 Motion by Lepper, seconded by Briggs adopting the following resolution to approve Federal and State Grants for Improvement Projects at the International Falls/Koochiching County Airport:

To accept 2008 Federal Grant , reference # AIP 3-27-0043-20-08, and State Grants, reference # 3601-86 and #3601-87, when generated by the respective agencies for Airport Improvement Projects specific to the parking lot, hangar area development, equipment purchases and rehabilitating office space in the terminal building; and

That upon approval, to authorize the County Board Chair or the County Board Chair and County Attorney to execute the above grant documents on behalf of Koochiching County as specified by the issuing agency; and

That upon approval, to authorize the Minnesota Commissioner of Transportation to act as liaison for Koochiching County in administering the grants; and

That this resolution shall not apply to any grant agreement that does not include funding arrangements for the said stated projects. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-05 Motion by Hanson, seconded by Lepper to set a public hearing on Tuesday, May 27, 2008 at 11:00 a.m. for the purpose of receiving public comment for issuance of a off-sale liquor license to the Y-Knot Quick Stop as required by the State. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-06 Motion by Lepper, seconded by Briggs to cancel the May 13, 2008 scheduled County Board meeting and to designate the Assistant Auditor to approve the May 13 Auditor claims payout with claims to come before the County Board on May 20th for review and ratification. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-07 Motion by Lepper, seconded by Adee to add to the agenda a report from Commissioner Pavleck on the Wetland Conservation Act (WCA) Rule Making Process. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 Commissioner Pavleck, represented on the BWSR Advisory Committee for the WCA rule making process, informed the Board that proposals are on the table to create wetland buffer zones of 50 feet in rural areas and 25 feet in municipalities and that BSWR wants all projects reported even if the project area is exempt under WCA. Though not in the form of a proposal, discussion was held on eliminating any exceptions and applying the same replacement ratio in all situations. If these proposals are passed, it negates the flexibility granted to Koochiching County in the State's approval of Koochiching County's Wetland Flexibility Plan.

2008/05-08 Motion by Lepper, seconded by Briggs accepting the recommendation of the I.S. Manager to approve a 12 month training and service agreement with Rowekamp Associates, Inc. in the amount of \$2,000 for GIS professional consulting and training services to provide training and support to the County's GIS/Network Specialist with review of the agreement by the County

Attorney and further, to authorize an internal I.S. Budget transfer of \$2,000 from 01-060-064.6665 to 01-060-064.6276 to accommodate the payment. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-09 Motion by Hanson, seconded by Briggs to approve payment up to \$1,700 to upgrade the Arc Editor License for the Arc Info System to increase the County GIS System capabilities and further, that to cover the maintenance cost for the upgrade, to approve an internal I.S. Budget transfer of \$1,500 from 01-060-064.6665 to 01-060-064.6305 as recommended by the I.S. Manager. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-10 Motion by Lepper, seconded by Adee to approve a service agreement with CW Technology at a cost of \$4,600 to provide high level expertise in planned work for server configuration set-up, network re-configuration and security device improvements as recommended by the I.S. Manager with review of the agreement by the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-11 Motion by Lepper, seconded by Hanson to accept the recommendation of the Complex Superintendent to purchase a 2007 48" Zero Turn Mower at a cost of \$4,180.13 to replace the 1996 Yardman Mower rather than seek quotes for a mower replacement to take advantage of the close out sale of 2007 models which supply is limited. Further, to authorize an internal Complex Budget adjustment moving \$600 from 01-110-200.6660 and \$600 from 01-113.6660 to 01-110.6660 to cover the purchase price. Voting yes: Hanson, Adee, Lepper, Briggs; voting no: Pavleck. Motion carried.

2008/05-12 Motion by Adee, seconded by Lepper to donate the 1996 Yardman Mower to Sentence to Serve, which provides mowing for some of the County's facilities and parks. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Koochiching County Drug Court Coordinator presented a request for the County's support of a \$50,000 Implementation Grant to support the Koochiching County Family Dependency Treatment Court, which as explained at the meeting, would cover the cost of a part time County social worker to do case management for the Family Dependency Treatment Court. In response to questions, it was stated that the grant application deadline is May 15, 2008 and if approved, the grant period will be July 1, 2008 through December 31, 2009. The Community Service Director stated that per the grant terms, existing staff can not be used and that the grant will cover the position's cost plus the position itself will bring in more reimbursement revenue. The Director strongly supported the plan as the Family Court System is hoped to bring a solution to many of the County's child protection and out of home placement matters. Though Board members supported the efforts of the team to bring forth this needed Court system, the Board members were not aware that the request on the agenda to support the Court program meant hiring a county employee. The Board was willing to provide their support at this point for the grant application but could not act on the position request without a review and recommendation from the County's Personnel Committee.

2008/05-13 Motion by Briggs, seconded by Adee to support the Implementation Grant Application for a Koochiching County Family Dependency Treatment Court in the amount of

\$50,000 to obtain the services of a social worker to conduct case management for the court system and further, providing the Koochiching County Board's support for establishment of the Family Dependency Treatment Court as an alternative solution to protection and out of home placement for children of Koochiching County. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair deferred the proposal to hire a part time social worker to the Personnel Committee for review and recommendation to the County Board.

000 The Mayor of the City of International Falls provided the City's 2008-2009 Strategic Action Plan to the County Board and highlighted the plan's strategies.

000 The County's MCIT Representative reviewed the annual Minnesota Counties Insurance Trust (MCIT) report which provides risk management and self insurance programs for Minnesota counties for general liability, property and casualty and workers compensation coverage. The report provided an overview of programs, finances and claim data overall and specific to Koochiching County.

000 The Board Chair called for public comment at 11:50 a.m. Acting VNP Superintendent Raoul Lufbery informed the Board that VNP received a \$1.4 million federal allotment to build a new 49 passenger tour boat for Rainy Lake. It will be a first class 50-foot handicapped accessible craft and the anticipated delivery date is June 2010, hopefully sooner. The Board was informed that 40% of the visitors to the Park come without a boat. Dan McCarthy provided comment opposing the City of International Falls request to have reserved time at County Board meetings and opposing continued County funding to the KEDA.

2008/05-14 Motion by Lepper, seconded by Adee to adjourn the meeting at 12:00 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, May 20, 2008; 10:10 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Glowack, Richard Lehtinen, Dennis Hummitzsch, Adam Coe, Doug Grindall, Jaci Nagle, Ed Oerichbauer, Mike Fairchild, Tom O'Connell, Einar Sundin, Arden Barnes; Reporter Lisa Kaczke

2008/05-15 Motion by Adee, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-16 Motion by Hanson, seconded by Lepper to approve the minutes from the May 6, 2008 regular meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-17 Motion by Adee, seconded by Hanson accepting the recommendation of the Personnel Committee to deny the Step 3 Grievance filed under the LELS Bargaining Unit Contract for claim of compensation due to the employer not using seniority in two events where employees were called in for work. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received notice of the temporary hire of Hannah Schrock in the County Recorder's Office for record automation work.

2008/05-18 Motion by Lepper, seconded by Briggs to ratify payment of the May 13, 2008 Auditor claims payment of \$43,653.95 as authorized under Board Motion 2008/05-06, to approve payment of the Highway claims in the amount of \$168,937.45 and authorizing the Board Chair's signature to the Auditor's April vendor payment listing verifying its review. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-19 Motion by Hanson, seconded by Lepper to approve a Minnesota Lawful Gambling LG215 Lease for lawful gambling activity at the Northwoods Y at 5536 Highway 11, International Falls, Minnesota and Lu's at 3796 Highway 53, International Falls, Minnesota for the International Voyageurs, Inc. with the term of the lease agreements to be concurrent with the premise permit issued by the Gambling Control Board as recommended by County Administration. Voting yes: Adee, Hanson, Lepper, Briggs, Pavleck. Motion carried.

2008/05-20 Motion by Hanson, seconded by Adee to adopt the following resolution for the application of Budget FY 2009 IRRRB funds:

WHEREAS, the County of Koochiching (hereafter the "Applicant") is a governmental subdivision, organized and operating under the laws of the State of Minnesota; and

WHEREAS, the Applicant has a need for a grant to assist with economic development as permitted under Laws of Minnesota for 1987, Chapter 182; and

WHEREAS, the Applicant is submitting its request for application to the IRRRB for Budget FY 2009 grant funds.

NOW, THEREFORE BE IT RESOLVED, that the Applicant's organization hereby authorizes and approves making application to the IRRRB for FY 2009 funds to assist in economic development.

BE IT FURTHER RESOLVED, that the Applicant's Board Chair and County Coordinator are hereby authorized and directed to sign and submit application for the said grant monies and all applicable contracts, documents and agreements associated with the grant or the application for it. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-21 Motion by Hanson, seconded by Briggs to approve the June through August, 2008 County Board Meeting schedule as presented by the County Coordinator. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-22 Motion by Lepper, seconded by Adee to send a letter to State Veterans Administration Commissioner Clark Dyrud recognizing State Programs and Services Director Reggie Worlds for his interest and assistance to the County Board in selection of the new Koochiching County Veterans Services Officer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-23 Motion by Lepper, seconded by Briggs to approve the space renovation plan presented by the Complex Superintendent to relocate the Courthouse mail and photocopy room to a portion of the Treasurer's Office and Boardroom closet to allow for the expansion of the Assessor's Office with a cost not to exceed \$15,000 and authorizing a 2008 Budget adjustment transferring \$15,000 from the Budget Contingency to the Building Projects Budget as recommended by the County Board's Department Review Team. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director provided a scope of work proposal for the Rainy Lake Water Quality Study to be conducted by St. Cloud State University. In deciding the scope of work, the University did consider the County Board's request to test in several island areas of Rainy Lake. However, based on what could actually get done within the time period given, the scope of work will consist of only 9 site study areas with one being an area around Grindstone Island. The Environmental Service Director stated that the water quality testing work is complex and will sample a large number of elements. The proposed scope of work is at \$10,800, less than the original proposal.

2008/05-24 Motion by Briggs, seconded by Lepper that in further reference to Board Motions 2008/03-28 and 2008/03-34, to approve a Scope of Work Agreement with the St. Cloud State University as recommended by the Environmental Service Director at a cost of \$10,800 for a Rainy Lake Water Quality Condition Assessment for an area from Tilson Creek to Dove Point. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Land Commissioner provided the results of the May 7, 2008 Timber Auction: all tracts sold resulting in 21,161 cords sold for a total auction sale value of \$505,404. The Land Commissioner updated the Board on the Forest Certification process through the multi county consortium and the intent of the Department to conduct its own mock audit to check their status for certification. Lastly, he reviewed a letter from the Blandin Foundation stating their continued commitment to assist the consortium in the certification process. The County Board requested that a letter be sent to the Blandin Foundation from the County Board thanking them for their support.

000 The Good Samaritan Care Center Director reviewed the proposal for a new care center with the intent to attach their facility to the new medical campus (combined hospital and clinic development) in International Falls. The current facility is old and does not meet the needs of

the residents now and those to come in the future and is more expensive to operate. For a care center to survive, the facility needs to change and they propose a reduced facility of a 48 bed care facility along with an assisted living facility, which will provide long term care and provide living options. Having the care center and hospital attached now has been beneficial for both the hospital and the care center for shared services and exchange of services and it is believed that the clinic would also benefit from this design. The next step is to conduct the feasibility study and design the plan in time to submit a request for the State Moratorium Exception Grant, assuming there was no change to the funding as a result of the 2008 legislative session. If this funding is awarded it would provide 75% of the facility construction cost (December 2008 is anticipated timeline in knowing the award). They will also start a major funding campaign for the remaining facility construction cost and start up cost. They are hoping to do all of this within the timeframe of the plans for the new medical campus facility. To that end, the Director is looking for the County's general support for the new development and specific to wetland mitigation as needed and elderly waiver funding contracts for the assisted living services. In response to the question, the Director stated that Alzheimer's units are a consideration in the new facility but the cost of a separate locked unit with separate staffing has to be weighed with utilization to break even. The Director stated that they intend to conduct this study. Though the Board members were in support of the new development as a needed service for the County, members were uncomfortable committing to elderly waiver contracts until they reviewed the request with the Community Services Director.

2008/05-25 Motion by Lepper, seconded by Briggs to authorize the Board Chair to submit a letter of support from the Koochiching County Board to Good Samaritan Society for their proposed care center/assisted living facility in International Falls as needed service and infrastructure. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-26 Motion by Lepper, seconded by Briggs to authorize the Highway Engineer to offer pay for the Senior Engineering Technician hire at 100% of the pay scale per Union Contract and authorize the starting pay of the Assistant Engineer at 100% as requested by the Highway Engineer which was needed for recruitment purposes. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-27 Motion by Briggs, seconded by Lepper to reappoint Douglas Grindall as the Koochiching County Highway Engineer for a four-year term. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-28 Motion by Lepper, seconded by Hanson accepting the Highway Engineer's recommendation to award low bid to Redstone Construction Company in the amount of \$3,158,033.85 for SAP 36-601-08, CSAH 1 Bridge Replacement Project. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008.05-29 Motion by Lepper, seconded by Briggs to adopt the following resolution for the Agreement to State Transportation Fund (Bridge Bonds) Grant Terms and Conditions:

WHEREAS, Koochiching County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 36528; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, the amount of the grant has been determined to be \$ 1,397,579.55 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Koochiching County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-30 Motion by Adee, seconded by Lepper accepting the Highway Engineer's recommendation to award low bid to Jaak, LLC for E911 signs and installation for the unorganized areas of the County as described in the Phase I Rural Addressing Plan and to include the City of Mizpah for a total bid of \$134,542.48 and further, with the City of Mizpah to reimburse the County for the final cost of the signs and installation within the City upon completion of the project. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-31 Motion by Lepper, seconded by Adee to authorize the Highway Engineer to purchase 300 additional E911 sign posts with a cost not to exceed \$3,000 to be stored at the County garage and made available for sign installation through the E911 Address/Sign Permitting process. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/05-32 Motion by Lepper, seconded by Adee accepting the recommendation of the E911 Rural Addressing Committee for the administrative process and \$100 application fee for assigning a rural address and erecting a 911 sign for new property development or other property requests outside the Phase I Project. Further, directing the Coordinator to establish an account for revenues and expenditures for the 911 Rural Address Program. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 12:00 p.m. Ed Oerichbauer, Tom O'Connell and Mike Fairchild, representatives of the Northern District Fair Board, informed the Board that they have explored all options for a carnival event for the fair this year and for various reasons were not able to find a carnival. However, they have found an air-filled obstacle attraction to replace the carnival and will increase the number of games and food and beverage stands. Also due to cost, they will not hold the rodeo and replace this event with a horse barrel racing event. They have hired Twilight Zone Company to host an outside movie event following the mud races. All in all the Fair Board believes this year's fair will be more eventful than in past years. Historical Society Director Ed Oerichbauer informed the Board that the Courthouse historical painting is completed and provided a letter of certification from the Architect. When costs are finalized and paid, he will submit a request for the \$20,000 State Historical Society Grant on behalf of the County. Einar Sundin thanked the Board for implementing rural address signage and Arden Barnes acknowledged the work of Ed Oerichbauer in all his community work and as Mayor of Ranier.

000 With no further business, the Board Chair adjourned the meeting at 12:10 p.m.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, May 27, 2008; 9:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper

MEMBERS ABSENT: Commissioner Briggs (Personal)

OTHERS IN ATTENDANCE: Allen Kruse, Jaci Nagle, Susan Congrave, Doug Grindall, Phil Miller, Mike Malachi, Ronald and Delphine Nelson, Terry Murray, Ann Scholler, Steve Blair, Terry and Sharon Little, Dan McCarthy; Reporter Lisa Kaczke

2008/05-33 Motion by Adee, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Board received notice of the hire of Michael Kostiuk as part time Deputy on April 14, 2008.

2008/05-34 Motion by Hanson, seconded by Adee to appoint Allen Kruse as Koochiching County Veteran Services Officer for a term of 4 years under MN Statute 197.60, effective May 21, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-35 Motion by Lepper, seconded by Hanson to approve payment of the Auditor claims in the amount of \$13,532.64, to approve payment of the Health claims in the amount of \$13,106.76 and to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-36 Motion by Hanson, seconded by Lepper to accept the recommendation of the County Assessor to grant the following abatements: to David and Tucky Dill, PID #05-043-00400 to reclass from seasonal/recreational to non-homestead/residential for taxes payable 2008; to Matthew Joyce, PID #95-004-01140, for removal of building valuation for taxes payable 2008. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-37 Motion by Lepper, seconded by Adee that under the Koochiching County HAVA Election Plan (current facility does not meet accessibility standards), to designate the Precinct of Watrous as a mail ballot precinct for the 2008 election and all future elections thereof and further, to authorize the Auditor/Treasurer per law, to set up said precinct for mail balloting. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-38 Motion by Adee, seconded by Hanson to approve an agreement with Election System and Software contingent on approval of the County Attorney to purchase election reporting software and hardware with expenditure not to exceed \$13,000 and funded with the HAVA Grant dollars as recommended by the Auditor/Treasurer. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-39 Motion by Adee, seconded by Lepper to approve an agreement with CW Technology contingent on approval of the County Attorney for provision of information systems technology services for a three-month period and at a cost of \$2,500 per month as recommended by the I.S. Manager and County Coordinator as a trial period for determining the need of an I.S. Technician position in the Unit. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-40 Motion by Hanson, seconded by Adee to approve expenditure up to \$8,200 for the purchase of 6 PCs and MS Office Software for the Forestry Offices as planned in the 2008 Land and Forestry Budget as recommended by the I.S. Manager. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-41 Motion by Hanson, seconded by Lepper acknowledging receipt of the minutes from the May 12, 2008 Professional Advisory Committee meeting. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Board received the Health Director's Quarter 1 Department and Statistical and Financial Reports and a notice of the Public Health Quality Improvement Award to the Koochiching County Health Department from the UOM School of Public Health and MN Department of Health. The Director provided an update on the Public Health Emergency Preparedness planning and supporting grant funds.

2008/05-42 Motion by Hanson, seconded by Lepper to renew the Home Care Waiver Contract with Big Fork Valley Hospital and Homecare contingent on the County Attorney's approval for provision of home care services in the County as recommended by the Health Director. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-43 Motion by Hanson, seconded by Lepper to approve a Participation Agreement with UCARE Minnesota contingent on the County Attorney's approval as a revenue source for provision of certain health awareness services already provided by the Health Department as recommended by the Health Director. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-44 Motion by Hanson, seconded by Lepper to renew the contract with Dr. Daniel Ramquist contingent on approval of the County Attorney for medical consultation services for an annual cost of \$500.00 as recommended by the Health Director. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Board reviewed a petition submitted by Thomas Jacobson for a cartway across property owned by Ronald and Delphine Nelson, which requires the County Board under Minnesota Statute 164.07-164.08 to hear and act on the petition. Ronald Nelson informed the

Board that they are in objection to the cartway and that Mr. Jacobson's request for access across their property has been litigated twice with the Court deciding allowance of a 12 foot wide easement, which currently exists. And in both court cases, Mr. Jacobson did not appeal the court decision. Mr. Nelson stated their position that any cost they incur in this matter, should be reimbursed by the Petitioner as part of the Petitioner's cost requirement under Minnesota Statute governing cartways and request notification when the viewers come out to their property.

2008/05-45 Motion by Hanson, seconded by Lepper receiving the Cartway Petition filed by Thomas Jacobson for a cartway on property owned by Ronald and Delphine Nelson and to set a public hearing for Tuesday, June 24, 2008 at 3:00 p.m. in the Courthouse Boardroom under Minnesota Statute 164.07 – 164.08 to hear and act on the Cartway Petition filed by Petitioner Thomas Jacobson across property owned by Respondents Ronald and Delphine Nelson described as the SW ¼ of the NW 1/4 , Government Lots 4, 8, 9, 10, and part of Government Lots 11 and 14, Section 25, Township 69N, Range 27W. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-46 Motion by Hanson, seconded by Lepper that under Minnesota Statute 164.07-164.08 on the Cartway Petition filed by Thomas Jacobson, to appoint the following viewers to view servient properties for damages and determine the cartway route to include drainage and wetland impacts and provide a written report to the County Board for the June 24, 2008 Public Hearing schedule by the County Board to hear and act on said petition: County Assessor or designee, Highway Engineer or designee, Environmental Service Director or designee, Land Commissioner or designee and County Surveyor or designee. Motion further authorizes the viewers to expend funds to obtain the services of a professional appraiser if needed. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-47 Motion by Lepper, seconded by Hanson to approve the revised Forest Hill Cemetery Rate Schedule for county burial cases as recommended by the Community Service Director. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Board Chair opened a public hearing at 11:00 a.m. to receive public comment on the issuance of a Off-Sale Intoxicating Liquor License for the "Y" Knot Quick Stop as required by the State. The Coordinator informed the Board that no written public comment was received on the matter. The Board Chair acknowledged applicant Terry and Sharon Little and called for public comment. No comment was provided by the public, applicant or Board members. The Board Chair closed the hearing at 11:05.

2008/05-48 Motion by Hanson, seconded by Lepper that upon conducting the required public hearing, to approve an Off Sale Intoxicating Liquor License to the "Y" Knot Quick Stop. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-49 Motion by Lepper, seconded by Adee to approve the Arrowhead Health Alliance Joint Powers Agreement and By-Laws contingent on the County Attorney's approval for County Based Purchasing services for the member counties as recommended by the Community Service Director. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-50 Motion by Lepper, seconded by Adee to renew the following service agreements with no changes as recommended by the Community Service Director: Boyle's Foster Care Agreement July 1, 2007 to June 30, 2008; Boyle's Foster Care Agreement July 1, 2008 to June 30, 2009, Hasbargen's Foster Care, Houglum SILS, Ita-Bel-Koo, Littlefork Jackpine Chateau, ODC Waiver Services, ODC DT&H, Olsen's Foster Care, PJ's Foster and Waivered Services, REM North Star SILS, REM North Star SLS. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-51 Motion by Lepper, seconded by Adee to approve payment of Burial Case #935906 in the amount of \$915.42. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/05-52 Motion by Hanson, seconded by Lepper accepting the following Foster Day Care and Day Care Licensing recommendations: Brian Krall and Michelle Grill for child foster care licensure for two children; Alice Patch for child foster care licensure for one child; Joseph and Susan Boyle for child foster care licensure for three children; Bruce and Jennie Christopherson for adult foster care licensure for five elderly residents; Shane and Paula Belding for adult foster care licensure for two residents. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Community Service Director reviewed a statistical report on poverty and related impacts on children with a state-wide to Koochiching County comparison.

000 The Board Chair called for public comment at 11:40 a.m. Dan McCarthy addressed the Board with concerns on the agenda times, KEDA Director, Plasma Gasification Project and economic recession impact for the County.

