

2010 ELECTION OF COUNTY BOARD CHAIR AND VICE CHAIR WAS CONDUCTED BY THE CLERK TO THE COUNTY BOARD ON TUESDAY, JANUARY 05, 2010; 10:15 A.M. BY UNANIMOUS VOTE COMMISSIONER KEVIN ADEE WAS ELECTED AS BOARD CHAIR AND BY UNANIMOUS VOTE COMMISSIONER CHARLES LEPPER WAS ELECTED AS VICE CHAIR.

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, January 5, 2010; 10:20 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Bob Peterson, Terry Murray, Mr. and Mrs. Dryer, Rob Davenport, Dale Olson, Richard Lehtinen, Doug Grindall, Einar Sundin; Reporter Laurel Beager

2010/01-01 Motion by Lepper, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-02 Motion by Pavleck, seconded by Lepper to approve the minutes from the December 22, 2009 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-03 Motion by McBride, seconded by Pavleck accepting the recommendation of the Personnel Committee to ratify 2009 and 2010 wage and benefit settlements for the Salary Employee Group and Non-Union Hourly Group. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-04 Motion by Hanson, seconded by McBride to establish the elected Attorney, Sheriff, Auditor/Treasurer and Recorder positions' minimum salary range for the term of office starting January 1, 2011 per MN Statute: beginning salary of 90% and increment 5% in six months with 100% salary in one year. Salary range includes the combination of any elected positions as authorized in MN Statute and approved by the County Board. Said minimum salary range will be utilized when vacancies occur in the elected office and an appointment has to be made by the Board. Those elected to the office will receive 100% of the salary set for the position. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-05 Motion by Lepper, seconded by Hanson to approve temporary hires in the Sheriff's Department as recommended by the Sheriff and Administration Director under County Policy: Transports – Charles Lessard, Lori Lindberg, Richard Johnson, Duane Nelson; Jail Cook – Brenda Alverson. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-06 Motion by Lepper, seconded by Pavleck to ratify Year End Payment of Courthouse, Community Services and Public Health Claims as authorized under Board Motion 2009/12-04 in the amount of \$139,647.52; to approve payment of the monthly County Board expense claims in the amount of \$10,948.02; to approve payment of the 2010 County Dues as follows: AMC General \$6,477.00 (1/3 payment from County Board, Highway and KCCS Budgets), AMC –

MACSSA \$741.00 (KCCS Budget), AMC – LPHA \$641.00 (Health Budget); ACA \$2,400.00 (County Board Budget); NACO \$400.00 (County Board Budget); NCLUCB \$2,500 (County Board Budget), NE Regional Radio Board \$235.81 (County Board Budget). Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. 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.

2010/01-07 Motion by Lepper, seconded by Hanson to approve MN DNR Land Lease Agreement #144-012-0577 with Koochiching County for the Kabetogama Tower Site for a period of January 1, 2009 through December 31, 2018 with an annual lease payment of \$500 and authorize the Board Chair's signature to said Agreement. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-08 Motion by Hanson, seconded by McBride accepting the Auditor/Treasurer recommendation to approve an Application for a Cancellation of Forfeiture for Parcel #91-004-05000 described as all of Block 5 and South 40 Feet of Vacated Street in Button's Addition to Big Falls. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board reviewed the two 2010 County Legal Publication bids received from the Daily Journal and Northome Newspaper and the Administration Director and Auditor/Treasurer's recommendation to award the bid to the Daily Journal based on larger area of distribution and daily publication. In response to the question from the Board, both newspaper representatives stated that attempts were made to submit a joint bid but due to cost, an agreement was not reached. The Board reviewed information from the Daily Journal stating near future changes for their paper and their proposal to distribute to the Northome area for a three percent increase in their bid rate. The Board reviewed a proposal from the Northome Newspaper for County legal publications to service the Northome area only as the Daily Journal without a joint bid agreement does not cover the Northome area and therefore the area does not receive the legal publications unless they subscribe to the Daily Journal. The Administration Director stated that the delinquent tax list is an insert and can be delivered for insert in the Northome paper but the cost of also publishing the financial statement and the county minutes in the Northome paper is a cost increase that has to be considered by the County. Understanding that awarding the bid establishes the Official newspaper of the County for legal requirements, the Board agreed that options need to be reviewed outside the required official newspaper requirement to deliver county information outside the distribution range of the official newspaper on an informative, not legal, obligation to the public.