000 With no further business, the Board Chair adjourned the meeting at 11:55 p.m.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, June 3, 2008; 10:10 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper

MEMBERS ABSENT: Commissioner Briggs (Personal)

OTHERS IN ATTENDANCE: Lee Hervey, Doug Grindall, Ann Scholler, Allen Kruse, Terry Randolph, Terry Erhman, Mary Service, Jay Knaak, Susan Congrave, Brian Youso, Einar Sundin; Reporter Lisa Kaczke

2008/06-01 Motion by Hanson, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/06-02 Motion by Hanson, seconded by Adee to approve the minutes from the County Board meetings of May 20 and May 27, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/06-03 Motion by Lepper, seconded by Adee to approve payment of the monthly County Board expense claims in the amount of \$8,533.31. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/06-04 Motion by Hanson, seconded by Adee authorizing the expenditure of up to \$24,750 from the 2008 Communication Budget, which includes a \$12,000 Federal Grant, to change out equipment in the County's TV System to allow it to continue to run analog when the full power televisions stations are required to convert to digital broadcasting effective February 17, 2009. Further, that the County's decision to convert the County TV System to a digital system is pending notice on the amount of the federal grant to Koochiching County to help defray the conversion cost, which notice is anticipated by late summer, early fall. Further, that the County's decision to convert the County TV System to digital will be timely to allow the public ample time to utilize the federal coupon program (expires March, 2009) to purchase converter boxes if they have analog televisions. Motion further authorizes the County Coordinator to make adjustment to the 2008 Communication Budget to add the Federal Phase I Grant of \$12,000 and realign budget expenditures for the 2008 summer work plan to continue the County TV System to broadcast analog on February 17, 2009. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/06-05 Motion by Lepper, seconded by Hanson to table action on the Cartway Petition filed by Thomas Jacobson pending further information upon the recommendation of the County Attorney and County Coordinator. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/06-06 Motion by Lepper, seconded by Adee to set up a Dialysis Study Agency Account for deposit of donations, memorials and other miscellaneous revenues and for payment of respective expenditures for the study of dialysis services in Koochiching County as recommended by Assistant Auditor. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/06-07 Motion by Lepper, seconded by Hanson to set the normal business hours of the County Veterans Services Officer from 9:00 a.m. to 4:00 p.m. Monday through Friday as recommended by the Veterans Service Officer to accommodate the part time position status with the VSO to ensure the public is notified of County office hours. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The VSO and VFW Post Commander provided information on the upcoming "Stand Down" to be held on August 21, 2008 at Kerry Park Arena which is a veterans outreach service/benefit forum with the focus on veterans experiencing homelessness and/or are in crisis. The VSO presented the Board with a legislative invitation list where invitations to the Stand Down will be sent to each of the federal and state legislative representatives to attend and/or acknowledge the special event. Those organizing the event will distribute the final event posting after their

organizational wrap up meeting on June 18, 2008. The Board acknowledged the VFW members in attendance for their elected seats at the local and district levels.

2008/06-08 Motion by Hanson, seconded by Lepper authorizing Board members' attendance to the August 21, 2008 Stand Down Veterans Assistance Event as a County Board activity. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Veterans Service Officer informed the Board of his intentions to research the feasibility of offering VA health care services through County-eligible health care facilities which if successful, will benefit veterans by not requiring them to travel long distances to VA facilities and will benefit the County by allowing VA health dollars to be spent locally. Knowing the VA's qualifying health facility requirements, the VSO would be exploring the option in the new health facility being proposed by the merger of the Falls Memorial Hospital and Duluth Clinic, however, he will look at the potential of other County health facilities in meeting the requirements as well. From the information he currently has, the local VA health facility would have to service a regional area having a veteran population of at least 4,000, which he feels is doable for this area. The VSO informed the Board that he intends to connect with the Community Service and Health Directors as a first step in veteran outreach to get the connectivity of available services for veterans. Board members also suggested Kootasca and AEOA. The VSO stated that he will periodically report to the Board on office and outreach activities.

000 Task Force members studying advanced life support services through the International Falls Ambulance Service met with the County Board to report on their findings and recommendations. What the study found is the current ambulance service provides for EMTs that perform basic life support only at the scene and during route to the hospital. When the patient arrives, hospital staff then perform assessments to determine the patient's condition and in critical cases, is time better spent in getting the patient in route to a larger health facility. Transport choices are air ambulance or ground ambulance and on an average, both take about two and one half hours for transport to Duluth. The difference is with ground ambulance critical patients require a paramedic and/or nurse in route which leave staff in a critical response event, finding a nurse to make the run. The delivery of care to patients from the scene to the hospital and for transports to larger health facilities is inadequate when assessing critical response time to the patient. What the study found is having full time paramedics for the International Falls Ambulance Service will provide advanced life support services to patients at the scene and in route to the hospital, and who can provide an advanced medical assessment to the hospital staff for a quicker determination of the patient's critical status and need to transport. In addition, paramedics can do about 85% of the transport runs, helping with the problem of limited nursing resources for transports. The Task Force found that due to our distance from the nearest major health facility, the paramedic service provides a needed improvement in critical response time to patients and is the recommended service option by the Task Force, emphasizing that the study came as a result of concerns by the local medical community. The Task Force members provided this report to the City of International Falls at their last meeting. The City was supportive to continue exploring the option with more information needed on the cost and funding. Though the Task Force discussed a taxing district, they admitted they are not knowledgeable on the subject and acknowledged that the analysis shows in the first and second

year, there is a shortage of funding of \$32,000 and \$25,000 respectively. In response to the question, members stated that the financial information provided demonstrates just the revenues and expenditures for the paramedic service option and at this time, no analysis has been done incorporating the paramedic services in to the actual City Ambulance Budget, which was noted that at the present time is self sufficient. Board members are supportive of improving the service but cost and who pays needs to be determined. In response to the question, members stated that the study included solicitation and comment from the other ambulance services in the County, which were in support. The Health Director and Sheriff stated that they were involved in the study process and support the advanced life support ambulance service. Commissioner Hanson stated that the Blackduck Ambulance Service went with paramedics and having this level of service provided more runs and more revenue.

2008/06-09 Motion by Lepper, seconded by Hanson providing the County's support to further study the Task Force's recommendation to establish paramedic services in the International Falls Ambulance Service and requesting that Task Force members, the feasibility study consultant , and City of International Falls representatives meet in committee session with the County Board to have the consultant provide an overview of the feasibility study, the findings and recommendations and discuss how incorporating the recommendation into the City's Ambulance Budget will impact the budget overall. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Sheriff informed the Board that representatives for the state-wide emergency communication system have requested time with the County Board to make a presentation on the state system planning and funding and how this could benefit the County in its own emergency communication system planning. The Sheriff stated that currently a draft joint powers agreement is being circulated amongst regional counties for review to establish an avenue where counties can participate with the state to receive communication system funding. The Board agreed to set a committee session for Tuesday, August 5 at 9:30 a.m. to 11:30 a.m. for the presentation.

000 The Board Chair called for public comment period at 12:10 p.m. No comment was presented.

2008/06-10 Motion by Hanson, seconded by Adee to adjourn the meeting at 12:10 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, June 10, 2008; 10:20 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Doug Grindall, Ryan Heinen, Susan Congrave, Lori Lyman, Sherri Lessard, Sue Anderson, Richard Lehtinen, Steve Blair, Arden Barnes, Brian Jespersen; Reporters Lisa Kaczke and Jerry Franzen

2008/06-11 Motion by Adee, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-12 Motion by Hanson, seconded by Lepper to approve the minutes from the County Board meeting of June 3, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-13 Motion by Lepper, seconded by Briggs to approve payment of the Auditor claims in the amount of \$18,960.36. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-14 Motion by Hanson, seconded by Lepper to approve a 2008 Supplemental Federal Boating Safety Grant with the State of Minnesota allocating funds to Koochiching County in the amount of \$4,331.00 for the purchase of six channel marker buoys and 1 side scan sonar unit for the Sheriff's boat and further, to authorize the Board Chair, Sheriff and County Coordinator to sign said Grant Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-15 Motion by Lepper, seconded by Adee to adopt the following resolution requiring a cash deposit with the County Auditor/Treasurer before the County takes action on the Jacobson Cartway Petition under M.S. 164.07-08:

That the Petitioner must deposit \$10,000 cash security with the Koochiching County Auditor/Treasurer to be placed in escrow to cover costs permitted under Statute;

That at such time as the deposit is made with the County the Petition will be presented to the County Board to begin action on the cartway request under Statute;

That if at any time the escrow account falls below \$5,000, the Petitioner must replenish the account to \$10,000;

That any remaining funds will be refunded to the Petitioner upon proof of payment for all costs permitted under Statute;

That the County reserves the right to amend the cash security deposit as is necessary in acting on the Petition. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Health Director submitted a request to fill a full time Public Health Nursing position that will become vacant July 1, 2008 upon receiving notice of an employment separation. The request entailed revision of the nursing position to include some duties of the vacant part time

Health Educator position. Due to the upcoming Health Department's program and service review scheduled with the County Board, the Board took no action on the request.

000 Representatives of the local United Way Board provided a review of the program and requested support to seek donations from County employees. All donations made locally are used to fund local programs and needs with funding decisions made by a local United Way Board. From 2000 to 2007, the United Way has provided funding in the amount of \$790,775 to various local needs with \$111,131 donated in 2007. The representatives have found that an employee payroll deduction process has been a successful way to bring donations in. Board members expressed their appreciation of the United Way Program and its many worthwhile local contributions. However, the County Board does not solicit its employees for donations and suggested that the County's Payroll Deduction Policy be utilized as the tool for United Way representatives to talk with County employees. The Policy allows vendors to meet with County employees if the employee chooses and requiring that the employee use their lunch hours, breaks and/or leave time to attend the meetings. In addition, the vendor must secure a minimum of 25 employees for authorization from the County Board for a payroll deduction. It was agreed that Administration would provide the policy to the representatives and work with them through this procedure to meet with employees to discuss United Way donations. In addition, the Coordinator stated that no more than two payroll deduction options will be presented to employees for payroll administration purposes.

2008/06-16 Motion by Hanson, seconded by Briggs accepting the recommendation of the Solid Waste Advisory Committee to reduce the coupon fee for electronic waste from \$12 per item to \$5 per item due to the reduction in County cost for disposal of e-waste through the CRT Processing Contract, currently in effect for one year, with the new coupon fee effective June 10, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director and Commissioner Pavleck informed the Board of the DNR open house scheduled for June 25 in International Falls to inform the public about the Shoreland Rules Update Project (Commissioner Pavleck serves on the DNR's Shoreland Rule Making Advisory Committee) which is intended to update the statewide minimum standards for shoreland management. Commissioner Pavleck also informed the Board that three regional sub-committees are being formed in this process to augment the state committees by allowing a greater number of individuals with local knowledge to engage in the rule revision process to complement the diversity of Minnesota's shorelands. Commissioner Pavleck is encouraging participation from the County, noting that the committee seats are limited and the application deadline is July 1, 2008.

2008/06-17 Motion by Hanson, seconded by Lepper authorizing the Board members' attendance to the June 25, 2008 DNR Open House on the Shoreland Rules Update Project at the Holiday Inn in International Falls starting at 6:30 p.m. as a County Board activity. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 Commissioner Pavleck provided the Board information he received on the formation of the Heart of the Continent Partnership consisting of 21 organizations and Voyageurs National Park with the mission of preserving and restoring the region's ecosystems and species to include an

area of over 5 million acres of land and water in the northern Minnesota –Canada border region. In reviewing the membership, Commissioner Pavleck noted that no local units of government are included and that Voyageurs National Park, a federal governmental agency, is a member of this coalition of non-governmental organizations. The Board asked the Environmental Director to do some research on this potential preservation organization and report back to the Board.

000 The Board Chair called for public comment period at 11:50 p.m. Steve Blair inquired with the Board as to whether the County intends on lifting the Shoreland Management rules as was done in past years, if the high water produces flooding of properties. He stated that Shoreland rules do not allow build up and change of the shorelands and that in most flood situations, sandbagging provides the fix in temporary flooding events. Arden Barnes in reference to the KEDA, stated that supporting the partnership would help with their image and communication.

000 The Board Chair recessed session until 1:30 p.m.

000 The Undersheriff met with the Board to update on the rising water levels and preparation for a flood event. The Department has 27,000 sandbags available at the Sheriff's Department and sand piles are prepared at the Falls Highway Garage and City Beach with plans to establish one at Tilson's landing if needed. The Department is anticipating that recent rain and predicted rain forecasts, a flooding event is likely and will be prepared to put together volunteer groups and use STS crews to assist with sandbagging if needed. The sandbags are intended for property protection and not for weighting docks. The Undersheriff also cautioned against navigating on the waters at night due to the numerous amount of floating debris.

000 The Board Chair adjourned the meeting at 1:40 p.m.

Wade Pavleck, Board Chair

Teresa Jakska, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, June 17, 2008; 10:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Brian Jespersen, Ann Scholler, Terry Glowack, Jaci Nagle, Doug Grindall, Richard Lehtinen, Kathleen Przybylski, Arden Barnes, Terry Stone; Reporters Lisa Kaczke and Jerry Franzen

2008/06-18 Motion by Briggs, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-19 Motion by Briggs, seconded by Hanson to approve the minutes from the County Board meeting of June 10, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-20 Motion by Lepper, seconded by Adee authorizing the Board Chair's signature to the Auditor's May Vendor Payment Listing verifying its review. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-21 Motion by Lepper, seconded by Briggs approving the revised County Fee Schedule as recommended by Administration. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-22 Motion by Lepper, seconded by Adee acknowledging the resignation of Les Bjorkquist from the East Koochiching Sanitary Sewer District Board and acknowledging the vacancy with the intent of receiving a recommendation from the District for a candidate to fill the seat. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-23 Motion by Briggs, seconded by Lepper to designate the Precinct of Kooch Poll 3 as the boundary for a vote allowing issuance of a Sunday Liquor License to the Roadhouse and to restaurants, clubs, bowling centers, or hotels with a seating capacity for at least 30 and hold an on-sale intoxicating liquor license and which are located in the precinct of Kooch Poll 3, and further, allow for ballots to be printed and presented to the electorate residing within the Precinct of Kooch Poll 3 as determined by the County Auditor-Treasurer with ballot language as follows: "Shall the County of Koochiching be allowed to issue Sunday on-sale intoxicating liquor licenses to restaurants, clubs, bowling centers, or hotels with a seating capacity for at least 30 persons and which hold an on-sale intoxicating liquor license and which are located within the Precinct of Kooch Poll 3". Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-24 Motion by Hanson, seconded by Adee whereas Koochiching County is the recipient of a Congressionally Directed Project award under H.R. 2764; Public Law 110-161, in the amount of \$400,000 for Feasibility Study and Design for Renewable Energy Clean Air Project (RECAP), Koochiching County, MN, Plasma Gasification Waste-to-Energy Project (MN); and whereas, it is necessary to file for the Congressionally Directed Project award certain forms with the Department of Energy (DOE) on or before June 23, 2008. Now therefore be it resolved that Koochiching County shall authorize Coronal, LLC to prepare the necessary DOE paperwork on behalf of the County, authorize Koochiching County Board Chair, Wade Pavleck, to execute all forms required to obtain the Congressionally Directed Project award and authorize the funding to pass through the County to Koochiching Development Authority (KDA) for payment of feasibility study and design costs. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board reviewed information from AMC encouraging all Minnesota counties to take a united position to oppose the legislative intent to rescind 2008 legislation granting waiver to counties for their various maintenance of effort obligations to the State. 2008 legislation enacted a wavier of this obligation in light of levy limits imposed on counties in 2009, however, shortly after the session adjourned, counties were notified that the legislature intends as the first order of

business in 2009, to rescind this 2008 legislation retroactively, meaning that the waiver is non-existent. AMC is taking the position that this waiver was intended to assist counties as the 2008 legislative session provided a very small aid increase, imposed a levy limit and resulted in more state cost shifts to the counties. Many counties have already publicly voiced their strong opposition to the legislative intent to remove the waiver of counties' maintenance of effort obligations, especially retroactively. Koochiching County Board members expressed frustration with the 2008 legislative actions which for the most part shifted the state deficit to the counties and removed any flexibility to counties to manage this result. The Board stated frustration with legislative representatives and AMC for not doing a better job in looking out for the counties, now that the impacts of the session are coming to light for the counties. The Board was unanimous to join the coalition of counties to bring review with State legislative representatives their intent to rescind the waiver granted to counties for their maintenance of effort obligations with the State.

2008/ 06-25 Motion by Lepper, seconded by Briggs authorizing the County Board's notification to AMC and the County's state legislative representatives stating the Koochiching County Board's frustration with the representation received in the 2008 Legislative Session and submitting Koochiching County's strong support to join the other counties to oppose the intended 2009 legislative action to rescind the waiver granted counties in the 2008 legislative session for their maintenance of effort obligations to the State. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-26 Motion by Lepper, seconded by Adee that in light of recent notice of the State shift of more public defender cost to the counties and foreseeing other cost shifts to counties as a result of state budget cuts, that the County Board directs its department heads that all claims for county payment that are a result of a cost shift from the state as a result of 2008 legislative directives for managing the state budget deficit, be submitted to the County Board for review and consideration. That the County Board enacts this directive as a means to track cost shifts and consider the county's financial position as it deals with the results of the FY 2009 State Budget, effective July 1, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-27 Motion by Lepper, seconded by Adee to transfer the unsold Car Pool vehicle (2004 Chevrolet Impala) to the Sheriff's Department to be utilized as a second vehicle to transport prisoners, court ordered persons and juveniles to detention/treatment facilities at no cost but that when the vehicle ceases to be used for a Sheriff transport vehicle, it is returned to the County Car Pool for disposal, stating the Board's intent to transfer at no cost is to reserve the Sheriff Zero Tolerance Funds to offset costs in the 2009 Sheriff Budget. Motion further authorizes the expenditure of up to \$2,000 from the Sheriff's Zero Tolerance Account for 6 GPS Units for the squad cars for emergency responses, and location of addresses and lost persons. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-28 Motion by Lepper, seconded by Adee accepting the recommendation of the Complex Superintendent and I.S. Manager to purchase a new Koldwave AC for the Computer Mainframe room with a cost not to exceed \$4,000 with payment from the Sinking Building Account due to the current unit not functioning and the room needing 24/7 cooling. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-29 Motion by Lepper, seconded by Adee that MCIT has assigned Attorney Paul Reuvers to represent Koochiching County in the City of International Falls claim against MnDot and the County on the proposed Koochiching County CSAH 155 (TH 332 Relocation) Project, and therefore the County Board authorizes said legal counsel to take all necessary steps to expedite and protect the interests of Koochiching County in this matter. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director at the request of the Board, confirmed that the "Heart of the Continent Partnership, exists and scheduled a representative from Voyageurs National Park Service to provide an overview to the Board. The Park representative stated that the idea came from a representative of Quetico Provincial Park, looking to promote their area, and thinking that a larger scale promotional plan of a regional/international area having the same ecosystems would be much more effective. The Partnership recently received two grants which allowed for the hiring of a part time Director to start working on the promotion plan, emphasizing that the focus is to promote the area and attract people to the area. Board members in reviewing the members of this organization, which does not include any local units of government, stated that they are not opposed to a plan to promote tourism for this area but based on how this all came to light, stated their skepticism. The representative stated that most of those listed in the partnership at this time own land in the proposed promotion region. In response as to why the counties are not in the organization when both St. Louis and Koochiching Counties also have land in this area, the representative stated that the planning has not gotten to the local level yet as the first step was to formulate a vision and move forward on the plan. However, in review with the Board today the Park representative realized the oversight at this point in not informing the local unit of governments on what is taking place. She understood the Board's position and emphasized there was never any intention not to communicate and involve the local units of government and public. The Board Chair stated that the Board is not trying to point fingers but finding out of this existence and that planning is this far along by mere chance, is not a good start for public relations with local units of government and the local public. Counties should have been involved in the first initiative. The Park representative asked the Board in moving forward, how they want local participation in this process. The Board Chair stated that meetings should be publicized as well as a public notice of what the organization is doing and allow public input in the process. In addition, reports should be made to the VNP Government Affairs Committee, which involves local units of governments. The Board thanked the representative for the update and for the forward effort to work with them to publicly communicate the organization's activities.

000 Board members inquired on the status of the County's Public Health Nuisance Committee as several nuisance items have been deferred to the committee and the Board is not aware of any resulting action to rectify the problems. The Environmental Service Director stated that the committee struggles somewhat as they need legal counsel to determine the plan of corrective action on almost every issue. Commissioner Briggs felt that the County Nuisance Ordinance is needed but is only as effective as the Committee that manages it.

2008/06-30 Motion by Lepper, seconded by Briggs authorizing the Board Chair to appoint a second County Board member to the County Public Health Nuisance Committee. Voting yes:

Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried. (The Board Chair appointed Commissioner Briggs to the Committee.)

000 The Board Chair called for public comment at 12:12 p.m. Arden Barnes stated her concern that the Heart of the Continent Partnership will result in more control rather than promotion and inquired on the organization called the American Property Coalition which was named on a page of the written agenda information. Terry Stone stated that the American Property Coalition was the organization that brought this matter to the attention of the Board and is not affiliated with the Partnership in any form.

000 The Board was notified of the summer hire of Chad LeDuc and Miles Arnold in the Highway Department.

000 2008/06-31 Motion by Briggs, seconded by Lepper to transfer \$1,000 from the 2008 Budget Contingency to the 2008 VSO Budget at the recommendation of the Administration Office for cell phone service, business cards and traveling expense for the new VSO. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair adjourned the meeting at 12:20 p.m.

Wade Pavleck, Board Chair

Teresa Jaks, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, June 24, 2008; 9:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Dennis Hummitzsch, Susan Congrave, Doug Grindall, Terry Murray, Richard Lehtinen, Gail Rognerud, Joel Haus, David Trompeter, Carl and Debbie Bowman, Etta Erickson, Gerald and Susan Olsen, David Erickson, Kit Hasbargen, Steve Blair, Ron Peterson, Arden Barnes; Reporter Lisa Kaczke

2008/06-32 Motion by Adee, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-33 Motion by Briggs, seconded by Adee to approve the minutes from the County Board meeting of June 17, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-34 Motion by Lepper, seconded by Hanson to approve payment of the Auditor claims in the amount of \$49,187.91, to approve payment of the Highway claims in the amount of \$116,749.56, to approve payment of the Health claims in the amount of \$23,793.00, to approve

payment of the Community Service Department financial and social service program claims and administrative claims as presented and to approve payment of the following burial cases for the balance due for rate increases retroactive to January 1, 2008: #935906 in the amount of \$25.00 and #603262 in the amount of \$25.00. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-35 Motion by Hanson, seconded by Lepper that the Koochiching County Board of Commissioners agree to sponsor the Northome Ridge Runners Snowmobile Club in the State Trails Grant-In-Aid Program to construct a trail bridge over Plum Creek for snowmobiles and grooming equipment with funding approved of \$20,000 from the MN Trails Grant In Aid Program and \$17,348 from the Federal Recreational Trail Program with the stipulation that the bridge will be maintained for no less than 20 years. As sponsor, the County is accountable to the State for expenditures charged to the grant program; sponsorship does not require financial support or liability for cost from the County. The County Board does hereby approve the necessary County authorities to sign said Grant-In-Aid documents for application and execution of the grants as recommended by the Auditor/Treasurer. Sponsorship by the County requires that a Club/County Agreement be in effect which said Agreement is on file in the Administration Office. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-36 Motion by Briggs, seconded by Adee to approve the annual publication of the General Notice to Control or Eradicate Noxious Weeds as recommended by the Land Commissioner. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-37 Motion by Lepper, seconded by Adee to approve the employment separation of Public Health Nurse Sharon Obermaier effective July 1, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-38 Motion by Hanson, seconded by Adee to renew the Home Care Waiver Contract with Falls Good Samaritan Home Care for 2008-2009 as recommended by the Health Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-39 Motion by Hanson, seconded by Adee to renew the Home Care Waiver Contract with Healthline Home Care for 2008-2009 as recommended by the Health Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-40 Motion by Lepper, seconded by Briggs to approve a contract with Della Warren to serve as Koochiching County Family Collaborative Coordinator from July 1, 2008 to June 20, 2009 as recommended by the Health Director and upon approval by the County Attorney to include review as to any conflict of interest issues with the County contracting with a state employee. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received notice of the hire of Jeff Larson as full time B23 Jr. Engineering Technician in the Highway Department effective June 16, 2008.

2008/06-41 Motion by Lepper, seconded by Hanson amending Board Motion 2008/05-45 that upon deposit of the County required cash security from the Petitioner, to receive the amended Cartway Petition filed by Thomas Jacobson for a cartway on property owned by Ronald and Delphine Nelson, Kenneth and June Henrikson and Milo and Kay Larson and to set a public hearing for Tuesday, July 22, 2008 at 3:00 p.m. in the Courthouse Boardroom under Minnesota Statute 164.07-164.08 to hear and act on the Cartway Petition by Thomas Jacobson across property owned by Respondents Ronald and Delphine Nelson described as the SW ¼ of the NW ¼, Government Lots 4, 8, 9, 10 and part of Government Lots 11 and 14, Section 25, Township 69N, Range 27W and across property owned by Respondents Kenneth and June Henrikson and Milo and Kay Larson described as part of Government Lot 14, Section 25, Township 69N, Range 27W. Affected landowners are entitled to judicial review of damages, need and purpose following a determination to establish or alter the road. The Petitioner shall cause personal service of the hearing notice and a copy of the petition to be made upon each occupant of the land affected at least ten days before the hearing and cause ten days' posted notice thereof to be given. Voting yes on the amended motion: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-42 Motion by Lepper, seconded by Briggs to amend Board Motion 2008/05-46 that under Minnesota Statute 164.07-164.08 on the Cartway Petition filed by Thomas Jacobson, to appoint the following viewers to view servient properties for damages and determine the cartway route to include drainage and wetland impacts and provide a written report to the County Board for the July 22, 2008 public hearing scheduled by the County Board to hear and act on said petition: County Assessor or designee, Highway Engineer or designee, Environmental Service Director or designee, Land Commissioner or designee and County Surveyor or designee. Motion further authorizes the viewers to expend funds to obtain the services of a professional appraiser if needed. Voting yes on the amended motion: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received a letter addressed to the Governor from the City of International Falls requesting his support of the City to intervene in the claim against MnDot and the County on the Highway 332 Project and support their position for a route to the Foreign Trade Zone in lieu of the route proposed by the County. In addition, the Highway Engineer informed the Board that he received a call from Attorney Paul Reuvers who was assigned by MCIT to represent the County on the Highway 332 Project that he was contacted by the League of Minnesota Cities stating that the League had his firm representing the KEDA in an open claim which is a County and City of International Falls partnership and therefore poses a positional conflict in representing one party against the other on the Highway 332 matter. In the interest of the law firm serving both MCIT and League of MN Cities, he withdrew from the case and requested MCIT reassign the case.

2008/06-43 Motion by Lepper, seconded by Briggs that in light of the City of International Falls legal action against the County on the proposed Highway 332 Project, directing the Board Chair to review with legal counsel whether the county should initiate action to have the City Attorney withdraw from providing legal services to the Airport Commission and KEDA and any future County/City partnerships due to potential conflict in serving the interests of both parties in the partnerships while at the same time serving as appointed legal counsel for the City of International Falls. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-44 Motion by Briggs, seconded by Adee accepting the Personnel Committee's recommendation in follow up to Board Motion 2008/05-13 to allow the KCCS Director to fill a part time social worker position as requested under a grant application to support a Koochiching County Family Dependency Treatment Court, with the understanding that the position's direct cost will not be funded by the County and that at such time as the supporting grant funds expire, the position will end. Further, that the KCCS Director will present the position description and request to fill the position along with his recommendation to approve the Grant Agreement covering the position. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-45 Motion by Lepper, seconded by Adee accepting the recommendation of the KCCS Director to renew the following service agreements from July 1, 2008 to June 30, 2009 with no change and reflecting the delay of the COLA increase as set by the State and contingent upon approval of the agreements by the County Attorney: Crabtree Senior Home, Koochiching County Public Health, Lutheran Social Services SLS, Northland Counseling Adult Foster Care Home, Northome SLS, Ridgeview LLC, Segar's Foster Care, Silver Bahr Retirement Ranch. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-46 Motion by Lepper, seconded by Adee accepting the recommendation of the KCCS Director to discontinue the Pineview Primary Care Contract and the Pineview Extended Care Contract and approve a combined primary and extended care service contract with Pineview Recovery Center contingent on approval of the contract by the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-47 Motion by Lepper, seconded by Briggs accepting the recommendation to relicense Donald and Julie Godfroy for treatment child foster care for five children. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director provided the recommendation of the Planning Commission to allow 6 tent camping sites and prohibit RV camping at the City Beach. Commissioner Lepper (serving on the Planning Commission) stated that he voted against the recommendation because he felt that RVs would be better in appearance than tent set ups and RVs bring more economic benefit to the Community. Commissioner Briggs agreed. Representatives speaking for the City Beach Committee stated that they wanted to start small and consider the neighborhood. A member of the public stated that RV sites continue to be turned down in this area and he believes that the people have the wrong impression of RV users as most are older, responsible, neat and quiet and bring economic benefit to the community. Commissioner Pavleck read a letter received from one of his constituents stating that the neighborhood does not want camping and that the County should deny the request as zoning laws exist for a reason and property owners move to areas based on zoning protections so variances to change allowances should not be taken lightly. The Environmental Service Director stated that this is not a variance request but a Conditional Use Permit request which means the use is allowed in this area but regulated through permit.

2008/06-48 Motion by Briggs, seconded by Lepper accepting the recommendation of the Planning Commission to approve CUP 0803 to the City of International Falls for the City Beach

(PID 15-050-00260) located at 3405 County Road 46 to allow 6 limited overnight tent camping sites and to prohibit RV usage. Voting yes: Hanson, Adee, Lepper, Briggs; voting no: Pavleck. Motion carried.

000 The Environmental Service Director presented the recommendation of the Planning Commission to approve a zone change and conditional use permit to Bowman Construction for an 80 acre rock quarry west of County Road 89 near Clementson, which received heavy opposition by the area property owners. Commissioner Hanson stated that because many of the area property owners were not aware of the Planning Commission meeting on this request, another meeting was held this past weekend in the Clementson area where he and the contractor were available to the property owners to receive their comment and answer questions on this proposed development. In general, this operation is going to negatively impact this rural quiet community with continuous noise from blasting and truck hauling. In addition, property owners are concerned with well damage from the blasting and road damage from the hauling. The contractor asked that the Board not delay action on the recommendation as the resource is needed for this construction season. He stated that many quarry operations exist in the County and have not caused the damages that property owners claim will occur. Property owners from the area provided comment. Etta Erickson is opposed to the project as an adjacent property owner but also because of the disruption to a rural and quiet area. She submitted to the Board Chair a petition opposing the project with 44 signatures as well as written comment from Laurie Larson opposing the project as another adjacent property owner. Gerald Olson lives 1 mile from the proposed quarry and just learned of its development this past weekend. He asked that the request be denied or at least postponed so property owners had more time to obtain information such as laws, rules and/or guidelines to noise, air and water quality issues. David Erickson is also a property owner in this area and is concerned about well damage from blasting in addition to the negative impact to recreation in this area. Kit Hasbargen stated support for the quarry operation as it is needed infrastructure for economic development and will reduce the cost of the reconstruction of State Highway 11. In response to the question, the contractor stated that the operation is for 10 years but will operate sporadically, when there is a need/demand for the resource from this area. The Board Chair stated that the calls he received from property owners had to do with concerns over wells as at least one property owner stated that they had to try three times before they had a working well. Commissioner Hanson stated that he was not ready to vote on the issue as he felt the property owners deserved more time to get questions answered and obtain more information and he would hope that the contractor would be willing to meet again to help them understand what to expect with this operation. Commissioner Briggs stated that she would vote against action to delay if the property owners in the area are flat out opposed to the quarry as more meetings won't change their minds.

2008/06-49 Motion by Hanson, seconded by Adee to defer action on the recommendation of the Planning Commission to approve a zone change and conditional use permit to Bowman Construction for an 80 acre rock quarry west of County Road 89 near Clementson until the July 8, 2008 County Board Meeting to allow property owners in the area more time to obtain information about the operation from the contractor. Voting yes: Pavleck, Hanson, Adee, Lepper; voting no: Briggs. Motion carried.

000 The Environmental Service Director stated that the 60 day period on Mr. Bowman's Zoning and CUP Application is up on July 7, 2008 so he will request the applicant to agree to an extension to allow for the County Board's plan to consider the request on July 8, 2008. Commissioner Hanson stated that this is an opportunity of time for the contractor to be a good neighbor and offer to assist the property owners in understanding the impacts of the operation for the area.

2008/06-50 Motion by Hanson, seconded by Briggs accepting the recommendation of the Planning Commission to approve CUP 0802 to Robyn Hasbargen for sand and gravel mining operation on 160 acres adjacent to Highway 11 south of Indus. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-51 Motion by Briggs, seconded by Hanson accepting the recommendation of the Planning Commission to approve CUP 0703 to Ron Peterson to blast and crush rock and sell custom containers on property located south of Highway 11 E and adjacent to the CN railroad tracks. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-52 Motion by Briggs, seconded by Lepper that in light of the operations allowed under CUP 0703 for a rock blasting and crushing operation and for intended operation uses in the Foreign Trade Zone, to send a letter to the KEDA to request they reconsider their position on the City of Ranier's request for a buffer zone between the City and this development area. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/06-53 Motion by Lepper, seconded by Hanson to approve a Joint Powers Agreement between the State of Minnesota and Koochiching County for St. Cloud State University in providing for the Rainy Lake Water Quality Study at a cost of \$10,080 as recommended by the Environmental Service Director and upon approval of the Agreement by the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 12:35 p.m. Arden Barnes, in regards to the Ron Peterson approved permit for blasting, stated that CN has already been blasting in this area for their added development.

2008/06-54 Motion by Briggs, seconded by Adee to adjourn the meeting at 12:35 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

KOOCHICHING COUNTY BOARD OF EQUALIZATION
Opening Session 2008 – Tuesday, June 17, 2008; 1:30 p.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS ATTENDING: Auditor/Treasurer Bob Peterson, Assessor Marty Cody, Coordinator Teresa Jakska; Dick and Jean Stadt, Conley Adams, Ladd Kocinski, Etta Erickson

Oaths of Office were conducted by the Auditor for members of the County Board of Equalization. The County Board Chairman opened the session to review, as needed, 2008 market valuation for taxes payable in 2009. The purpose of the Board of Equalization is to amend the final 2008 assessment of the Assessor (market value and classification) as of this point it is only the Board of Equalization that can do this, unless the change is an obvious error made by the Assessor. The County Assessor as stated in a previous report to the County Board stated the Office conducted a reassessment of the County under order by the Department of Revenue. As previously reported many property owners saw increases in their valuations but in comparison to area sales, the assessment values are still under sale prices. \$6.8 million of new construction was picked up in the 2008 assessment with the majority of new construction occurring outside city limits. In response to questions, the Assessor stated that the sale of property for recreational purposes has caused the increase in the assessed valuation of most rural property as people are willing to pay high prices for seasonal/recreational property. With regards to the impact on farms, farmlands were also being sold at high prices for recreational purposes, which negatively impacted the remaining farmland.

The Board Chair called for appointments:

Dick and Jean Stadt: Own a lot on Grindstone Island and received their notice in the mail for a 2008 land and building valuation of \$266,900 and do not feel their property is worth that value. They do not receive the same services as a property on the mainland and it is difficult to pay the escalating taxes on their property as they are retired and on fixed incomes. Their property valuation increased 81% in the 2007 assessment with another 29% increase for the 2008 assessment. The Assessor stated that people are buying lake property for high prices, which impacts all lake property owners. Mrs. Stadt did acknowledge that on the island, a person bought one acre for \$300,000. The Board Chair stated that the County Board does its best to hold spending and therefore keep the County tax levy down. He stated that the added valuation overall, brings down the tax rates which reduces the tax burden overall for properties. The Board Chair did ask the Stadts to check the 2008 assessment figure in the Assessor's Office since there seemed to be discrepancy at the meeting and that the Board will hold their appointment until the amount is confirmed. The Assessor also encouraged the Stadts to apply for the state circuit breaker for those on fixed incomes to see if they qualify for a tax break. Stadts verified with the Assessor's Office the 2008 assessment amount of \$266,900 and picked up the form for the tax credit application for eligible persons on fixed incomes.

Conley Adams: Mr. Adams owns about 290 acres in the Cingmars area and first questioned a one acre parcel that went from a \$100 assessment to \$2,800. Further, that his property value doubled in assessment value for the most part from 2007 to 2008. He stated that it is good land and could be farmed but most is not accessible. In addition, much of the land has been logged so there is no timber value. The Assessor stated that Mr. Adams has about 270 acres with 2.73 miles of river frontage. The Assessor made the assumption that the one acre parcel was assessed with river frontage but Mr. Adams stated that it is not on the river. In response to questions, the Assessor stated that river frontage is measured from maps and that timber value is not included

in the assessment value. The Assessor again informed Mr. Adams to look at the Sustainable Forest Management Program which if he was willing to put his land into forest sustainability, he would receive credit payments for the investment. Based on the sales data for the area, the Assessor stands by their assessment of the property. However, it was agreed the one acre parcel will be reviewed.

Ladd Kocinski: Owns lots in the Brennan Beach area and he received a 52% valuation increase from 2007 to 2008. In preparing for his appointment, he did his own assessment comparison and from information he obtained, his property is being assessed differently than the other area lots. He stated that the Assessor's formula charges \$1,500 for the first 200 feet of shore land and thereafter, charges \$450. Based on the lay out of his lots, he is being assessed the \$1,500 but never gets the \$450 break when he has shore land that exceeds 200 feet. He also stated that one of his parcels after taking into required set backs is questionable whether it is a conforming lot but it is being assessed as a separate lake shore lot. The Assessor inquired with zoning as to whether this is a sub standard lot but no determination has been presented to date, however, the lot does have an existing garage on it. Mr. Kocinski asked how this small point could be assessed more than one of the big lots in this area. In summary, Mr. Kocinski felt there was an inconsistent application of assessment in the Brennan Beach area as he has smaller lots that are assessed higher than the larger lots. The Board agreed to have the Assessor review the area with the information presented by Mr. Kocinski to determine if there was any inconsistency in assessment application for his property to the other property in the area and report back to the Board at the June 24 session with a recommendation. In addition, it was agreed that Mr. Kocinski would contact the Assessor prior to the June 24 session to find out what the Assessor determined and will recommend, since he will not be available to attend the 6/24 session.

Etta Erickson: Owns property in the Clementsen area. She stated that the Assessor has reviewed and resolved some of her valuation concerns and though not completely satisfied, had no items for review with the Board of Equalization.

000 The Board Chair recessed session until June 24, 2008 at 1:30 p.m.

KOOCHICHING COUNTY BOARD OF EQUALIZATION
Session 2008 continued – Tuesday, June 24, 2008; 1:45 p.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS ATTENDING: Auditor/Treasurer Bob Peterson, Assessor Marty Cody, Appraiser Len Peterson, Coordinator Teresa Jakska; Tim Johnson, Byrne Johnson

000 The Board Chair reconvened the 2008 County Board of Equalization at 1:45 p.m. and called for appointments.

Tim Johnson: Owns a triangular lot on Red Crest Island and feels his lot is overvalued in comparison to the standard lots on the island because he is charged for more lake shore because of the shape of his lot. His valuation increase from 2007 to 2008 is 265%. Mr. Johnson provided a 6 page handout supporting his appeal for a reduction in his land valuation, (did not have an issue with the building valuation) and proposed two solutions to adjust the land valuation for lots of irregular shape on the island, recommending the formula based on valuing only buildable shoreline property. The Assessor stated that the original formula for valuating lake shore properties was a straight across method but lake shore property is marketed based on every front foot of lake shore and determines the selling price, which is why the current formula is based on lake shore footage. The Assessor did not dispute that lots with more lake frontage are assessed higher. But based on what lot is more valuable in the market, the formula is justified as the more lake shore the higher the sale price and no one in attendance disputed this fact. Both the Assessor and Appraiser informed the Board that a base formula was used to equate the property value on the lake and they recognize that formulas may have to be adjusted in some areas but they needed to start and create the base and work from there. The Assessor explained that because of limited market value, the \$180,000 increase in valuation for Mr. Johnson's land will result in only one half being assessed for 2008 for taxes payable in 2009 with the full adjustment the next assessment year (2009 for 2010 taxes). A Board member asked if the Assessor's formulas are verified in the state assessment system. The Assessor stated that formulas were based on sales and our lake area is unique to other lake areas in the State as many do not have islands and irregular lots. However, his office does consult with other counties and the state to review formulas where needed. The Assessor stated that at this point it is up to the Board to adjust valuation but that his Office intends to review formulas for the lake area as the next step to see if adjustments are needed for areas where market and sales do not support the valuation. However, this will occur for next year's assessment and at that time the Office can review Mr. Johnson's proposed buildable lakeshore formula. The Appraiser stated that equalizing values on the lake was needed and at this time, the base is done. Understanding the Board can make adjustments, the application needs to be consistent or the base will be lost. It would be better to look forward and verify formula applications as the next step. With regards to Mr. Johnson's land valuation, there is 919 feet of lake shore but only 700 feet was assessed so an adjustment was applied in the formula. Mr. Johnson was agreeable to have the Assessor review their formula applications to the lot differences on this island and rectify for all the property owners with irregular size lots, not just his. However, he will be back next year if there is no satisfying outcome for him as he does not feel his lot is worth over \$100,000 more than the standard lots on the island. The Board requested the Assessor to review the information presented by Mr. Johnson when reviewing the lake property valuation for next year's assessment.

Byrne Johnson: First property is a small parcel at the end of Forest Point which is used for parking and boat landing. It is an unbuildable lot and the County uses the property to turn around their equipment when maintaining CSAH 94. The land valuation went up 15%. The Appraiser stated that the area was assessed at \$900 per foot for lake shore but because this parcel is a non-buildable lot it was put on for \$500 per foot.

The second property is Norway Island, which he is concerned he will lose the island because of the escalating valuation and anticipated tax increases. Appraiser stated that because there was no

sale history for this island, the Assessor used a formula from St. Louis County which is based on acreage of islands, so the island was not assessed by the full lake shore footage and overall the formula falls within other comparable island sales. The land valuation went from \$153,000 to \$301,000 and the building valuation decreased. Mr. Johnson stated that he was concerned because the assessment was based on full lake shore footage when a strip of the island is not buildable. Knowing now it is based on acreage, he has no issue with the application.

BOE2008/06-01 Motion by Hanson, seconded by Lepper that due to Parcel #15-065-0072, owned by Byrne Johnson, being utilized by the County as a turnaround for Highway equipment for maintenance of CSAH 94 and therefore benefiting the County, to adjust the Assessor's 2008 land assessment from \$50,000 to \$31,500 (a reduction of \$18,500 to retain it at the 2007 assessment). Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Robert Thompson: The Board received a letter from Mr. Thompson dated June 12, 2008. The Assessor stated that prior to the letter date, he did review Mr. Thompson's property and after comparing his property to other property in the area, the Assessor lowered the land valuation by \$3,000.

Assessors follow up from last session: Conley Adam's one acre parcel was reviewed and the Assessor determined that no change in valuation was merited. Ladd Kocinski's property was reviewed and a recommended adjustment for one parcel was submitted by the Assessor.

BOE2008/06-02 Motion by Adee, seconded by Lepper approving the following recommendations of the County Assessor for 2008 assessment adjustments by the County Board of Equalization: Parcel #15-059-00390 for Ladd Kocinski for a land valuation of \$168,000 (reduced \$94,500 from Assessor's land assessment); Parcel #78-017-21000 for Etta Erickson for a land valuation of \$112,000 (reduced \$33,000 from Assessor's land assessment); Parcel #78-018-11000 for Etta Erickson for a land valuation of \$84,700 (reduced \$8,000 from Assessor's land assessment); Parcel #52-011-41000 for Jim Olson for a land valuation of \$79,140 (reduced Assessor's land assessment by \$32,860); Parcel #22-051-00151 for Robert Thompson for a land valuation of \$10,500 (reduced Assessor's land assessment by \$4,100); Parcel #63-007-11000 for Roger Danielson for a land and building valuation of \$39,300 (reduced \$16,400 from Assessor's land and building assessment); Parcel #15-035-13300 for Boundary Waters Land for a land valuation of \$2,000 (reduced \$40,000 from Assessor's land assessment). Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 With no further business to come before the 2008 County Board of Equalization, the Board Chair adjourn the 2008 session at 3:20 p.m.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, July 8, 2008; 10:15 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Jaci Nagle, Doug Grindall, Allen Kruse, Dennis Hummitsch, Terry Murray, Richard Lehtinen, Carl Bowman, Etta Erickson, Gerald Olsen, David Erickson, Melvin Milne, David Paul, Linda Lafky, Dan McCarthy; Reporter Lisa Kaczke

2008/07-01 Motion by Adee, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-02 Motion by Adee, seconded by Hanson to approve the minutes from the County Board meeting of June 24, 2008 correcting Board Motion 2008/06-43 clarifying the Board's intent that the International Falls City Attorney should not serve as legal counsel for current and/or future County/City partnerships due to potential conflicting interests. Voting yes: Pavleck, Adee, Lepper, Briggs; voting no: Hanson. Motion carried.

2008/07-03 Motion by Briggs, seconded by Hanson to approve the minutes from the 2008 County Board of Equalization meetings. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-04 Motion by Lepper, seconded by Briggs to approve payment of the Auditor claims in the amount of \$29,771.67, to approve payment of the monthly County Board expense claims in the amount of \$7,193.28 and to approve payment of the Highway claims in the amount of \$52,919.41. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-05 Motion by Hanson, seconded by Lepper accepting the recommendation of the Convention and Visitors Bureau to appoint William Dougherty to the Board of Directors to represent area attractions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-06 Motion by Hanson, seconded by Lepper to approve expenditure up to \$12,700 for the purchase of computer hardware and software for the Highway Department's Assistant and Engineer Technician positions as recommended by the I.S. Manager and further, to approve a 2008 Highway Department Budget adjustment transferring \$12,700 from the CSAH Project Budget line item to a Capital Outlay Budget line item to cover the expenditure. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-07 Motion by Lepper, seconded by Briggs accepting the recommendation of the Management Committee and Veteran Service Officer to purchase the recommended monoliths for the County Veteran Memorial at a cost of \$25,959.37 with expenditure from the memorial funds reserved in the 2008 County Building Projects Budget (plan to establish the memorial on the east lot adjacent the Courthouse will be presented to the County Board at its July 22 meeting). Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-08 Motion by Hanson, seconded by Lepper accepting the recommendation of the Land Commissioner to approve a fee acquisition of tax forfeited land by MnDot at an appraised value

of \$2,930.00 for 2.79 acres more or less being part of the SW1/4 of the SE ¼, Section 12, Township 64N, Range 27W for State Highway 6 right of way. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-09 Motion by Lepper, seconded by Adee adopting the following resolution approving health care providers for managed care in Koochiching County:

WHEREAS, the Minnesota Department of Human Services (MDHS) has published a Request of Proposal to provide MinnesotaCare, Minnesota Senior Care Plus, General Assistance Medical Care, and Medical Assistance in 25 counties, including Koochiching County; and

WHEREAS, MDHS has requested County evaluations and recommendations regarding the managed care organization proposals for each respective county; and

WHEREAS, UCare, First Plan, Medica and IM Care submitted proposals to provide managed health care in Koochiching County; and

WHEREAS, a committee representing Koochiching County Health and Community Services Departments reviewed and evaluated the proposals and found all responses adequate.

THEREFORE, BE IT RESOLVED that the Koochiching County Board approves the recommendation of the Koochiching County Community Services Director approving UCare, First Plan, Medica and IM Care as managed care organizations to be engaged to provide managed health care services in Koochiching County. Voting yes: Hanson, Adee, Lepper, Briggs; absent for vote: Pavleck. Motion carried.

2008/07-10 Motion by Adee, seconded by Lepper to renew the Mattison's Foster Care Contract as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Hanson, Adee, Lepper, Briggs; absent for vote: Pavleck. Motion carried.

2008/07-11 Motion by Hanson, seconded by Adee approving an addendum to the State of Minnesota's Contract for Minnesota Care for payment to the County for servicing Minnesota Care applications for the State as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Hanson, Adee, Lepper, Briggs; absent for vote: Pavleck. Motion carried.

2008/07-12 Motion by Lepper, seconded by Adee to renew the Rainy River Supported Living Waivered Services Contract and the Rainy River MR/RC Waivered Services Contract as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director again presented the recommendation of the Planning Commission to approve a zone change and conditional use permit to Bowman Construction for an 80 acre rock quarry west of County Road 89 near Clementson, which the County Board tabled action until today's meeting. The Director reviewed the nine conditions set by the Planning Commission in their approval of the zone change and use permit for the quarry operation.

Commissioner Hanson stated that another meeting took place in the Clementson area last week with the property owners and contractor to hear the concerns and answer questions of the property owners. And with the exception of two property owners supporting the quarry, the remaining property owners were adamantly opposed with concerns on property and environmental damage and wanting to maintain the quiet rural setting of a residential, recreational and agricultural area. Commissioner Lepper in reviewing the road condition with the Highway Engineer was concerned about damage to County Road 89 over time with truck hauling. Commissioner Adee attended the public meeting in Clementson and witnessed a blast at the site and concluded that he could not support establishing the quarry operation in this residential/recreational area. In calling for public comment, several property owners from the Clementson area spoke their opposition to the quarry operation in their area.

2008/07-13 Motion by Hanson, seconded by Lepper to deny the recommendation of the Planning Commission to approve a Zone Change for commercial use and a Conditional Use Permit to Bowman Construction for an 80 acre rock quarry west of County Road 89 near Clementson (REZ 0802 and CUP 0801). Voting yes: Pavleck, Hanson, Adee, Lepper; voting no: Briggs. Motion carried.

000 The Board Chair called for public comment at 11:20 p.m. Dan McCarthy inquired on the status of the draft County Development Ordinance and the County's position to not have the City Attorney providing legal representation in City/County partnerships.

2008/07-14 Motion by Lepper, seconded by Briggs that in response to the letter from the State Court Administrator informing the County that the cost of legal counsel for parents in CHIPS and TPR cases are being turned over to the counties as these expense were viewed as non-mandated services of the State Court System, to direct the Board Chair to send a letter to the State Court Administrator and copied to the 9th Judicial District and AMC that Koochiching County will not pay the claims submitted by the Courts for this and any other cost shift as a result of the State Court adjusting their budget due to funding cuts. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-15 Motion by Lepper, seconded by Adee to adjourn the meeting at 11:40 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, July 22, 2008; 1:00 p.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Glowack, Doug Grindall, Richard Lehtinen, Steve

Blair, Terry Murray, Susan Congrave, Robyn Ramquist along with several other members of the Humane Society, Phil Miller, Ryan Heinen, Marty Cody, Scott Neff, Tom Jacobson, Dehlia Seim, Ronald and Delphine Nelson, Lyndon Larson, Kenneth and June Henrikson, Milo and Kay Larson; Reporter Lisa Kaczke

2008/07-16 Motion by Hanson, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-17 Motion by Hanson, seconded by Briggs to approve the minutes from the County Board meeting of July 8, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received notice of the temporary hire of Jason Kluever as weekend and fill in Jail Cook in the Sheriff's Department, replacing former temporary hire Rita Eisterhold who resigned.

2008/07-18 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$34,215.45, to approve payment of the Highway claims in the amount of \$16,563.26, to approve payment of the Health claims in the amount of \$14,350.31, to authorize the Board Chair's signature to the Auditor's June vendor payment listing verifying its review, to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-19 Motion by Lepper, seconded by Briggs to authorize a budget adjustment transferring \$4,700 from the 2008 Budget Contingency to the 2008 Building Project Budget to cover expenses as submitted by the Complex Superintendent to complete the work on the Courthouse Historical Painting Project. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-20 Motion by Briggs, seconded Adee to accept the preliminary site plan presented by the Management Committee for establishment of the County Veterans Memorial on the east lot adjacent to the courthouse. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-21 Motion by Lepper, seconded by Briggs to approve an increase in the Veteran Memorial Project Budget from \$50,000 to \$75,000 as requested by the Management Committee, taking \$25,000 from the 2008 Budget Contingency, to complete the County Veterans Memorial on the east lot adjacent to the courthouse. Voting yes: Pavleck, Adee, Lepper, Briggs; voting no: Hanson. Motion carried.

000 It was the consensus of the County Board, that weather permitting the County Veteran Memorial be given priority for establishment this fall with the Complex Superintendent and Highway Engineer to oversee the project with assistance of the Veteran Services Officer.

2008/07-22 Motion by Lepper, seconded by Adee accepting the recommendation of the Planning Commission to approve CUP0804 for a 9 acre gravel pit/mining operation for KGM

Contractor's Inc. on property owned by Gary Wheelock, PID #78-019-31000 and #78-019-00300, located on County Road 104 in northwestern Koochiching County. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-23 Motion by Briggs, seconded by Hanson approving the public informational meeting schedule to review with the public the draft Koochiching County Development Ordinance with the meetings to be conducted by Environmental staff and the Consultant for the purpose of collecting further public comment on the draft: August 19 at 5:30 p.m. in the Northome Senior Center, August 20 at 5:30 p.m. in the Birchdale Community Center, August 25 at 5:30 p.m. in the Littlefork Community Center and August 26 at 5:30 p.m. in the Courthouse Boardroom. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director provided the Board a draft Subsurface Sewage Treatment Ordinance that has been prepared and reviewed through the Planning Commission and submitted to the public through scheduled public hearings conducted by the Planning Commission. The draft submitted to the Board at this time contains hand written changes which are recommended and that MPCA has set a September 1, 2008 deadline for the County's adoption of this ordinance, which is subject to the release of the County's BWSR Block Grant for wetland and water management purposes.

2008/07-24 Motion by Hanson, seconded by Briggs to set a public hearing for the purpose of adopting the Koochiching County Subsurface Sewage Treatment Ordinance for Tuesday, August 12, 2008 at 11:00 a.m. in the Courthouse Boardroom and that the final draft as recommended by the Planning Commission be prepared and available for public viewing prior to and at the public hearing. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-25 Motion by Lepper, seconded by Hanson to approve the employment separation of Public Health Nurse Donita Etestad effective August 2, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-26 Motion by Lepper, seconded by Adee accepting the recommendation of the Community Service Director to renew the Rainy River Waivered Services Guardianship Contract upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/07-27 Motion by Lepper, seconded by Briggs to close the home of Pamela Rognerud for family day care at the provider's request. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 Members of the County Humane Society met with the County Board to provide an update on their activities for the last three years in care of abandoned animals and the spay and neuter program which based on the limited resources of the Society, shows the dedication and hard work of the membership. However, the numbers show that so much more needs to be done to give these animals a second chance. At the present time there are only 3 foster homes to take in abandoned animals, which make it impossible to take care of the animal welfare needs out there. An animal shelter is needed desperately as there is no place to bring an abandoned animal and

the Society challenges all to help them with this goal. Board members stated their continued support to assist the Society in finding a location for a County shelter.

000 The Board Chair called for public comment at 2:55 p.m. No comment was presented.

000 The Board Chair opened a hearing for the purpose of examining the Cartway Petition of Thomas Jacobson across land owned by Ronald and Delphine Nelson, Kenneth and June Henrickson and Milo and Kay Larson and determine whether it will grant or refuse the Petition. The Highway Engineer, Soil and Water Technician and Assessor reviewed components of the County Viewer's Report which concluded that of the three existing route options, including the route proposed in the petition, the East-West Route would be the least expensive and would have the least impact upon the environment and affected landowners. Cost associated in the Viewer's Report are estimated as until the final route is determined and a survey conducted, construction cost, damages to affected property owners and wetland mitigation can not be finalized. The County Attorney, with regards to whether the road is private or public, stated that initially, the cartway would be open to the public, though the Board is not obligated to publicly finance the construction or maintenance. Upon establishment, and construction, of the cartway, the affected landowners could agree to have the access designated as a 'private drive'. In 1981 the cartway law was changed mandating, at a minimum, a 33 foot wide right of way for those who meet the requirements for a cartway. If the Board determines that Mr. Jacobson otherwise meets the statutory requirements for a cartway, the statute requires that the Board approve the petition for a cartway, regardless of the existing easement. In response to a question from the County Attorney, the County Coordinator stated that she has the documentation that proper service to the servient landowners was done by the Petitioner within the required timeline. The Petitioner and his attorney presented their case to the Board and provided exhibits and a draft resolution for the Board to consider in approving the cartway. The Petitioner's attorney stated that Mr. Jacobson has a limited 12 foot easement which makes him eligible for a 33 foot cartway and he meets the other conditions. A cartway is essentially an eminent domain proceeding and since the County can not take private land for private purpose, the cartway would be public. However, the Petitioner is not requesting public funds for construction or maintenance of the cartway. The Petitioner generally concurs with the Viewer's proposed East-West Route, however, he has a different position on the appraisal value from the Assessor's Report. In testimony by Mr. Jacobson, he has been trying to get access to his land for 4 years to log his property, which he again attempted through court action, but failed. Mr. Jacobson wants to log his property and one day establish a retirement home on it. The Petitioner is comfortable with the East-West Route proposed but wants it re-routed where possible to minimize impact on wetlands and he wants to retain the existing easement from the county road to where it would meet the East-West Route, which the County Engineer agreed as access from the county road should be at a 90 degree angle. The Petitioner understands that a cartway is public but can designated as private for maintenance purposes and he would agree to pay for the maintenance cost. The Petitioner believes the road adds value to the other property. The Attorney for Respondent Nelson's submitted an exhibit stating their position in opposing the cartway, the intent to appeal and conditions for consideration if

the County Board approves the cartway. Respondent's attorney disagreed with the legal position presented by Petitioner's attorney in that the County Board does have a purpose in the cartway proceeding, it is not just a blind mandate to approve a cartway. The Nelson's believe this is a unique case because access to Mr. Jacobson's property already exists and has been litigated twice. The Nelson's do not believe the cartway adds value to their property as they want their land conserved, not developed. The Nelson's also want the road private, not public and want the existing easement released if the cartway goes in. Respondent raised the issue of whether the DNR has to be notified since the property involved is bordered by a river. Nelson's do not want to expend any dollars on maintenance of the cartway as they do not intend to use the road and would like the access gated. When Mr. Jacobson last brought the easement issue to court, the 1981 law change had been made and the Judge did not grant the cartway but retained the limited easement. The Nelson's did not comment. _Milo Larson, Respondent to the Cartway Petition, stated that they have always given access to Mr. Jacobson and that a 33 foot wide cartway would devalue their property using the existing easement route as they only have 3 plus acres. If the East-West route is used, it would not affect their property but they want the existing easement released. Ken Henrickson, Respondent to the Cartway Petition, questioned where the route is going as he needs to see the actual route before knowing how it would affect his property. Petitioner's attorney stated that the prescriptive easement is a court matter, not a matter of the County Board and that the Petitioner wants to retain both roads. The County Attorney stated that it is his legal opinion the cartway access from the county road to the proposed East-West route can not be established on the existing, court ordered easement, as the County Board does not have the legal authority to change it. The cartway access, from the county road, could abut the existing access point and easement route. Commissioner Lepper stated that if a court order is needed to change the current easement, he can not support putting another road on the property as one road is enough. Petitioner's attorney replied that the easement is not exclusive so the cartway can be established over the existing easement route. He agrees it makes no sense to have two access points. Commissioner Lepper iterated his position that it doesn't make sense to have two roads, nor two accesses. Commissioner Hanson stated that Mr. Jacobson bought the land knowing it was land locked, litigated twice for this access and failed. There is no way he can support the cartway request as he has legal access to his property. In response to a question from the Board, the County Attorney stated that there is an appeal process clearly laid out in the Cartway law. If the Board denies the request, it is required to state, in writing, the statutory reason(s) for the denial on the back of the petition. Commissioner Adee stated that Mr. Jacobson should be allowed to get the wood off his property. Petitioner's attorney stated that the Cartway is mandatory if the Petitioner meets the requirements. The easement is a separate court matter and it would be up to the parties of the easement to change it. Commissioner Lepper stated that if the cartway is mandatory, why is the County Board acting on it if fairness can not even be a consideration.

2008/07-28 Motion by Hanson, seconded by Lepper that upon examining the request and hearing all parties interests on the matter, to deny the Petition of Thomas Jacobson for a cartway on property owned by Ronald and Delphine Nelson, Kenneth and June

Henrikson and Milo and Kay Larson based on the fact that Petitioner has an existing easement, providing access to his property. Voting yes: Pavleck, Hanson, Lepper; voting no: Adee, Briggs. Motion carried.

000 The Board agreed to defer the Road Vacation Petition from Maxine McEldowney to the August 12 Board meeting to allow the members time to review the petition and policy for vacating roads abutting public waters.

2008/07-29 Motion by Hanson, seconded by Adee authorizing the Highway Engineer to call for bids for the CSAH 2 (Old Highway 11) Shoulder Widening Project with the stipulation that advertisement is done in the local newspaper to inform property owners affected by the project that the final plans are available for viewing. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 Commissioner Pavleck informed the Board that the County's share of ARC for 2009 is anticipated to go up a minimum of \$80,000 based on overall budget increases and county usage. The County Coordinator will provide the written information to the Board.

000 The Board Chair adjourned the meeting at 5:10 p.m.

Wade Pavleck, Board Chair

Teresa Jaks, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, August 12, 2008; 10:05 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Pam Tomevi, Ryan Heinen, Phil Miller, Arden Barnes, Terry Glowack, Doug Grindall, Richard Lehtinen, Dale Olson, Steve Blair, Dan McCarthy, Louis Kurhais, Einar Sundin, Susan Congrave, Dennis Hummitzsch, Terry Murray; Reporters Lisa Kaczke and Jerry Franzen

2008/08-01 Motion by Lepper, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-02 Motion by Hanson, seconded by Lepper to approve the minutes from the July 22, 2008 County Board meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board received notice of the temporary hire of Elisa Green to assist the Auditor/Treasurer Department with the 2008 elections.

2008/08-03 Motion by Briggs, seconded by Adee adopting the following resolution for enrollment of part-time deputies in the PERA Police and Fire Plan:

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes Section 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 departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the Board of Commissioners of Koochiching County hereby declares that the position of part time Sheriff deputy meets all of the following Police and Fire 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 that the employee hired in the position 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; (5) said position is assigned to the Koochiching County Sheriff's Department.

BE IT FURTHER RESOLVED that Koochiching County hereby requests that the employees hired as part time Sheriff deputies and submitted to PERA by the County be accepted as a member of the Public Employees Police and Fire Plan effective the date of the employee's initial Police and Fire wage deduction by the County. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-04 Motion by Lepper, seconded by Briggs to approve payment of the Auditor claims in the amount of \$32,802.01 and to approve payment of the monthly County Board expense claims in the amount of \$7,995.21. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board was informed by Soil and Water Technician that he would be leaving his position with the Koochiching County Soil and Water District for other employment opportunities and wanted to thank the Board for the opportunity to work with the County. Board members in turned thanked him for his services and for a job well done. The Soil and Water Coordinator informed the Board that the Agency has interim plans to continue to service the County's wetland and water management services under contract with Environmental Service until the vacancy is filled.

2008/08-05 Motion by Lepper, seconded by Adee accepting the recommendation of the Coordinator for the following 2008 Budget adjustments: internal adjustment of \$11,866 in the 2008 VSO Budget for staffing changes; a \$27,000 adjustment to the 2008 County Recorder Budget for staffing adjustments with an increase in 2008 revenue Budget of \$17,000 and a transfer of budget funds from the 2008 Budget Contingency of \$10,000; to transfer \$10,000 from

the 2008 Legislative Budget to the 2008 Budget Contingency. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-06 Motion by Briggs, seconded by Adee authorizing the reimbursement of meals and parking expense for the transport of persons by the Sheriff Department from the Sheriff's Petty Cash Account upon transport drivers submitting receipts for client's meal expense and parking fees. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-07 Motion by Briggs, seconded by Lepper to approve an Emergency Management Performance Grant with the Minnesota Department of Public Safety in the amount of \$13,351.00 with a \$13,351.00 county in-kind staffing match as recommended by the Sheriff and further, to authorize the Board Chair and Sheriff to sign said Grant Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-08 Motion by Hanson, seconded by Adee to approve the election judge appointments for the 2008 primary and general elections as submitted and recommended by the Auditor/Treasurer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-09 Motion by Hanson, seconded by Lepper accepting the recommendation of the County Assessor to cancel leases and 2008 taxes for Severed Mineral Leases on Parcel #s 56-030-1100001, 63-025-1100002, and #63-036-1100003. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-10 Motion by Hanson, seconded by Lepper to approve a two-day 3.2% Malt Liquor License for Brady M. Hasbargen for August 16 and 17, 2008 for the Birchdale Men's Softball Tournament as recommended by the County License Committee. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/08-11 Motion by Briggs, seconded by Lepper acknowledging the resignation of Lucina Phillips as the Koochiching County representative on the Arrowhead Library System Board with the Board to send its sincere appreciation for her service to the County. Further, to appoint a County Board member to serve on the ALS Board for the remainder of the term. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried. (The Board Chair appointed Commissioner Briggs as the County representative on the ALS Board.)

2008/08-12 Motion by Hanson, seconded by Briggs accepting the recommendation to appoint Steve Lindberg to the Convention and Visitors Bureau Board of Directors as the area retailers representative. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/08-13 Motion by Briggs, seconded by Adee that upon advisement of the County Attorney with regards to the County Board's requirement under Cartway Law, to re-consider the Cartway Petition filed by Thomas Jacobson for a cartway on property owned by Ronald and Delphine Nelson, Kenneth and June Henrikson and Milo and Kay Larson on Tuesday, August 26, 2008 at 11:00 a.m. in the boardroom of the Koochiching County Courthouse. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

000 At the request of the County Board, the Coordinator provided the County Road Vacation Request Policy which was revised in 2005. Though it was the intent of the Board not to consider road vacation requests that abut public waters, it was not written in policy and that the Coordinator has a pending request for a road vacation that abuts public waters and needs direction. A member of the audience informed the Board that the City of Ranier has a policy not to consider road vacations to public waters in the best interest of the public. Another member of the public inquired as to what the County does when private property development encroaches on public accesses. The Coordinator stated that in 2005 a process was recommended by the Survey Committee to inventory the county public accesses, determine the current status and its future public need and go through the process of formalizing the county accesses in record. But due to lack of county resources, this has not occurred. The Coordinator suggested that the County Board discuss this in the 2009 County Budget process to consider contracting the project work.

2008/08-14 Motion by Lepper, seconded by Briggs to amend the County Road Vacation Request Policy stipulating the County's position to not consider road vacation requests that are determined to abut public waters unless the vacation is requested by a public body in the interest of the public. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/08-15 Motion by Lepper, seconded by Adee to deny the Road Vacation Request by Maxine McEldowney under County Policy as the roads requested for vacation abut public waters. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/08-16 Motion by Briggs, seconded by Adee to add the CSAH 43 Road Project to the agenda at the request of the Highway Engineer due to construction season timelines. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/08-17 Motion by Lepper, seconded by Hanson that upon receiving notice that the construction plans have been approved by MnDot for the CSAH 43 Road Project in the City of Littlefork, to authorize the Highway Engineer to call for bids with a bid opening on September 15, 2008 with bid results to the County Board on September 16, 2008. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/08-18 Motion by Hanson, seconded by Lepper to ratify the Board Chair's authorization to allow the Complex Superintendent to call for bids on the Courthouse Roof Replacement Project as planned in the 2008 Budget with the bid opening of August 25, 2008 with bid results to the County Board on August 26, 2008. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/08-19 Motion by Adee, seconded by Lepper to authorize expenditure up to \$11,500 from the Sinking Building Account for unplanned expenditures in replacement of ACs and repair of the Courthouse boiler as recommended by the Complex Superintendent. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/08-20 Motion by Adee, seconded by Lepper authorizing the Environmental Service Director and District Commissioner to hold a public meeting on September 10, 2008 at 6:00 p.m.

at the Ranier Community Building to review the result of the feasibility study for waste water treatment for the mainland going east from Tilson Creek to include the possibility of extending the sewer system from Jackfish Bay. The other commissioners were asked to attend to hear the public comment if available for the meeting. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/08-21 Motion by Lepper, seconded by Briggs to approve a revision in the Benchmark Engineering Contract for the Jackfish Sewer Project for a rate increase of \$8.00 per hour for the engineer assigned to the project per contract, effective August 12, 2008 due to the original contract based on services for a two-year period and is now going into its fourth year. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

000 The Board Chair opened a public hearing at 11:05 a.m. for the purpose of reviewing the proposed County Subsurface Sewage Treatment Ordinance and receiving public comment. The purpose of the Ordinance is to provide minimum standards for and regulations of subsurface sewage treatment systems in the County and that the County is required to adopt such Ordinance under state law. Environmental staff reviewed the components of the draft ordinance. In review with the Board, Section 3 (3a)ii) was deleted, Section 3 (3b)ii) was changed from 20 to 45 days and Section 10 (A1, A2 and A3) were deleted. The Board Chair called for public comment, noting no written comment was received on the matter. Dan McCarthy inquired as to who decides what is an imminent public threat as it relates to the ordinance which staff responded that the definition is set in the standards. Mr. McCarthy felt that education and training is a better means for public conformity to the standards and regulations rather than permitting and enforcement. Louis Kurhais inquired as to how the ordinance will be enforced and staff stated that due to limited resources, would rely on a complaint driven process, noting that the public in general has more focus on environmental issues than in the past. Mr. Kurhais asked what does a household do when an imminent threat is determined and the County shuts down the system. Staff stated that each case will be different as to how the County would handle a situation. Mr. Kurhais asked who is ultimately responsible for household systems when the household is required to hire a person to design it, install it and have it inspected. Mr. Kurhais felt the responsibility can't be with the home owner as they have no say in the system in following the rules and regulations set by law. Steve Blair, with regards to the review of permitting in some instances to tract tank installations, stated that the MPCA requires the County to report annually the number of tanks installed which the Department questions why the installers are not required to report this directly. The Board closed public comment and agreed that since changes were made to the draft, to provide one more public notice of the availability of the draft for review with the County Board to act on the ordinance at its next meeting.

2008/08-22 Motion by Hanson, seconded by Briggs to accept the recommended changes to the draft County Subsurface Sewage Treatment Ordinance as presented in the hearing and directing the Environmental Staff to put notice out to the public that the final draft ordinance is available for review with the County Board's intent to adopt the Ordinance at is August 26, 2008 meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment. Dan McCarthy thanked the Board for their investment in the Airport as vital transportation infrastructure for the County and suggested they

look at options for out of county bus transportation service as an economical means of travel for the public. The Board recognized Einar Sundin with a plaque for this 30 plus years of service to the County. The Board Chair recessed the meeting until 2:00 p.m.

2008/08-23 Motion by Hanson, seconded by Lepper to renew the Medica Health Plan Contract for the Public Health Department for the term of September 1, 2008 through August 31, 2010 for reimbursement of health services as recommended by the Health Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Public Health Director reported that the Department is down a part time Health Educator, part time Public Health Nurse and a full time Public Health Nurse position and submitted a request to fill a full time Public Health Nurse position funded with the Local Public Health Grant, Emergency Preparedness Grant and non-county, non-homecare revenue sources. The Department currently has grant funds and therefore grant obligations it must meet and can not do so with current staffing levels. Board members referenced policy in that when the funding sources stipulated for the position do not sustain the position, the position is to end. In response to the question, the Director stated that hiring a Public Health Nurse rather than a Health Educator position gives the department more flexibility. In response to an inquiry from the audience, the Director stated that the position is a nurse with a Public Health Nursing Certificate. Due to budget problems at the state and to come our way, one board member questioned why the education/planning work could not be redistributed to existing staff and stated that with the home care service cases declining, nursing service in this area should have also declined.

2008/08-24 Motion by Hanson, seconded by Adee authorizing the Health Director to fill a full time Public Health Nurse Position with contingency that when the position funding as stipulated no longer sustains the full time position, the position ends or the Director comes back to the Board for reconsideration with new funding sources. Voting yes: Hanson, Adee, Lepper, Briggs; voting no: Pavleck. Motion carried.

000 The Land Commissioner reviewed the results of the August Timber Auction: 21 of 22 tracts sold in the intermediate auction and all 11 tracts were sold in the regular auction for a total of 18, 393 cords at a sale value of \$478,761. The Land Commissioner informed the Board of the current audit being performed on the County's request for Forest Certification.

2008/08-25 Motion by Hanson, seconded by Adee authorizing the Community Service Director to sign the State Rate Variance Request from ITA Bel Koo DAC for reimbursement for services from state dollars as recommended by the KCCS Director. Voting yes: Hanson, Adee, Lepper, Briggs; voting no: Pavleck. Motion carried.

2008/08-26 Motion by Lepper, seconded by Hanson to renew the Decker Family Care Contract as recommended by the Community Service Director and upon approval by the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board set a committee session for Friday, September 5, 2008 at 9:30 a.m. for the Community Service Program review with the Community Service Director.

000 The Board Chair adjourned the meeting at 2:45 p.m.

Wade Pavleck, Board Chair

Teresa Jaksa, Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS

Held on Tuesday, August 26, 2008; 9:05 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Glowack, Bob Peterson, Jaci Nagle, Terry Murray, Brian Jesperson, Susan Congrave, Richard Lehtinen, Dale Olson, Dan McCarthy, Arden Barnes, Doug Grindall, Phil Miller, Marty Cody, Lynden Larsen, Ronald and Delphine Nelson, Milo and Kay Larson, Kenneth and June Henrikson; Reporters Lisa Kaczke and Jerry Franzen

2008/08-27 Motion by Adee, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-28 Motion by Briggs, seconded by Lepper to approve the minutes from the August 12, 2008 County Board meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-29 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$57,567.53, to approve payment of the Highway claims in the amount of \$102,641.55, to approve payment of the Health claims in the amount of \$26,716.85, to authorize the Board Chair's signature to the Auditor's July Vendor Payment Listing verifying its review; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-30 Motion by Hanson, seconded by Lepper to sponsor the International Voyageurs Snowmobile Club and the Ridgerunner Snowmobile Club in the MN Trail Assistance Grant-In-Aid Program for Fiscal Year 2009 for a total grant amount of \$100,098 covering the Blue Ox, Caldwell Brook and Lunstrom Trails and Hagerman, Voyageurs West and Loman Trails, prospectively. Sponsorship by the County requires that a Club/County Agreement be in effect (on file in the Administration Office). As sponsor, the County is accountable to the State for expenditures charged to the program; sponsorship does not require financial support or liability for cost from the County. Motion further authorizes the Board Chair and Auditor's signature to

the MN Trail Assistance Program Grant Agreement as recommended by the County Auditor/Treasurer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-31 Motion by Hanson, seconded by Lepper to sponsor the International Voyageurs Snowmobile Club's Capital Improvement Project for trail bridge repair under the MN Trail Assistance Grant-In-Aid Program for Fiscal Year 2009 for a total grant amount of \$64,350. Sponsorship by the County requires that a Club/County Agreement be in effect (on file in the Administration Office). As sponsor, the County is accountable to the State for expenditures charged to the program; sponsorship does not require financial support or liability for cost from the County. Motion further authorizes the Board Chair and Auditor's signature to the MN Trail Assistance Program Grant Agreement as recommended by the County Auditor/Treasurer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-32 Motion by Lepper, seconded by Briggs that under the County Road Vacation Policy to set a public hearing on Tuesday, October 7, 2008 at 11:00 a.m. in the County Boardroom to receive public comment on a road vacation request by Northwoods Bible Church for a portion of road described as that part of the Southeast Quarter of the Northeast Quarter, Section 6, Township 68 North, Range 22 West, Koochiching County, MN, according to the recorded plat thereof, described as follows: Beginning at the SE corner of Lot 29, as shown on said Auditor's Plat 15; thence north along the east lines of Lots 29 and 30, said Auditor's Plat 15, to the intersection with the southerly right of way of Trunk Highway No. 53 as located in 2008; thence southeasterly along said southerly right of way to the northwest corner of said Lot 35, as shown on said Auditor's Plat 15; thence south along the west line of said Lot 35 to the southwest corner of said Lot 35; thence west to the point of beginning. The purpose for the road vacation is the road has been abandoned and to become part of the Church's parking lot. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-33 Motion by Lepper, seconded by Hanson to accept the low and only bid for the Courthouse Roof Replacement Project from Herman Roofing, Inc. in the amount of \$28,911.00 as recommended by the Complex Superintendent. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-34 Motion by Briggs, seconded by Adee to approve the County Investment Policy as recommended by the County Auditor/Treasurer and as reviewed by the County's Audit Firm. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-35 Motion by Adee, seconded by Lepper to approve the revised County Acceptable Use Policy for Computer and Network Systems as recommended by the Information Systems Manager and County Coordinator to strengthen acceptable system usage for protection and security of County data. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Community Service Director requested removal of the request to approve a managed care service contract with UCare Minnesota for chemical dependency services from the agenda as more information is needed on some of the contract terms before recommending it for approval. The Board concurred.

2008/08-36 Motion by Hanson, seconded by Briggs to renew the service agreement with School District 363 for social worker services as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-37 Motion by Briggs, seconded by Adee to approve a lease agreement for a Canon Digital Copier as recommended by the Information Systems Manager and Community Services Director with the lease cost covered in the Community Service Budget. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-38 Motion by Adee, seconded by Briggs to approve a Licensed Child Care Provider and Legal Non-licensed Provider Application Policy for establishing fees to cover administrative cost of processing applications and conducting background checks as recommended by the Community Services Director with the fees established as Community Service Department revenue with the intent to consider this added revenue in lieu of county dollar allocations when setting the annual budget. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-39 Motion by Lepper, seconded by Hanson to approve payment of Burial Case #229185 in the amount of \$1,642.50 and accepting the following Foster Day Care and Day Care Licensing recommendations: license the home of Pamela Rognerud for family day care for ten children; license the home of Linda Wolden for child foster care for two children. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Health Director reviewed the Department's Quarter 2, 2008 financial and statistical report with the Board. The Director inquired whether the Board would like to meet with representatives from the Minnesota Department of Health as a follow up to the Department program/service review. The Board agreed to schedule a committee session for review of County Public Health responsibilities.

2008/08-40 Motion by Lepper, seconded by Hanson accepting the recommendation of the Planning Commission to approve CUP 0805 for the Kabetogama Lake Association for a billboard site just north of Ray described as part of Government Lot 3 east of the R/R right of way, Section 6, Township 68N, Range 22W, zoned C-1 and owned by Joe Jessop. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director reported on the Small Cities Housing Grant received for the Jackfish Sewer Project to assist low income households. The grant period has expired resulting in 34 applications being approved granting \$8,286 to each of the households for full payment of the multi-year special assessment charge to the property for the sewer system. The County received the payment and credited the sewer assessment for the respective property. The separate debt service charge remains in place for these properties.

000 The Environmental Service Director informed the Board that the August 12 revisions of the draft County SSTS Ordinance was put out for public comment and that no written or oral comment was received. In addition, the last draft was approved by the MPCA. The Director recommended its adoption.

2008/08-41 Motion by Lepper, seconded by Hanson that upon the review and public hearings conducted by both the County Planning Commission and County Board and upon approval of the MPCA, to adopt the Koochiching County Subsurface Sewage Treatment System Ordinance as recommended by the Environmental Service Director which is a state requirement for complying with State Rules - Chapter 7080, 7081 and 7082 providing minimum standards for and regulations of subsurface sewage treatment systems and sewage disposal, including their property location, design, construction, operation, maintenance and repair with the intent to protect surface water and ground water from contamination by human sewage, protect public health and safety and eliminate or prevent the development of public nuisances and with said Ordinance filed for use and examination by the public in the Office of the County Auditor/Treasurer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-42 Motion by Lepper, seconded by Briggs to table the agenda item on the construction contract change orders for the Jackfish Sewer Project until the next meeting for more information. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 At the request of the County Board, the Environmental Service Director provided five names for appointment to the RECAP Team conducting the feasibility study for a Plasma Gasification Plant in Koochiching County. After discussion, the Board agreed to the following persons to be recommended for appointment to the RECAP Team by the KDA Board: Bob Anderson, Wayne Merrell, Mike Romslo, Mark Meester, Rob Boyd, and Joel Maggert.

2008/08-43 Motion by Lepper, seconded by Adee to certify the final contract value for the Box Culvert Project on CSAH 94 (SAP 36-694-07) with Wagner Construction in the amount of \$139,084.00 as recommended by the Highway Engineer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-44 Motion by Lepper, seconded by Adee to award low bid for the CSAH 2 Shoulder Widening Project (SAP 36-602-14) to Gladen Construction in the amount of \$712,733.45 as recommended by the Highway Engineer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/08-45 Motion by Lepper, seconded by Hanson to certify the final contract value for the construction of Bridge No. 36530 and its approaches (SAP 36-608-14) with Dallco, Inc. in the amount of \$953,533.91 as recommended by the Highway Engineer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair informed the Board that due to construction of a portion of the CN tracks in Ericsburg, the county road was blocked for over 2 hours causing concern for many of the residents, especially one resident that could not get the second load of concrete through to finish the slab for his new garage. CN Officials were notified, stating they would look into it. In addition, public complaints continue on the issue of CN not raising the bridge at Ranier when not in use by the train and which only allows small boat craft to navigate under the bridge. In discussion, all agreed that Rainy River is International waters and the situation with the bridge should be reported to federal and Canadian officials. The Board agreed that since CN stated they

would provide a response to these concerns, asked that the Highway Engineer and Board Chair follow up with CN Railroad for their written response to include corrective actions and timeline and if the response is not satisfactory, the County Board will review its options for initiating legal action and get federal officials involved.

000 The Board Chair informed the Board that work on the Lindford Bridge Project over the weekend caused the loss of well usage for a property owner so he directed water delivery to the property so they had water for the weekend. The Highway Engineer stated that he was made aware of the matter and has taken corrective action and authorized the water delivery claim for payment.

000 The County Board at the direction of the County Attorney, reviewed additional information for reconsidering the Jacobson Cartway Petition, which they denied on July 22, 2008. On August 12, 2008 the County Board set in action the reconsideration of the Cartway Petition for today so that proper notice would go out to the affected landowners. Following this action and at the wishes of the Board, the County Attorney hosted a meeting with the attorneys representing respondents and the petitioner to see if a mutual resolution could be found but no resolution availed itself. The County Attorney reviewed the statutory obligations of the County Board under Cartway Law if the petitioner meets the requirements. Since it is likely one of the parties will appeal the Board's decision to district court, the County Attorney advised the reconsideration of the Board's decision to deny the Cartway to minimize liability and cost exposure for the County as his finding is that the Petitioner meets the requirements under Cartway law to be granted the cartway. In response to a Board member's inquiry, the County Attorney stated that when the attorneys met a consideration of a land exchange was discussed but when it was brought back to the respondent, they were not interested. During the discussion, however, it was expressed that Mr. Jacobson would be willing to give up the easement for the cartway therefore reducing the damage award for the cartway. In response to a Board member's inquiry, it was verified that the Petitioner would have to pay for the survey to establish the cartway. Commissioner Lepper stated that the issue is still there that Mr. Jacobson brought his access request to court three times and each time the court ruled on the easement so why is it now in front of the County Board. The County Attorney stated that the Court can not order a cartway, only the County Board, and the County Board can't order an easement, only the Court. The difference is that the court ordered easement allows for only a 12 foot wide access and the cartway would allow for a 33 foot wide access. The Board Chair allowed for public comment. Dan McCarthy requested the definition and principal of law for a Cartway. The Highway Engineer in referencing previous correspondence confirmed with the County Attorney that the proposed east-west cartway route, if constructed, will run the center line on the section line. Ronald Nelson stated that Mr. Jacobson's Cartway Petition is basically eminent domain for one person and that they have been in court three times with Mr. Jacobson on his access issue and all three times the Court held him to the existing easement. Ken Henrikson stated that the existing easement runs on their property and they have never denied Mr. Jacobson access and that Mr. Jacobson does not maintain the current access. In response to a County Board member's inquiry, it was verified that the current easement/access to the Henrikson/Larson property would remain if Mr. Jacobson releases the easement for the cartway. The Board Chair inquired with the respondents in this matter whether it is a better scenario for them if the easement is released as it now ties up a lot of river front property. The Henrikson's and Larson's stated that it has little

impact on them. Mr. Nelson stated that the proposed cartway route can be seen from their house where the existing easement can not. Attorney Larsen, representing Mr. Jacobson, stated that he is just looking to use his property and at first it was just for recreational, but now he wants to log it and maybe build a retirement home but the restricted easement does not allow him to do this. He has tried to work with the Nelson's to allow him the access he needs for usage of his property but the Nelson's are not willing to allow him any other access but what is in the current easement and therefore he can't do anything with his property. It is why Mr. Jacobson is seeking relief under the Cartway Law. The Board Chair stated that he is disappointed that a land exchange or some other compromise could not be reached by the parties and feels that if the Board can not be assured that the easement will go away if the cartway is approved, he can't support approving the Cartway. The County Attorney in response to the Board Chair stated that he could request something in writing from Mr. Jacobson on his willingness to release the easement for the cartway but nothing would be done until the Cartway is established. In addition, the County Board can not make release of the court ordered easement binding on the cartway approval. In response to the Board's inquiry on deferring consideration of the cartway to another meeting, the County Attorney stated that the petitioner is under a time frame for the appeal process and that the deadline is close. With lack of a motion, the County Board took no action on the reconsideration of the July 22, 2008 denial of the Jacobson Cartway Petition.

000 The Board Chair called for public comment at 11:54 a.m. Dan McCarthy inquired on the status of the draft County Development Ordinance and the public's awareness of the process and status.

2008/08-46 Motion by Lepper, seconded by Adee to adjourn the meeting at 12:00 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOSKICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, September 9, 2008; 10:45 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Jaci Nagle, Richard Lehtinen, Doug Grindall, Einar Sundin;
Reporter Lisa Kaczke

2008/09-01 Motion by Lepper, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-02 Motion by Hanson, seconded by Lepper to approve the minutes from the August 26, 2008 County Board meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-03 Motion by Lepper, seconded by Briggs to approve payment of the Auditor claims in the amount of \$78,316.61, and to approve payment of the monthly County Board expense claims in the amount of \$10,446.97. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-04 Motion by Lepper, seconded by Briggs to approve a FY08 Homeland Security Grant Agreement with the State of Minnesota allocating funds to Koochiching County in the amount of \$125,000.00 for radio equipment with the grant funding received on a reimbursement basis and further, to authorize the County Sheriff and Board Chair signatures to said Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-05 Motion by Briggs, seconded by Lepper to approve a FY09 County Veterans Service Officer Operational Improvement Grant Agreement with the State of Minnesota allocating funds to Koochiching County in the amount of \$2,800.00 for computer equipment as recommended by the I.S. Manager and further, to authorize the County Veteran Service Officer's signature to said Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-06 Motion by Hanson, seconded by Lepper appointing the Payroll/Benefit Coordinator and the Recorder Clerk as designees for the two County Board members to serve on the 2008 Primary and General Elections Canvassing Board. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-07 Motion by Lepper, seconded by Adee approving the proposed 2009 County gross levy at \$3,677,261 (3% increase over last year of \$107,000). The 2009 proposed levy breakdown is as follows: General Revenue - \$1,727,261; Community Service - \$1,200,000; Public Health - \$100,000; Highway - \$500,000; Environmental Services - \$150,000. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs Motion carried.

2008/09-08 Motion by Lepper, seconded by Hanson to approve the 2009 tax levies for the following approved subordinate service taxing districts and to pay the respective 2009 service contract amounts: Littlefork Ambulance Service levy of \$46,000, Northome First Responders Service levy of \$6,000, and Rainy River First Responders Service levy of \$9,900 and further, to approve the 2009 tax levies for the following approved fire service taxing districts and to pay the respective 2009 service contract amounts: Fire District 1 (Northome) levy of \$8,200, Fire District 2 (Littlefork) levy of \$59,445, Fire District 2 (Loman) levy of \$8,200, Fire District 3 (Birchdale) levy of \$9,900, Fire District 4 (Williams) levy of \$2,500, and Fire District 5 (Big Falls) levy of \$20,120. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-09 Motion by Briggs, seconded by Lepper accepting the recommendation to appoint Jeff Klow to the East Koochiching Sanitary Sewer District Board. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-10 Motion by Hanson, seconded by Briggs to approve application for an Underage Alcohol Drinking Prevention Grant in the amount of \$1,800.00 to be used in collaboration with

law enforcement and the schools for prevention of underage drinking as recommended by the Public Health Director and the Sheriff and further, authorizing the County Sheriff and Board Chair signatures to said Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-11 Motion by Lepper, seconded by Briggs approve expenditure up to \$12,200 for the purchase of an HP Design Jet plotter to be used by all county GIS users as recommended by the I.S. Manager and further, to authorize an internal I.S. Budget transfer of \$3,700 from 01-060-064.6666 to 01-060-064.6665 to accommodate the payment . Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-12 Motion by Hanson, seconded by Lepper supporting the Gapping of Three Urban Areas along Minnesota Scenic Byway Highway 11 at Birchdale, Loman and Pelland Junction:

WHEREAS, the State Highway 11 “Waters of the Dancing Sky” within Koochiching County is designated a State Scenic Byway, and;

WHEREAS, MN/DOT is required by federal law not to allow new off-premise advertising signs along Federal Aid Primary routes on designated scenic byways except where there are approved “gaps”; and

WHEREAS, Koochiching County receives benefits from tourism and is eligible for federal funding for projects along designated scenic byways;

NOW THEREFORE, BE IT RESOLVED BY THE KOOCHICHING COUNTY BOARD that Koochiching County supports the following signage “gaps” being added for the State Highway 11 “Waters of the Dancing Sky” as a Minnesota Scenic Byway within Koochiching County: 1) Birchdale, from County Road 4 to ¾ miles east; 2) Loman, from County Road 32 to 0.5 miles east; 3) Pelland Junction, from 1,000 feet west of Highway 71 to 2,000 feet east of Highway 71. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director reported on the Jackfish Bay Sewer Project stating that Wagner Construction performed work beyond the contract to include extra hook-ups and additional work at both Slurper’s Island and one of the grinder station sites. The amount requested by the contractor for the additional work was negotiated with the Jackfish Bay Sewer Committee and approved. Board members expressed their gratitude to the Jackfish Bay Sewer Committee for their efforts in the project.

2008/09-13 Motion by Briggs, seconded by Lepper to approve the final Change Order #3 authorizing payment of \$78,999.65 to Wagner Construction, Inc. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-14 Motion by Hanson, seconded by Adee to approve the employment separation of Engineer Technician Jeff Larson effective September 17, 2008. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-15 Motion by Lepper, seconded by Briggs that until the Minnesota Transportation Commissioner's decision is known, to authorize the Highway Engineer to continue utilization of legal representation from Ratwik, Roszak and Malony, P.A. as needed in representing the County's interest in the TH 332 Project and until such time as MCIT would become involved again with any continued legal action by the City of International Falls in disputing the project. Further, to authorize payment of interim legal claims from the Highway Budget, anticipating project funding reimbursement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 11:50 a.m. No comment was presented.

2008/09-16 Motion by Lepper, seconded by Adee to adjourn the meeting at 11:50 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, September 16, 2008; 11:00 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Susan Congrave, Michael Malachi, Mic Kuryla, Mike Ward

2008/09-17 Motion by Adee, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-18 Motion by Hanson, seconded by Lepper to approve the minutes from the September 9 County Board meeting with correction to Board Motion 2008/09-11 to state the County Board's position to support the gap signage designations proposed for Scenic Byway State Highway 11 but excluding additional language with regards to scenic byway support and enforcement. Voting yes: Hanson, Adee, Lepper, Briggs; absent for vote: Pavleck. Motion carried.

2008/09-19 Motion by Lepper, seconded by Adee to approve payment of the Highway claims in the amount of \$99,230.75 and authorizing the Board Chair's signature to the Auditor's August Vendor Payment List verifying its review. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-20 Motion by Briggs, seconded by Hanson to approve a Koochiching County and City of Big Falls Tower and Building Lease Agreement for the County Television System for a five-year period and at the requested increased rate of \$300.00 a month with Administration to coordinate with the City of Big Falls in finalizing the Lease Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-21 Motion by Hanson, seconded by Lepper to acknowledge receipt of the Health Professional Advisory Committee minutes from the May 12, 2008 meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Health Director reviewed her August Director's report with the Board.

2008/09-22 Motion by Lepper, seconded by Briggs to award low bid to Wagner Construction, Inc. in the amount of \$233,074.00 for the CSAH 43 Project (SAP 036-643-006) as recommended by the Highway Engineer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 11:40 a.m. Mic Kuryla inquired as to why the County needed to increase its tax levy when taxpayers are stressed with high energy costs. Board members explained that with no new or increased revenues and mandated service obligations, the County has to look to tax levy and county reserve funding and expenditure cuts to balance the budget. In addition, Board members stated that the increase in the 2009 county tax levy is expected to be offset by added new construction valuation to maintain the county rate at the same level as 2008. Mike Ward introduced himself as the new Voyageurs National Park Superintendent stating that his position as Superintendent of the Park is to be flexible, open to cooperative efforts and continue to build relations and make the park a strong member of the community.

2008/09-22 Motion by Briggs, seconded by Adee to adjourn the meeting at 12:00 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, September 23, 2008; 10:00 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Doug Grindall, Michael Malachi, Terry Glowack, Allen Kruse, Jane Besch, Richard Lehtinen, Scott Anderson, Phil Miller, Tom Sutch, Pam Tomevi, Justin Berg, Krystina Meyer; Reporter Lisa Kascke

2008/09-23 Motion by Lepper, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-24 Motion by Briggs, seconded by Adee to approve the minutes from the September 16 County Board meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-25 Motion by Hanson, seconded by Lepper accepting the recommendation of the County Insurance Committee to approve a Non-Union Hourly Employee Group Representative

seat on the Committee and appointing Nancy Lee to the position. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-26 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$40,151.54, to approve payment of the Health claims in the amount of \$21,129.05 and to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-27 Motion by Lepper, seconded by Briggs to approve publication of the 2007 County Financial Statement Summary as recommended by Administration. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Committee working on the County Veterans Memorial Project provided 4 options for Board consideration after receiving the cost of the concrete work for the project. The concrete work is specialized and includes painting of a star in the center and only one quote was received for the work at a cost of \$28,059, which was over the original estimate. After reviewing options as to whether to cut back on the project or add the extra funding to complete the original design, the Board agreed to adjust the \$75,000 budget by \$15,000 adding \$6,000 for 2008 and \$9,000 in 2009 to complete the star painting and landscaping in the spring. Commissioners also discussed the potential of family and/or organization memorial donations to help offset cost.

2008/09-28 Motion by Briggs, seconded by Lepper to adjust the Veteran Memorial Project Budget of \$75,000 to \$81,000 for 2008 to complete work planned for this fall and to allocate \$9,000 in the 2009 Budget to complete the landscaping and do the concrete painting in the spring; further to campaign and accept memorial donations through the County Veterans Services Office. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-29 Motion by Lepper, seconded by Hanson to renew the Northeast Entrepreneur Fund Non-Financial Agreement as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-30 Motion by Hanson, seconded by Lepper to approve an amendment to the Minnesota Care Contract correcting the amount paid to the county for services which was determined to be higher than what was in the original agreement, as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-31 Motion by Lepper, seconded by Adee accepting the following recommendations for Foster Care, Day Care and Adult Foster Care Licensing: Forrest and Holly Nicholson to relicense home for foster care of one child; Jahn M. Carlson to relicense home for foster care of three children; Clifford Hall and Patricia Kellner to relicense home for adult foster care; Val and Dale Olsen to relicense home for adult foster care. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director stated that \$3,000 was needed for repair and improvements on the county-owned house and yard for resell (property purchased to retain a section of land for the Jackfish Sewer Project with the intent to resell the remaining property). It was agreed the Director and Coordinator would review funding options within the existing budget and come back to the Board if a budget adjustment is necessary.

000 The Director requested direction as to the next step in pursuing the option of extending municipal sewer to the Island View area after hosting the public meeting on September 10th. Cost estimate from the feasibility study is \$11 million. About eighty people attended the public meeting and there appeared to be a general agreement that sewer would be an acceptable wastewater treatment system for this area but household cost would be the determining factor. The Board was in agreement to have the Director organize a work group to brainstorm and plot out a course of action for moving forward on the proposal to include research on potential environmental protection/quality funding sources from the federal and state government.

2008/09-32 Motion by Lepper, seconded by Hanson to close session at 11:25 a.m. for attorney-client privilege review of the pending litigation of Jacobson vs. Koochiching County with MCIT's assigned legal counsel and the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-33 Motion by Lepper, seconded by Adee that due to scheduled public comment period, to open session at 11:30 a.m. to conduct public comment business. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board opened public comment. Tom Sutch addressed the Board on the CSAH 2 Shoulder Widening Project in which a couple property owners were allowed to keep the trees and fences that are in the right-of-way and resulted in deeper ditches in these areas. He felt the County has the opportunity to fix the road with ditch slopes to road standards for safety purposes and he feels road safety is being compromised because exceptions were made for a couple of property owners. The rest of the property owners on the road lost the trees in the right of way so the shoulder and ditch work could be done properly to make the road better and safer. The Highway Engineer stated that the original proposal was for reconstruction of the road which was heavily opposed by property owners due to taking of land for right of way purposes. The Highway Engineer with support of the Board proposed a reduced shoulder widening project and some compromise was done to minimize impact with property owners to get the road condition improved overall and that safety and design were not compromised in this plan. The Soil and Water Coordinator Pam Tomevi introduced Justin Berg as the new District Technician and Krystina Meyer as the new Program Assistant.

2008/09-34 Motion by Lepper, seconded by Adee to add review of the CSAH 2 Shoulder Widening Project to the agenda in which the Board members will review the road at lunch and consider the public comment on the project in the afternoon session. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-35 Motion by Lepper, seconded by Briggs to return to closed session at 11:55 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/09-36 Motion by Lepper, seconded by Adee to open session and recess for lunch at 12:30 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 After viewing the CSAH 2 Road Project and considering the public comment received on the project, the Board concurred that discretion was given the Highway Engineer to get the shoulder widening project done to improve the road condition and that the Board will support the decisions made by the Highway Engineer in determining this project.

2008/09-37 Motion by Hanson, seconded by Lepper to adjourn the meeting at 3:30 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper; absent for vote: Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, October 7, 2008; 10:00 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Dennis Hummitzsch, Bob Murray, Matt Gouin, Richard Lehtinen, Phil Miller, Pastor Cory Rintala, Louie Marvel, Joseph Jessop, Russell Helgeson, Tom Carlson, Jessie Jessop; Reporter Lisa Kascke

2008/10-01 Motion by Briggs, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-02 Motion by Hanson, seconded by Lepper to approve the minutes from the September 23, 2008 County Board meeting with correction. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-03 Motion by Hanson, seconded by Adee to approve a Minnesota Lawful Gambling LG215 Lease for the Voyageur Trail Society, Inc. for lawful gambling activities at the Woodland Inn located at 4660 Highway 53, Ray, Minnesota for the period of December 1, 2008 to November 30, 2010 as recommended by County License Committee. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-04 Motion by Lepper, seconded by Adee to approve payment of the monthly County Board expense claims in the amount of \$10,115.48. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-05 Motion by Lepper, seconded by Adee authorizing expenditure up to \$2,250 for a lap top and printer for the Sheriff Department for emergency management purposes and to approve expenditure up to \$1,900 for a lap top for the Health Department for emergency

preparedness purposes as recommended by the I.S. Manager and with purchases covered by emergency management funds granted to the respective departments. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-06 Motion by Hanson, seconded by Briggs to set the 2009 timber auction dates as recommended by the Land Commissioner: January 21, May 6, August 5 and November 18. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-07 Motion by Hanson, seconded by Briggs to seek RFPs for County surveying services with the County Survey Committee to review and make a recommendation to the County Board. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-08 Motion by Lepper, seconded by Briggs to add to the agenda making application for potential funding for extending sewer to the Island View area. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-09 Motion by Lepper, seconded by Adee that due to Friend's Garbage Hauling Services obtaining the business now under contract with the County for hauling MSW from the canister sites to the transfer station, to transfer the canister hauling service contract to Friend's Garbage Hauling Services with no change in cost and service and until November 30 at which time the hauling contract would be up for bid. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-10 Motion by Briggs, seconded by Lepper certifying special assessments on commercial and exempt properties for their delinquent 2007 solid waste service fee plus a ten percent penalty to the Auditor/Treasurer for collection on the 2009 tax statements. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director informed the Board that Benchmark Engineering informed him that there is a short window to submit applications for federal funding under Programs 569 and 219 which are funding sources fitting to the proposed extension of sewer to the Island View Area and that Benchmark Engineering would be willing to assist with the application process without charge.

2008/10-11 Motion by Briggs, seconded by Lepper authorizing the Environmental Service Director to submit applications on behalf of the County Board for potential funding sources for the proposed extension of sewer to the Island View Area, which was determined in a feasibility study to be a wastewater treatment solution for this area dependent on affordability. Further, requesting the Environmental Service Director to review funding applications with the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-12 Motion by Adee, seconded by Lepper to close session at 10:45 a.m. under attorney-client privilege to review pending litigation of Herrly vs. Koochiching County with the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-13 Motion by Adee, seconded by Lepper to open session at 10:55 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried

2008/10-14 Motion by Hanson, seconded by Lepper to approve the minor settlement of Herrly vs. Koochiching County in the amount of \$90,000 as recommended by the MN Counties Insurance Trust's Legal Counsel and the County Attorney and with said settlement paid by the MN Counties Insurance Trust. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair opened a public hearing at 11:00 a.m. for the purpose of receiving public comment on a road vacation request by Northwoods Bible Church for a portion of UT 179, located in Ray, Minnesota. The Board received written comments in favor of the request and one written comment from an adjoining land owner opposing the request. The Northwoods Bible Church Pastor presented information supporting their request to vacate the portion of UT 179, which a portion is currently used by the Church as a parking lot and would accommodate a building site for their new church. Louie Marvel stated his support for the road vacation request and stated that years ago barricades were put up on the road. Joe Jessop, adjacent land owner, stated his opposition to the road vacation request as to do so would land lock his property (Lot 30 specifically) as there is no access from Highway 53 and the only access is from UT 179 off Highway 217. Currently the lot is used as farm field and he uses the UT access to haul materials to his field and bales out of his field. Russell Helgeson stated his support for the road vacation. Tom Carlson stated that the Church offered to purchase the lot from the land owner. In response to the information stating that the land owner has several access points to his property, Mr. Jessop stated that none of the accesses proposed by the Church's information would provide access to Lot 30 nor are any of the access points suggested workable to his needs. Jessie Jessop stated that the Church has a lot of land so the building site plan in which the road has to be vacated is not their only option. In response to the question, the Pastor stated that if the road is not vacated it poses problems in utilization of the Church property altogether as if this remains a public access, areas for outside church activities and a playground for the kids becomes a safety issue. Also running utilities to the old church becomes an issue if this remains a public access. Board members stated that they would like to see property owners work this out. Commissioner Briggs stated that she can't support the road vacation if it land locks a person's property. Commissioner Pavleck felt the intent to eliminate public access for the Church property seems apparent with the barricades that went up long ago. Board members agreed to conduct a site visit with the Highway Engineer before acting on the road vacation request. The Board Chair closed the public hearing at 11:50 a.m.

2008/10-15 Motion by Hanson, seconded by Briggs to table action on the road vacation request by Northwoods Bible Church for a portion of UT 179 to allow the County Board to visit the site on Tuesday, October 14, 2008 (8:30 a.m.) to obtain more information. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 11:55 a.m. None was presented.

2008/10-16 Motion by Hanson, seconded by Adee to adjourn the meeting at 11:55 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, October 14, 2008; 11:00 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Bob Peterson, Randy Pozniak, Bruce Budris, Brian Youso,
Allen
Kruse, Doug Grindall, Mr. and Mrs. Dennis Bush; Reporter Lisa Kascke

2008/10-17 Motion by Hanson, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-18 Motion by Hanson, seconded by Lepper to approve the minutes from the October 7, 2008 County Board meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-19 Motion by Lepper, seconded by Briggs to approve payment of the Auditor claims in the amount of \$87,752.77, to authorize the Board Chair's signature to the Auditor's September vendor payment listing verifying its review and to approve expenditure up to \$1,200 from the Sheriff's 2008 County Jail Capital Equipment Budget for 8 mattresses. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-20 Motion by Briggs, seconded by Lepper to certify the delinquent 2008 Rural Fire Protection Billings as imposed under the Subordinate Service Taxing District for a described area within the boundaries of School District 361 in the amount of \$17,730 to the County Auditor for collection on the 2009 tax statements. Voting yes: Pavleck, Adee, Lepper, Briggs; voting no: Hanson. Motion carried.

2008/10-21 Motion by Hanson, seconded by Lepper to approve a Joint Powers Agreement for the Northeast Minnesota Regional Radio Board to provide for regional administration of local and regional enhancements to the Statewide Public Safety Radio and Communication System (ARMER) owned and operated by the State of Minnesota as recommended by the County Sheriff and upon review of the Agreement by the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Veteran Services Officer reviewed the federal initiative to locate a new V.A. Home in Minnesota and sought the Board's interest in locating the facility in the County. In reviewing what impact the V.A. Home would have on existing care facilities in the County, he was able to talk with one of the County's care center administrator who felt that a fully federal funded V.A.

Care Center would compete with the local nursing homes in filling beds and in hiring staff. The V.A. Home would take clientele from outside the county, bringing people to the county and funnel federal dollars in to the local economy. However, this economic opportunity has to be weighed with the impact it would have on our existing care centers in the county. The Board Chair asked that the VSO follow up with the other care center administrators in the county to get their feedback and to explore options to provide veteran services through initiatives with the County's care and medical facilities.

000 The Board Chair called for public comment at 11:40 a.m. Dennis Bush requested the County to allow him to hook up to the County's well at the Loman Highway Garage. Mr. Bush stated that after the County dug their well deeper, they lost water in their well. Mr. Bush stated that the water level is up some now, but it hasn't returned to the level it was prior to the work done on the County well. With winter approaching, they would like to hook up to the County's well so they have adequate water for the winter. The Board was agreeable to allow the hook up for the winter to give the County time to assess their position as to whether the work done on the county well impacted the water level of this private well. That before this temporary hookup is to occur, the Highway Engineer will work with MCIT and the County Attorney to ensure the County is held harmless for allowing this hookup. With no other comment, the Board Chair closed public comment period.

2008/10-22 Motion by Hanson, seconded by Adee to adjourn the meeting at 11:55 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, October 21, 2008; 10:10 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Ann Scholler, Bob Peterson, Allen Kruse, Doug Grindall, Pastor Cory Rintala, Louie Marvel, Jim and Jessie Jessop, Russell Helgeson, Ann Goering via conference call, Phil Miller, Carl Brown; Reporter Lisa Kascke

2008/10-23 Motion by Lepper, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-24 Motion by Briggs, seconded by Lepper to approve the minutes from the October 14, 2008 County Board meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-25 Motion by Lepper, seconded by Adee to approve payment of the Highway claims in the amount of \$86,867.65. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-26 Motion by Hanson, seconded by Adee to approve a contract with Lakeland Pathology for 2009 medical examiner services pursuant to M.S. 390.31-35 with increased rates for physicians cost and external exam services as recommended by Administration and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-27 Motion by Lepper, seconded by Adee to approve a service agreement with FirstLab for required federal DOT drug and alcohol testing for safety sensitive drivers with no change in fees as recommended by Administration and upon approval of the County Attorney (contract is a result of MCIT discontinuing contracting this service on behalf of all its member counties). Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-28 Motion by Hanson, seconded by Lepper to approve a Joint Powers Agreement with the Minnesota Office of the Secretary of State for reimbursement of expenses for the required recount in the September 2008 Primary Election as recommended by the County Auditor/Treasurer and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-29 Motion by Lepper, seconded by Briggs that as Fiscal Agent and member of the Highway 53 Task Force, to approve a contract with Federal Advocates, Inc. on behalf of the Task Force for lobbyist services on the Highway 53 Four-Lane Project for 2009 at a rate of \$1,000.00 per month (no change in rate) and contingent on the continuing cost-share agreement with the participating members of the Task Force. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Veteran Services Officer informed the Board that he did talk with Good Samaritan Care Center Director in reference to the idea of seeking a Veterans Care Center in the County and he had similar concerns of the other care center administrator in that it would place an unfair advantage on local care centers in recruiting staff. The VSO explained, to clarify information reported in the newspaper, that a V.A. Home is a federally funded regional veterans care center which is separate from a federally funded regional veterans medical center. That in order for eligible veterans to receive maximum benefits to cover cost of services in a care center and/or medical center, they have to receive services from these regional facilities. In discussion, everyone agreed it would be better for veterans to be able to use their entitled benefits to receive care and medical services in their own community, rather than having to travel long distances to regional facilities and that this may be the initiative to discuss with our federal and state representatives.

2008/10-30 Motion by Briggs, seconded by Lepper accepting the recommendation of the County Engineer to certify the final contract value for SP 36-702-02 (Harbor Lane) with Hammerlund Construction Company in the amount of \$1,176,909. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board addressed the request by Northwoods Bible Church to vacate a portion of UT 179 between Highway 53 and Highway 217. The Board conducted a public hearing on the request on October 7th and conducted a site visit on October 14th due to opposition from an adjoining landowner to vacate the road. Board members in discussion with representatives of the Church and the adjoining landowner were informed that no mutual agreement was reached between the parties as the landowner wants UT 179 to remain. In review with the Highway Engineer, it was confirmed that MnDot would allow access to the adjoining landowner's Lot 30 from Highway 53. The landowner referenced law regarding access if the property is five acres or more, however, in further discussion the current Lot 30 in question for access is less than 5 acres but the landowner's total acreage is over 5 acres. The landowner stated that they have the same rights to build on Lot 30 and have access off Highway 217 as does the Church and they should not have to seek nor pay the cost of another access. And if they accept one of the proposals by the Church for an alternate access from Highway 217, do they get a graded road and who pays for it. In reference to the proposal by the Church to buy Lot 30, the property owner does not feel they should be forced to sell their property and it is their intent to build on the lot, not sell it. The Pastor stated that they offered to provide the landowner access through their property at another site off Highway 217 but they were not interested. The Church also stated they would pay the cost to provide the land owner reasonable access to his Lot 30. One board member was not supportive of the road vacation as the landowner has the right to access his property. The remaining board members supported the vacation in that the Church is willing to work with the landowner to give him an alternate access and in the board members' opinion, the Church should pay the cost for an alternate access. In addition, board members agreed that past County action, informal or not, allowed the Church to pave part of the road and use it as a parking lot and barricade the road beyond the parking lot, which shows intent of the past County Board to abandon the road. In response to the question, the Pastor stated that the building site on their property is limited if this remains a public access as everything has to be set back from the road right of way and designed around this being a public access from Highway 217 to Highway 53.

2008/10-31 Motion by Lepper, seconded by Adee to approve the road vacation request by Northwoods Bible Church for a portion of UT 179 from Highway 217 to Highway 53 in Ray, Minnesota described as follow: that part of the Southeast Quarter of the Northeast Quarter, Section 6, Township 68 North, Range 22 West, Koochiching County, MN, according to the recorded plat thereof, beginning at the SE corner of Lot 29, as shown on said Auditor's Plat 15; thence north along the east lines of Lots 29 and 30, said Auditor's Plat 15, to the intersection with the southerly right of way of Trunk Highway No. 53 as located in 2008; thence southeasterly along said southerly right of way to the northwest corner of said Lot 35, as shown on said Auditor's Plat 15; thence south along the west line of said Lot 35 to the southwest corner of said Lot 35; thence west to the point of beginning. Voting yes: Pavleck, Hanson, Adee, Lepper; voting no: Briggs. Motion carried.

2008/10-32 Motion by Adee, seconded by Hanson to close session at 11:15 a.m. for a status update on Hervey vs. Koochiching County with MCIT Attorney via conference call and the County Attorney. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried.

2008/10-33 Motion by Adee, seconded by Lepper to open session at 11:55 a.m. Voting yes: Pavleck, Hanson, Adee, Briggs, Lepper. Motion carried

000 The Board Chair called for public comment at 12:05 p.m. Carl Brown inquired as to whether the County Board considered his request to assist him with gray water disposal from island properties as he has only a couple more weeks to consider pumping the tanks before he discontinues barge service for this year. He stated that due to the high volume of gray water, it is cost prohibitive to barge and than dispose of it by truck. He would prefer utilization of the East Kooch Sewer System through the hook up at Northernaire Houseboats. Board members stated that the matter has to be discussed and resolved with the East Kooch Sanitary Sewer District Board and it was agreed the county commissioner representing the County Board on the East Kooch Sanitary Sewer Board would bring the issue up at the next meeting.

2008/10-34 Motion by Briggs, seconded by Hanson to adjourn the meeting at 12:20 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, October 28, 2008; 10:25 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Jaci Nagle, Terry Murray, Vicki Sellner, John Engesser;
Reporter
Lisa Kascke

2008/10-35 Motion by Briggs, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-36 Motion by Hanson, seconded by Adee to approve the minutes from the October 21, 2008 County Board meeting with revision. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-37 Motion by Hanson, seconded by Briggs to defer a Courthouse AFSCME Step 3 Grievance regarding documentation in a Personnel File to the Personnel Committee to review and recommend an employer's position. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-38 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$62,577.12, to approve payment of the Public Health claims in the amount of \$23,388.95, to approve payment of the Community Service Department financial and social

service program claims and administrative claims as presented and to approve payment of Burial Case #272318 in the amount of \$2,529.29. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-39 Motion by Lepper, seconded by Hanson to approve a one-day On Sale 3.2% Malt Liquor License for the Cingmars Farmers Club for the November 8, 2008 Annual Deer Hunters Dance as recommended by the County License Committee. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-40 Motion by Lepper, seconded by Briggs to approve extension of the current CW Care Management Contract for information system services and support with no change as recommended by the I.S. Manager. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-41 Motion by Briggs, seconded by Lepper accepting the recommendation of the Community Service Director to renew the following service agreements with no rate change and with insurance limit changes as required by the County and contingent on the approval of the County Attorney. AEOA Congregate Meal Service Agreement, AEOA Home Delivered Meals Contract; AEOA SELF Service Agreement, AEOA MFIP Supported Work Grant Agreement, Blue Heron Counseling Service Agreement, Consumer Directions Service Agreement, First Call For Help Service Agreement, Minnesota Chippewa Tribe Non-Financial Agreement, NEMOJT MFIP Supported Work Grant Agreement, Range Mental Health Service Agreement, Rational Alternatives Contract, School District 361 Non-Financial Agreement, School District 362 Service Agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-42 Motion by Hanson, seconded by Briggs to approve a service agreement with Someplace Safe Parenting Time Center as required under court order for parent visitation limited to \$35 per hour at 6 hours a month (county dollars) contingent on the County Attorney's approval and quarterly reports to the County Board on the status of this court ordered agreement. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-43 Motion by Lepper, seconded by Adee to renew the Summit Fiscal Agency Service Agreement with no changes for case management for two waived services clients as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-44 Motion by Briggs, seconded by Adee to approve a service participation agreement with UCare Minnesota Chemical Dependency Services for Rule 25 Assessment case management services as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/10-45 Motion by Lepper, seconded by Hanson accepting the following Foster Care, Day Care and Adult Foster Care Licensing recommendations. Brian and Debbie Kittelson for child foster care of two children; Margaret Ellen Puckett for child foster care of one child; Michelle Koenig relicensing for group family day care for twelve children, Treana Schultz relicensing for

group family day care for ten children; Carole Schulz relicensing for group family day care for fourteen children. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Community Service Director updated the Board on the plan to utilize the \$15,000 grant received for a Koochiching County Family Drug Treatment Court which is targeted to keep children with their parents by treating and monitoring the parents through the Court thereby eliminating placing the child out of the home. The grant requested to support the implementation of the court was \$50,000 but only \$15,000 was received. However, the Director felt this level of funding could cover the cost of extra hours of a social worker to support this court system. The Board also asked that the grant agreement allow for reimbursement of court appointed attorney cost associated with this court initiative, understanding that the successes of this court will eventually save county dollars in out of home placement costs. The Director stated that he would bring the grant agreement supporting this plan to the Board for their review and approval.

000 Representatives from the MN DNR Division of Lands and Minerals met with the Board to provide information on the State's Mineral Lease Program and the January 2009 metallic minerals exploration and mining lease sale planned in Koochiching County. A total of 412 metallic mineral leases have been awarded in the county with nine of them active as of September 2008 and all being in the Consolidated Conservation Area. 15,000 acres (all in Township 158, Range 29) will be offered in the January 2009 metallic mineral lease sale with each lease having an annual rental of \$1.50/acre per, escalating at year 3, 6, and 11 and the royalty rate determined by the sale with a minimum bid set at 3.95%. Metallic mineral lease revenue to Koochiching County consists of 50% from leases within the Consolidated Conservation Land area, 80% from leases on Tax Forfeited Lands and 40% from leases on Volstad Lands. To qualify for the lease, the bidder must be financially and technically capable of mining but there is no requirement as to when they must start mining.

The normal process of mineral exploration is a test of the overburden and if the conditions would merit mineral deposits, drilling would be done to further determine mineral deposit. If deposits are found, companies perform a feasibility study to determine whether to mine the area and if determined feasible, would need to go through the EIS/EAW process. In response to the question, a person determines if they own the mineral rights on their property by looking at their title. If the title is silent and there is not a severed mineral right filed in the Auditor's Office where mineral rights were severed from the property and retained by another person and absent any other documentation to the contrary, it is assumed the property owner has the mineral rights. However, a property owner would want to have a professional title search done to verify mineral rights. In the case of tax forfeited severed mineral rights, the rights go to the State not the property. The Board thanked the representatives for the information and stated they would like information on the lease holders to contact them to discuss ways the county may assist them as this is potential natural resource development for the county.

000 The Board Chair called for public comment at 11:50 a.m. No comment was presented.

2008/10-46 Motion by Lepper, seconded by Adee to adjourn the meeting at 11:50 a.m. Voting yes: Hanson, Adee, Lepper, Briggs; absent for vote: Pavleck. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, November 4, 2008; 10:55 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Richard Lehtinen; Reporter Lisa Kascke

2008/11-01 Motion by Lepper, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-02 Motion by Briggs, seconded by Adee to approve the minutes from the October 28, 2008 County Board meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-03 Motion by Lepper, seconded by Adee to approve payment of the monthly County Board expense claims in the amount of \$8,945.52. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-04 Motion by Briggs, seconded by Adee to re-appoint Marty Cody as Koochiching County Assessor for a four-year term beginning January 1, 2009. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-05 Motion by Lepper, seconded by Briggs authorizing the Board Chair to appoint a Board member to represent the County on the Northeast Minnesota Regional Radio Joint Powers Board which provides for regional administration of enhancements to the Statewide Public Safety Radio and Communication System (ARMER) and that before the appointment is made, information is provided to the Board as to meeting dates, times and locations as well as information on the functions of the organization and board. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Environmental Service Director provided a proposal from Costin Group, Inc. for a one year agreement at \$1,000 per month plus expenses to work on behalf of the County in seeking funding for the extension of municipal sewer beyond the Tilson Creek area to the VNP Park Center. The consultant is also working with St. Louis County to look for funding sources for centralized sewer for Kabetogama, Ash River, Sand Point Lake and Crane Lake which raises the question as to how the consultant would seek funding for both municipal sewer projects without putting one before the other. The Board also wanted to see a standard contract from the consultant including a termination clause. The Board agreed that the consultant's credentials and work done for others on similar type projects are very positive and that funding for the service would be considered from the Environmental Trust Fund.

2008/11-06 Motion by Briggs, seconded by Adee to have the Environmental Service Director request the consultant from Costin Group, Inc. meet with the County Board to review his proposal for assisting the County in seeking funding for the extension of municipal sewer beyond the Tilson Creek area to the VNP Park Center. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 12:00 p.m. No comment was presented.

2008/11-07 Motion by Adee, seconded by Lepper to adjourn the meeting at 12:00 p.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, November 18, 2008; 10:10 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Lepper, Briggs

MEMBERS ABSENT: Commissioner Adee (Death in the Family)

OTHERS IN ATTENDANCE: Bob Murray, Matt Gouin, David Serrano, Richard Lehtinen, Dale Olson, Jan Derdowski, Phil Miller, Allen Kruse; Reporter Lisa Kascke

2008/11-08 Motion by Lepper, seconded by Briggs to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-09 Motion by Hanson, seconded by Lepper to approve the minutes from the November 4, 2008 County Board meeting. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-10 Motion by Hanson, seconded by Briggs accepting the recommendation of the Personnel Committee to deny the Courthouse AFSCME Step 3 Grievance pertaining to documentation placed in an employee's personnel file in finding no violation of Article XIV, Section 4 of the Union Contract as claimed by the grievance. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-11 Motion by Lepper, seconded by Hanson accepting the recommendation of the County Insurance Committee to renew the NE Cooperative Blue Cross CMM Group Plan for 2009 at the rate of \$447 single monthly premium and \$1,194 family monthly premium and to include the optional VEBA Plan #823 at the rate of \$333 single monthly premium and \$892 family monthly premium with the employer contribution to continue at the current 2008 cap levels whereas the employer pays 100% of the single monthly premium and \$1,078 of the family monthly premium for the Blue Cross CMM Group Plan and \$426 for the single monthly premium and \$1,078 for the family monthly premium for the optional VEBA Plan #823. That employee's selection of the CMM Group Plan will require a \$116 per month employee premium contribution for family coverage as a pre-tax payroll deduction under the County Flexible

Spending Plan. Further to accept the recommendation of the County Insurance Committee to renew the County's Flexible Spending Plan with Select Account with no change in rates and with the continuing employee-employer cost share of the monthly administration fee for participating employees at a rate of \$2 per month. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-12 Motion by Hanson, seconded by Lepper approving a zero percent (0%) increase for the Koochiching County Board's salary and per diem rate for 2009 and approving the 2009 County Board Per Diem/Expense Policy. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-13 Motion by Lepper, seconded by Hanson to approve payment of the Highway claims in the amount of \$102,368.38, to approve payment of the Auditor claims in the amount of \$62,263.46 and authorize the Board Chair's signature to the Auditor's October vendor payment listing verifying Board's review. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-14 Motion by Briggs, seconded by Lepper authorizing the County Coordinator to request bids for the County's 2009 publications as required under MN Statute. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-15 Motion by Hanson, seconded by Briggs accepting the recommendation of the County Surveying Committee to award the county surveying contract to Murray Surveying, Inc. under a two-year agreement effective January 1, 2009 and further, that due to an issue raised by the other bidder, to ensure that the future contract spec is clear on the work plan for bidding purposes. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-16 Motion by Lepper, seconded by Hanson to accept the recommendation of the Environmental Service Director to require the current level of insurance coverage for the Canister Site Attendant Contracts based on level of service and risk exposure in maintaining county canister sites and further, to direct the Administration Department to conduct a comprehensive review of contracted services by the County as it relates to the statutory requirement for insurance coverage, risk exposure and cost effectiveness to the County Budget. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-17 Motion by Lepper, seconded by Briggs to accept the recommendation of the Environmental Service Director to award low bid for canister site attendant and canister site hauling contracts for the Big Falls, Birchdale, Littlefork, Loman, Mizpah, Ray and Silverdale County Canister Sites to include the upfront payment term in the canister site attendant contracts and with the bid awards on file in the Environmental Service Department. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

000 A representative from the Regional Extension/4H Office provided the Board an update on the County's 4H Program. In addition, the representative stated that talks are occurring with the University in recognizing distance requirements in and outside of Koochiching County for delivery of services from regional and state extension offices. The Board thanked the

representative for their continued support of extension programs and services in the County and for the efforts in the County's 4H Program growth and success.

000 The Board Chair called for public comment at 11:45 a.m. The Board recognized District 3 Commissioner Elect Brian McBride.

000 At the County Board's request, the County Attorney reviewed the City's statements in the November 18th newspaper alleging conspiracy amongst county and MnDot officials and advised that the County continue to act as they have been in representing their good faith and factual decision in going forward with the Highway 332 Road Project. The County Attorney further stated that with the inflammatory statements made by the City in the newspaper, he could not advise that the County meet at this time as requested by the City in their November 18 letter to the County Board to join them in working together to resolve this road issue. The County Attorney advised to let the Commissioner of Transportation go forward with the decision.

000 The Board Chair deferred the request to revise a VSO Grant Award to the afternoon for review with the VSO.

2008/11-18 Motion by Lepper, seconded by Hanson to approve the 2009 Forestland Leases with the Community Services Department, Health Department, Falls Hunger Coalition, and the Arrowhead Economic Opportunity Agency with no change in terms or rates from 2008 and to approve the 2009 NDAC Building Lease with the Occupational Development Center with no change in terms or rates from 2008 as recommended by the Administration Office. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-19 Motion by Lepper, seconded by Briggs to table action on the request by the City of International Falls to agree to a six-month delay of the Commissioner's order decision and request a meeting with the County Board to discuss new information on the Highway 332 Road Project. Voting yes to table: Hanson, Lepper, Briggs; voting no: Pavleck. Motion carried.

2008/11-20 Motion by Briggs, seconded by Hanson that by notice of the VSO of a 2008 V.A. Grant award of \$2,800 to be expended by April 2009 and another \$16,000 V.A. Grant to be awarded in 2009 to support the County VSO Office in equipment and limited operational items, and in review of the VSO's request to revise the previous board motion to expend the 2008 Grant on a desk rather than computer equipment and purchase computer equipment with the 2009 Grant award, the Board deferred expenditure of the 2008 Grant until 2009 and directed the VSO to get a guarantee of both grant awards before submitting a expenditure plan to the Board for approval due to the uncertainty of state funding as actions are taken to deal with the state budget deficit. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

2008/11-21 Motion by Lepper, seconded by Hanson to adjourn the meeting at 1:55 p.m. Voting yes: Pavleck, Hanson, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, November 25, 2008; 9:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Glowack, Susan Congrave, Terry Murray, Doug Grindall, Dennis Hummitzsch, Art Norton, Jennell Feller, LeAnn Meer, Einar Sundin, Arden Barnes; Reporter Lisa Kascke

2008/11-22 Motion by Hanson, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-23 Motion by Briggs, seconded by Hanson to approve the minutes from the November 18, 2008 County Board meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-24 Motion by Lepper, seconded by Adee to approve payment of the Health claims in the amount of \$33,407.70, to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented and to approve payment of Burial Case #47038 in the amount of \$802.72 and #236077 in the amount of \$840.63. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-25 Motion by Hanson, seconded by Lepper accepting the recommendation of Administration Department to waive the 25 payroll deduction limit in the County Payroll Deduction Policy for the 10 applications received by employees for payroll deductions to the United Way. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-26 Motion by Lepper, seconded by Adee accepting the recommendation of the County's License Committee granting the following 2009 Liquor Licenses to: Christiansen Store, 3.2% On/Off Sale Malt Liquor; Sandbeck, Bruce D. DBA Loon's Nest, 3.2% Off Sale Malt Liquor; Blais, Diane DBA Korner Kwik Stop, 3.2% Off Sale Malt Liquor; T-Bird Lodge Inc DBA Thunderbird Lodge, On/Off/Sunday Intoxicating; Lindberg, Steven G. DBA Rainy Lake One Stop, 3.2% Off Sale Malt Liquor; Rainy Lake Spirits LLC, Off Sale Intoxicating License; Nelson, Ralph D. & Joy M. DBA Nelson's Store, Off Sale Intoxicating License; McAuley, Malcolm & Becky DBA Woodland Inn, On/Off/Sunday Intoxicating Sales; Roadhouse Night Club Inc, On Sale/Sunday Intoxicating Sales; Milette Properties Inc DBA Sha Sha Resort, On/Off/Sunday Intoxicating Sales; Guderian, Daryl & Terri DBA Country Sampler & Saloon, On/Off/Sunday Intoxicating Sales; LBC Enterprises Inc DBA Lu's, On/Off/Sunday Intoxicating Sales; 19th Hole Inc, On Sale and Sunday Intoxicating Sales; Little, Terrance and Sharon DBA Y Knot Quick Stop, Off Sale Intoxicating Sales. Further, accepting the recommendation of the County's License Committee granting the following 2009 Tobacco Licenses to: Christiansen Store, Korner Kwik Stop, The Loon's Nest, "Y" Knot Quick Stop,

Woodland Inn, 65 Express, Nelson's Store, Thunderbird Lodge, Rainy Lake One Stop, Lu's, Road House Night Club. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Complex Superintendent provided the annual building inspection report stating that overall the buildings appearance, grounds, structure and interior are in good shape with exception of the old Mizpah garage. With the abandonment of polling places in some of the old township buildings in the county due to the facility not being handicapped accessible, the Board directed an inventory of these buildings for county ownership and a recommendation as to their disposal from county ownership. The Board also directed a plan to maintain the county property purchased to allow for the installation of the tank for the Jackfish Sewer Project until the house is sold. The Complex Superintendent recommended a telephone system alarm for the heating system, periodically checking the property and plowing the drive. Commissioner Pavleck at the advisement of legal council recommended the plan include \$1,200 to correct the property line for resell and the Board agreed. The Complex Superintendent will submit a property maintenance budget to the Coordinator to finalize and submit for Board approval.

2008/11-27 Motion by Lepper, seconded by Adee accepting the annual building inspection report from the Complex Superintendent and directives to inventory old township buildings for county ownership and disposal and submitting a maintenance plan for the property purchased for the sewer project until sold. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Health Director provided the Department's Quarter 3, 2008 Financial and Statistical Report and November Director's report for review.

2008/11-28 Motion by Hanson, seconded by Adee acknowledging the November 20, 2008 minutes from the Professional Advisory Committee meeting as presented by the Health Director and to set up a meeting with the private home care service agencies to review information as reported in the Director's report on home care service in the county. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-29 Motion by Briggs, seconded by Lepper to approve a Letter of Agreement with the Littlefork Medical Center for medical consultant services for the Public Health Department as recommended by the Health Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-30 Motion by Lepper, seconded by Hanson to renew service agreements for AEOA employment and training services and NEMOJT employment and training services with a decrease in rates as a result of decreased state funding as recommended by the KCCS Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-31 Motion by Lepper, seconded by Adee to renew services agreements for AEOA volunteer drivers and with Sharon Frank for Rule 25 Assessments as recommended by the KCCS Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board agreed to defer approval the Kootasca Senior Coordinator Service Agreement until the December 23 Board meeting to allow the Board to meet with the Senior Solutions Committee to review 2009 plans for the proposed non-profit Senior Solutions Agency.

2008/11-32 Motion by Lepper, seconded by Hanson to approve the Ita Bel Koo rate variance request as recommended by the KCCS Director. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-33 Motion by Lepper, seconded by Adee accepting the following Foster Care, Day Care and Adult Foster Care Licensing recommendations: licensing Patricia Beasley for special infant toddler day care for nine children; relicensing Tracy Gunnerson for group family day care for ten children; relicensing LuAnn McBride for group family day care for ten children. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-34 Motion by Hanson, seconded by Lepper requesting Mn/DOT to place advance road numbering signs for every CSAH, County Road and paved Township Road after a section of roadway is reconstructed on TH 11 between the west County line and TH 71 at Pelland Junction as recommended by the Highway Engineer. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Land Commissioner reviewed the results of the November 12th Timber Auction: 18,539 cords sold at a total auction value of \$454,878 with all 20 tracts sold in the intermediate auction and 17 of 19 sold in the regular auction. The Land Commissioner reported that with the cold temperatures, timber permits are starting to open.

2008/11-35 Motion by Lepper, seconded by Briggs approving the November 12th Timber Auction report as presented by the Land Commissioner. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-36 Motion by Lepper, seconded by Adee to renew a Joint Powers Agreement with the MnDNR for the purpose of including County Forest Development Projects on State contracts with no change in terms and as recommended by the Land Commissioner. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/11-37 Motion by Hanson, seconded by Adee accepting the Land Commissioner's recommendation to approve repurchase of tax forfeited property described as Lots 7 and 8, Block 63 in the Plat of International Falls per County Policy. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Land Commissioner provided a handout on the formation of a new partnership to explore Ecosystem Service Markets for Northern Minnesota which will study the potential of carbon credits for managed forest lands.

000 A representative of the Nature Conservancy provided an update on the State Forest Legacy Program in which state conservation easements are being pursued with Forest Capital to

guarantee public access for recreation and sustainable timber and forest management on their lands, (2.2 million acres of Boise timber land across the country was sold to Forest Capital Partner with 300,000 acres located in northern Minnesota). The Phase I state conservation easement with Forest Capital of 51,163 acres is completed with 80% of the acreage in Koochiching County. The Phase 2 and 3 Project is a federal and state easement with a portion of the project funded at this time. With regards to the Phase 2 and 3 Project, the representative stated that a hearing to activate the funding is being planned in 2009 and the County Board recommended the hearing be held in the spring. A Phase 4 Easement Project will consist of another 13,500 acres in Koochiching and Itasca Counties and is being presented today for support of the County Board.

2008/11-38 Motion by Lepper, seconded by Briggs authorizing the Board Chair to sign a letter from the Koochiching County Board supporting the plan for the State of Minnesota Forest Legacy Phase IV Conservation Easement with Forest Capital for a working forest easement of 13,500 acres located in southern Koochiching and northern Itasca counties. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The ODC Coordinator provided the Board with an update on the Occupational Development Center services and activities, stating there are 60 consumers in the program at this time and that they are working with the schools to assist students that may be eligible for the program. With regards to the production plant, the head office redirected plans from establishing a new facility to negotiating for an existing facility, which is occurring at this time. Though the wetland mitigation for the production plant site in the City's Industrial Plant became a stumbling block for the original plan, it provided the opportunity for the company to step back and rethink the plan. The Coordinator stated that at this time, they will continue to rent the County facility until mid to late 2010. The Coordinator thanked the County for their continued support in contracting services with ODC and providing the needed jobs in the community. The Board returned the thanks for providing a needed service in the community.

000 Friends Against Abuse Director met with the Board to request assistance from the County to keep the program running. The Director stated that state funds supporting their program have been reduced but their cost continues to rise. There is no doubt that this service is needed in the County but resources are needed to keep it viable. 3.5 staff runs the program along with trained volunteers. There is not a funding crisis at the moment but eventually the lack of funding is going to catch up and impact the program. They are willing to look at any collaborative ideas to find a resolution to their funding problem. The Board agreed that the service is needed and assists the County in reducing out of home placement of children. The Board agreed to defer the \$5,000 funding request to the 2009 Budget for consideration.

000 The Board Chair called for public comment at 11:40 a.m. In reference to the discussion of out of home placement of children, Einar Sundin commented that parents need to be accountable for their acts and the impact on their children and Arden Barnes stated that more needs to be invested in education and prevention of abusive relationships.

2008/11-39 Motion by Lepper, seconded by Adee to adjourn the meeting at 11:45 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, December 2, 2008; 10:20 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Susan Congrave, Bob Peterson, Brian Youso, Richard Lehtinen, Arden Barnes, Terry Murray; Reporter Lisa Kascke

2008/12-01 Motion by Adee, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-02 Motion by Hanson, seconded by Adee to approve the minutes from the November 25, 2008 County Board meeting with corrections. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-03 Motion by Hanson, seconded by Lepper to approve a revised 2009 Per Diem and Expense Policy due to Administration's omission of the adjustment of per diem for regular county board meetings per the County Board's position in setting the 2009 County Board salary and per diem. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-04 Motion by Lepper, seconded by Briggs to approve payment of the monthly County Board expense claims in the amount of \$6,983.63 and to approve an Auditor warrant payment for a missed Environmental Service Claim to Earl Boyum in the amount of \$778.71 for work done on one of the Transfer Station trailers as recommended by the Environmental Service Director. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-05 Motion by Hanson, seconded by Lepper that under the County Road Vacation Policy to set a public hearing for Tuesday, January 27, 2009 at 11:00 a.m. to receive public comment on the request of Joe Jessop to vacate a portion of Pine Street, all of Spruce Street, and all of Second and Third Avenue with said roads within Auditor Plat 15, located in Ray, Minnesota. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-06 Motion by Lepper, seconded by Briggs submitting the following directive to all Department Heads that no Department shall exceed their set county budget as provided by the County Board through the adopted County Budget without express authority of the County Board for a budget change and further, that any infractions of this policy shall be reported to the County Board by Administration through the Budget Reporting process and dealt with by the County Board in the manner necessary to ensure the Department's compliance. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-07 Motion by Lepper, seconded by Hanson to approve a 67 day temporary hire of a Home Health Aide to service two County Home Care Clients in Northome beginning in 2009 to replace sending current aides from International Falls to service the clients as recommended by the Health Director. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-08 Motion by Lepper, seconded by Adee to approve a 67 day temporary hire of a LPN beginning in 2009 to add a fifth position to the roster for serving the County's private duty nursing case as recommended by the Health Director. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-09 Motion by Hanson, seconded by Adee to approve a Joint Powers Agreement between the Minnesota Office of the Secretary of State and Koochiching County for reimbursement of cost for the mandatory recount of the U.S. Senate Race as recommended by the Auditor/Treasurer. Voting yes: Pavleck, Hanson, Adee, Briggs; absent for vote: Lepper. Motion carried.

2008/12-10 Motion by Hanson, seconded by Lepper accepting the recommendation of the County Sheriff to set a public hearing for Tuesday, January 20, 2009 at 11:00 a.m. to receive public comment for the adoption of the final Koochiching County Hazard Mitigation Plan which recently received approval by FEMA and is a required for receiving FEMA assistance. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-11 Motion by Lepper, seconded by Briggs adopting the following resolution accepting the City of Ranier's request to turn over to Koochiching County the responsibility for the administration of the Wetland Conservation Act (WCA) in their City:

WHEREAS, the City of Ranier adopted the rules and regulations for WCA within the legal boundaries of the City; and

WHEREAS, the City of Ranier recognizes it lacks sufficient staff to perform the technical duties associated with WCA administration; and

WHEREAS, the City of Ranier requests to delegate administration of the WCA within the city limits over to the proper authorities in Koochiching County; and

WHEREAS, the County Board of Commissioners accepts the City's request for help in the administration of WCA.

NOW THEREFORE BE IT RESOLVED that the Koochiching County Board of Commissioners delegates responsibility of WCA administration in the City of Ranier to the Environmental Services Department contingent on the agreement with the Koochiching County Soil and Water Conservation District to provide technical assistance and expertise for County wetland matters. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-12 Motion by Briggs, seconded by Lepper to approve a consulting service agreement with Costin Group, Inc. as presented at a cost of \$1,000 per month plus expenses for the purpose

of assisting the County in securing funding for the proposed Rainy Lake Basin Sewer Project with funding for the service agreement to come from the Environmental Trust Fund at a cost not to exceed \$15,000. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-13 Motion by Briggs, seconded by Lepper authorizing the Environmental Service Director to request proposals for engineering firms for a final engineering plan for the proposed Rainy Lake Basin Sewer Project. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 11:25 a.m. Arden Barnes was provided an explanation on the difference between requesting proposals and requesting bids.

000 The KCCS Director requested a review with the Board regarding the funding contribution of \$5,000 to Friends Against Abuse as he would like to explore a service contract with them for some of the required social service family visitations after first reviewing the idea with the Judge and social service staff. If the contract works, it would reduce the workload of Social Service staff and he could leverage the \$5,000 of county dollars with other social service revenue sources and/or expenditure savings to offer a \$15,000 service contract to Friends Against Abuse for family visitation services. The County Board was very supportive of the idea and appreciated the Director coming forth with a possible collaborative resolution to meet the needs of both agencies. The Board requested the Director to propose the service contract idea and report back with the outcome.

2008/12-14 Motion by Adee, seconded by Briggs to adjourn the meeting at 11:40 a.m. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, December 16, 2008; 10:25 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper, Briggs

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Jaci Nagle, Richard Lehtinen, Dale Olson, Dennis Hummitzsch, Doug Grindall, Butch Moteberg, Arden Barnes; Reporter Lisa Kascke

2008/12-15 Motion by Hanson, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-16 Motion by Hanson, seconded by Briggs to approve the minutes from the December 2, 2008 County Board meeting. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-17 Motion by Hanson, seconded by Lepper approving the 2009 County Budget's gross levy at \$3,677,261 (3% increase over last year of \$107,000). The 2009 proposed levy breakdown

is as follows: General Revenue - \$1,618,909; Community Service - \$1,227,325; Public Health - \$100,000; Highway - \$581,027; Environmental Services - \$150,000. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-18 Motion by Hanson, seconded by Lepper authorizing the following County Fund designation for the 2009 County Budget: General Revenue Fund designate \$4,600,000 for Cash Flow and \$467,708 for the 2009 General Revenue Budget; Highway Fund designate \$1,000,000 for Cash Flow and \$567,654 for the 2009 Highway Budget; Community Service Fund designate \$1,300,000 for Cash Flow and \$224,221 for the 2009 KCCS Budget; Public Health Fund designate \$250,000 for Cash Flow and \$27,000 for the 2009 Health Budget; Environmental Service Fund designate \$500,000 for Cash Flow and 0 for the 2009 E.S. Budget; County Development Fund designate \$25,000 for Cash Flow and \$21,000 for the 2009 County Development Budget; Land and Forestry Fund designate \$200,000 for cash flow and \$121,000 for the 2009 Land and Forestry Budget. Wastewater Debt Service Fund designate \$50,000 for cash flow and \$32,092 for the 2009 Wastewater Debt Service Budget;

Further, to adopt the 2009 Budget and Budget Plan in the amount of \$20,823,890 plus the 2009 Fund 02 and 13 Supplement Budget in the amount of \$471,309 for a grand total of \$21,295,199 and to adopt the following directives, effective immediately, and until such time as amended or terminated by the Board:

- a. Overtime reduction in all departments. Department heads are directed to reduce overtime in their department except for emergencies;
- b. All capital outlay purchases are deferred until after the 2009 Legislative Session ends unless specifically approved by the Board for emergency purposes or under a grant agreement approved by the Board for a specific capital outlay purchase;
- c. No payment of first and second half County Budget allocations to outside entities until authorized by the County Board;
- d. The 2009 County Budget remains open and subject to adjustments at any time to respond to cuts received as a result of the State's financial deficit.
- e. Department Heads are directed to reduce travel and training in their department and when traveling to use fuel-efficient vehicles;
- f. The Board will schedule a meeting with department heads in early 2009 to review the state financial deficit and potential impact on the county and review directives in place at the time of the 2009 County Budget adoption and consider any further directives to reduce expenditures if the state financial situation should merit tighter control.
- g. Upon adoption of the budget, all vacant positions will be deferred to the Personnel Committee for review and recommendation to fill. This includes full time, part

time and temporary hire positions. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motions carried.

2008/12-19 Motion by Lepper, seconded by Hanson to approve the Memorandum of Agreement with the University of Minnesota Extension Service providing the County's funding share for a .5 FTE 4-H Program Coordinator, operating expense and Extension Committee expenses as set in the 2009 County Budget with approval contingent of availability of funding by either party to the Agreement as a result of the State's financial deficit. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-20 Motion by Lepper, seconded by Briggs to designate the Assistant Auditor to approve claims requiring County Board approval for processing year end payouts with all Board claims approved under this authority to come before the County Board at the January 6, 2009 Board meeting for ratification. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-21 Motion by Lepper, seconded by Adee to approve payment of the Auditor claims in the amount of \$89,694.05, to approve payment of the Highway claims in the amount of \$61,850.73 and to authorize Board Chair's signature to the Auditor's November vendor payment listing verifying its review. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-22 Motion by Lepper, seconded by Briggs to reappoint Commissioner Pavleck to the Arrowhead Regional Development Commission's Board of Directors effective January 15, 2009. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-23 Motion by Adee, seconded by Hanson to approve the purchase of two PCs for the LEC Dispatch Control Center at a cost not to exceed \$2,400 as planned in the 2008 E911 Budget and as recommended by the I.S. Manager. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-24 Motion by Hanson, seconded by Briggs to approve the purchase of one PC for the I.S. Unit at a cost not to exceed \$1,100 as planned in the 2008 I.S. Budget and as recommended by the I.S. Manager. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-25 Motion by Briggs, seconded by Adee to approve the purchase of 120 Windows Service Client Access Licenses with a cost not to exceed \$2,500 with expenditure to come from the 2008 I.S. Budget as recommended by the I.S. Manager. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-26 Motion by Lepper, seconded by Adee accepting the recommendation of the Environmental Service Director to award low bid for a two-year MSW Hauling Contract to Mannco Trucking. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-27 Motion by Lepper, seconded by Briggs adopting the following resolution in opposition to a proposed change to the State Wetland Conservation Act requiring landowner reporting of exempt activities:

WHEREAS, the Wetland Conservation Act (WCA), including portions of Minnesota Statutes, chapters 103A, 103B, 103E, 103F, and 103G, became effective on January 1, 1992 and is administered by local government units (LGU) with technical assistance from Soil and Water Conservation Districts (SWCD) and oversight by the Board of Water and Soil Resources (BWSR); and

WHEREAS, Minnesota Statutes and current Rule 8420 exempt certain activities from regulation under WCA and an exemption applies whether or not the LGU has made an exemption determination; and

WHEREAS, the current Rule 8420 does not require landowners to gain approval or report activities that are exempt from WCA; and

WHEREAS, the 1994 and 1996 amendments to WCA which resulted in the exemptions that are contained in current Rule 8420, and assurances that landowners conducting exempt activities would truly be exempt without additional requirements, were a significant reason for Northern Counties to adopt WCA; and

WHEREAS, the BWSR draft Rule 8420 now proposes to require landowner reporting of all exemptions; and

WHEREAS, the Rule proposal requires a level of technical expertise that landowners do not possess; and

WHEREAS, in order to comply with the requirement, landowners will request assistance from the LGU or SWCD: and

WHEREAS, the amount of technical assistance required will be greater in rural areas, particularly in northern Minnesota where wetlands are abundant; and

WHEREAS, the current amount of funding provided for implementation of WCA is insufficient to effectively implement the program requirements under current rules; and

WHEREAS, the proposed WCA rule provision to require landowner reporting of exemptions will result in increased costs to LGUs without any increase in funding for implementation proposed or likely with a projected state budget deficit; and

WHEREAS, the proposed Rule language to require landowner reporting of exempt activities is in direct conflict with Minnesota Statute 103G.2241, subdivision 11 and the intent and spirit of WCA; and

NOW THEREFORE BE IT RESOLVED, counties affiliated with the AMC oppose

any changes to WCA rules to require landowners to gain approval or report exempt activities.

Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-28 Motion by Lepper, seconded by Hanson requesting the Board Chair to deliver a message from the Koochiching County Board to the State BWSR Board and its WCA Advisory Committee at their meeting scheduled for tomorrow that Koochiching County is at its limit with the continual attempts to change the rules of the State Wetland Conservation Act, the latest being the proposed change to require landowners to report exempt activities on their lands, and that the State needs to honor the Wetland Flexibility Plan that it approved for wetland management in Koochiching County. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board requested that time is set on the next County Board agenda under Environmental Service Business to further discuss the WCA rule changing process and the result of the proposal to require landowners to report wetland exemption activities.

2008/12-29 Motion by Hanson, seconded by Lepper to authorize the Board Chair's signature to the 2009 BSWR Natural Resources Block Grant Agreement in the amount of \$55,882 to assist with the management of the County's water, shoreland and wetland plans and with the condition that no expenditures occur until the grant funds are received due to the State's financial deficit. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

2008/12-30 Motion by Lepper, seconded by Briggs accepting the recommendation of the Land Commissioner to accept low quote, factoring in delivery and maintenance, for the purchase of three ATVs with Badiuk Equipment in the amount of \$17,892 with expenditure from the 2008 Land and Forestry Budget. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Highway Engineer informed the Board that through the federal stimulus package for construction projects, there is an opportunity to look at funding for bituminous overlays as this is the only project that can be let in 90 days as required under this funding program. The Board was agreeable to the Engineer reviewing road plans and submitting applications as he deems appropriate to benefit the County with final approval of the County Board.

000 A representative from Midcontinent addressed the Board with the Company's request to transfer the County Franchise for the construction and operation of a cable system from Charter Communication to Midcontinent, as the new owner of the cable company. In response to questions on services, the representative stated he can not speak to the specific of services and rates until the company evaluates the system and determines where they want to go with the service.

2008/12-31 Motion by Briggs, seconded by Lepper authorizing the consent and approval of the County of Koochiching assignment of the cable franchise and system:

WHEREAS, CC VIII Operating LLC ("Grantee") owns, operates and maintains a cable communications system (the "System") in Koochiching County, Minnesota ("Grantor"),

pursuant to a franchise as set forth in Ordinance No. 96/10-30 adopted on October 15, 1996 (“Franchise”); and

WHEREAS, on October 7, 2008, Grantee entered into an Asset Purchase Agreement (the “Agreement”) with Midcontinent Communications (“Buyer”) pursuant to which Buyer will purchase and acquire certain assets, including the Franchise and the System, from Grantee (“Transaction”) upon the closing of the Transaction contemplated under the Agreement (the “Closing Date”); and

WHEREAS, Grantee and Buyer have requested that the Grantor consent to the Transaction in accordance with the requirements of the Franchise and applicable law to the extent such consent is required (the “Application”); and

WHEREAS, Grantor has reviewed the Application and has determined that the Buyer has the legal, technical, and financial qualifications to operate the cable system under the Franchise and all applicable local, state and federal laws; and

WHEREAS, the Grantor has determined that it will consent to the Transaction and will waive any rights it may have to acquire the System.

NOW, THEREFORE, BE IT RESOLVED that in consideration of the foregoing and the promises set forth herein:

1. Grantor consents to the Transaction to the extent required by the terms of the Franchise or applicable law.
2. Grantor confirms that (a) the Franchise is valid and outstanding and in full force and effect and the Grantee is the duly authorized holder of the Franchise; (b) the Franchise represents the entire understanding of the parties and the Grantee has no obligation to the Grantor other than those specifically stated in the franchise; (c) Grantee is in compliance with the provisions of the Franchise and applicable law; and (d) there are no facts or circumstances known to the Grantor which constitutes or which, with the giving of notice or passage of time or both, would constitute a breach of the Franchise or applicable law.
3. Grantor hereby consents to and approves the assignment, mortgage, pledge or other encumbrance, if any, of the Franchise, System or assets relating thereto, or of the interests in the permitted holder thereof, as collateral for a loan.
4. The Grantor releases Grantee, effective upon the Closing Date, from all obligations and liabilities under the Franchise and applicable law that accrue on and after the Closing Date; provided that Buyer shall assume and be responsible for any obligations and liabilities under the Franchise and applicable law that accrue on and after the Closing Date.
5. Grantor hereby acknowledges the sufficiency of notice and information provided by Grantee and Buyer regarding the Transaction and waives any right to purchase the System that it may have solely for purposes of this Transaction.

6. This Resolution shall have the force of a continuing agreement with the Grantor, Grantee, and Buyer, and Grantor shall not amend or otherwise alter this Resolution without the written consent of Grantee and Buyer.
7. This Resolution shall take effect immediately. Voting yes: Pavleck, Hanson, Adee, Lepper, Briggs. Motion carried.

000 The Board Chair called for public comment at 11:30 a.m. Arden Barnes asked why such a major road was built to Rainy Lake Houseboats. The Highway Engineer stated that the road is used for houseboat and fuel hauling and as a county road, it required a lot of maintenance due to the heavy loads. The new road was built with federal and state dollars and resulted in opening up 32 lots for development and supplied the County with rock for future gravel needs. With no other comment, the Board Chair closed public comment period and adjourned the meeting at 11:20 a.m.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, December 23, 2008; 10:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Adee, Lepper

MEMBERS ABSENT: Commissioner Briggs (Family Emergency)

OTHERS IN ATTENDANCE: Brian Youso, Richard Lehtinen, Steve Blair, David Fisher, Susan Congrave, Wanda Grashorn, Terry Murray, Dan Blais, Rusty Blais, Jack Havluck, Holly Blais, Arden Barnes, Mike Kochaniuk, Commissioner Elect Brian McBride; Reporter Lisa Kascke

2008/12-32 Motion by Adee, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/12-33 Motion by Hanson, seconded by Lepper to approve the minutes from the December 16 2008 County Board meeting. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/12-34 Motion by Lepper, seconded by Adee to approve payment of the Health claims in the amount of \$17,428.80; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented and to approve payment of Burial Cases #620318 in the amount of \$2,387.50, #199601 in the amount of \$1,787.59 and #187098 in the amount of \$806.43. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/12-35 Motion by Lepper, seconded by Hanson to approve the following 2009 temporary hires under County Policy for the Sheriff's Department: Transports – Charles Lessard, Lori

Lindberg, Richard Johnson, Duane Nelson; Fill-In/Weekend Jail Cook – Marilee Simons, Brenda Alverson. Voting yes: Pavleck, Hanson, Adee, Lepper. Motions carried.

2008/12-36 Motion by Hanson, seconded by Lepper to approve purchase of two light bars for the Sheriff's squad cars at a cost not to exceed \$3,000 and with expenditure from the 2008 Sheriff Budget as recommended by the Sheriff. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/12-37 Motion by Hanson, seconded by Lepper accepting the recommendation of the Planning Commission to approve a zone change from R-1 to C-1 and a Conditional Use Permit for North Builders, Inc./Fish-Hard Investment Company for a commercial storage facility at the southwest corner of Highway 332 and 53 described as the north 128 feet of the east 430 feet of the NE1/4 of the SE1/4, Section 14, Township 70N, Range 24W. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Board followed up on the outcome of the proposed change to add wetland exemption reporting to the WCA rules which was presented to the BSWR Board last week. Commissioner Pavleck did attend both the BSWR Advisory Committee meeting and the BSWR Board meeting last week on this issue and reported that he did provide strong testimony to both bodies on behalf of Koochiching County. The Advisory Committee dropped the exemption reporting proposal, therefore removing it from the draft rule proposal passed by the BWSR Board the next day. At this point, the BWSR Board puts the draft rule changes out for public comment before they are formally adopted so those organizations in support of the exemption reporting can again weigh in on the issue. If the BWSR Board adopts the formal changes without the exemption reporting, organizations can always attempt to make change legislatively, making the point that the rule changing process has to be monitored continuously and at all levels. Board members thanked Commissioner Pavleck for his good work in carrying the County's message and agreed they would bring the issue to their respective regional organizations to garner support should this issue come back.

2008/12-38 Motion by Lepper, seconded by Hanson to reaffirm approval of the Letter of Agreement with Littlefork Medical Center as recommended by the Health Director under the revised Agreement as recommended by the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Board was informed that the Health Department recently completed a drill required by the Minnesota Department of Health under the Public Health Preparedness Plan for distribution of vaccines in a pandemic flu outbreak situation. Staff reported that the County exercise was reported as successful by the MN Department of Health. Staff stated that in 2009 the State Department of Health will plan a state-wide pandemic outbreak exercise.

2008/12-39 Motion by Lepper, seconded by Hanson to renew a service agreement with Kootasca for Senior Coordinator services from January 1 through June 30, 2009 at a cost of \$16,000 as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/12-40 Motion by Lepper, seconded by Hanson to renew the service agreement with LSS Guardianship with no change in rates as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/12-41 Motion by Adee, seconded by Lepper to approve an ODC Supported Employment Service Agreement as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/12-42 Motion by Lepper, seconded by Adee accepting the following Foster Care, Day Care and Adult Foster Care Licensing recommendations: licensing Nicole Bergstrom for family day care for ten children; licensing Barbara Ferguson for family day care for ten children; relicensing Peggy Gordon for family day care for ten children; relicensing Tara (Cotter) Gustafson for family day care for ten children; relicensing Stacey Leseman for family day care for ten children. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

2008/12-43 Motion by Lepper, seconded by Hanson to table action on acceptance of the increased burial rates from Green Larsen Mortuary until the January 6, 2009 Board meeting to allow the Community Service Director time to further review the rate increases for County burials. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Board Chair called for public comment at 11:30 a.m. The Board Chair recognized a petition provided to the County Board opposing the Domestic Security Enhancement Act of 2003, also known as the Patriot Act. Members of the audience spoke to the petition and requested the County Board go on record opposing this Act on behalf of the American people as it allows the federal government to use wartime Martial Law powers domestically without Congress declaring that a state of war exists. The Act was passed as a result of the September 11th attack on America to increase homeland security and allows immunity to law enforcement to engage in spying operations against American people. Years have now passed and so has the wartime immediate threat, yet more is being added to the Act. The Board agreed to place the petition on their January 6, 2009 meeting agenda for support. Commissioner Elect Brian McBride stated his appreciation for all the work of Commissioner Kallie Briggs. Arden Barnes stated that the railroad track crossing in Ranier has big ruts and needs to be fixed. Discussion followed on the draft County Development Ordinance and with no further public comment, the Board Chair closed public comment period.

2008/12-44 Motion by Hanson, seconded by Adee to authorize a budget transfer of \$2,000 from the 2008 Budget Contingency to the Complex Budget and to approve purchase of up to \$2,000 for a workstation in the County Board room for the clerk position. Voting yes: Pavleck, Hanson, Adee, Lepper. Motion carried.

000 The Coordinator reported that the current State Budget of \$34.6 billion (running July 1, 2007 through June 30, 2009) has a projected shortfall of \$426 million and as a result, the Governor applied a remaining \$155 million of reserve funds to the deficit and approved \$271 million in spending reductions. In the spending reduction plan, the Governor unallotted \$44 million in counties general aid, resulting in a \$75,000 cut in the second half of the County's

Program Aid. The Coordinator stated that the 2008 County General Revenue Fund Budget will take this loss. There was also a \$73 million reduction in human service spending but both the Health and Community Service Directors stated that there is no immediate funding reduction to their 2008 budget as a result of this. The Governor stated that in the event the state's fiscal situation for the remainder of FY 2009 deteriorates further, more unallotments could be made. The Coordinator stated at this point, the state deficit impact to the 2008 County Budget is workable but the real focus will be on the 2009 and 2010 County Budgets after there is agreement between the Governor and Legislature in balancing the projected \$5.5 billion deficit for the next two-year state budget cycle, to begin July 1, 2009.

000 The Board Chair adjourned the meeting at 12:30 p.m.

Wade Pavleck, Board Chair

Teresa Jaksa, County Coordinator