2010/01-09 Motion by Lepper, seconded by McBride to award the 2010 legal publication bid to the Daily Journal with a 0% rate increase from 2009 rates based on distribution area and daily publication. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-10 Motion by Pavleck, seconded by Lepper directing further review in a Board Committee session to determine areas in the County outside the official newspaper distribution in which further consideration of county publications is needed for the public. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-11 Motion by Lepper, seconded by Pavleck to renew the service agreements with AEOA for volunteer driver services and employment and training services as recommended by the Community Service Director and upon approval of the agreements by the County Attorney. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-12 Motion by Hanson, seconded by Lepper to approve the Adoption and Foster Care Recruitment Grant in the amount of \$26,999 for the period of December 21, 2009 through June 30, 2011 as recommended by the Community Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-13 Motion by Pavleck, seconded by Lepper authorizing the Board Chair as the County Board representative to attend the Human Service Redesign meeting on January 13, 2010 at the IRRRB Facility in Eveleth at the request of the Community Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-14 Motion by Hanson, seconded by McBride authorizing Board members attendance to the open house for the Arrowhead Transit Bus Garage located in Koochiching County on January 15, 2010 as requested by AEOA. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-15 Motion by Lepper, seconded by McBride to adopt the following resolution supporting the Voyageur's National Park Clean Water Joint Powers Board WRDA Funding Request:

WHEREAS, Koochiching County and St. Louis County have formed a Joint Powers Board to plan, design, develop and fund the VNP Clean Water Project; and

WHEREAS, visitors to VNP access the park through 4 distinct areas: Ash River, Crane Lake, Kabetogama Township and Rainy Lake, and;

WHEREAS, tourism is a major industry in the region and VNP is the only water based national park in the United States, and;

WHEREAS, resorts and businesses on the lands adjacent to VNP provide nearly all the sewage treatment needs for park visitors through treatment systems that often times do not effectively protect ground and surface water, and;

WHEREAS, the remoteness of the area and rugged nature of the terrain makes it cost prohibitive for businesses and homeowners to bring their systems to code, and;

WHEREAS, financial assistance for VNP Clean Water Project has already been received by Koochiching County, St. Louis County, the Iron Range Resources Agency, the Township of Kabetogama and the Crane Lake Water and Sanitary District, and;

WHEREAS, the United States has an obligation as a nation to protect its waters as well as shared International waters, and federal assistance is necessary to address the clean water concerns of VNP, and;

WHEREAS, the VNP Clean Water Joint Powers Board has submitted a request for \$21 million through the Water Resources Development Act II (WRDA).

BE IT RESOLVED that the Board of Commissioners of Koochiching County fully supports the Voyageurs National Park Joint Powers Board, the VNP Clean Water Project and the WRDA request for \$21,421,000 or approximately 75% of the estimated project costs. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Environmental Service Director informed the Board that in addition to the resolution passed to support the VNP Clean Water Project, letters were sent to other agencies and organizations requesting support of the project. In addition, the consultant contract for the project is up in February and a recommendation will be forthcoming to continue the consultant contract for the project.

000 Commissioner Pavleck requested the County Board establish a Committee to pursue the White Cedar Wetland Bank Plan due to the support currently in place from BWSR for this project. It was agreed to set time at the January 19 County Board committee session to put a plan in place to move this project to include formation of a project committee.

2010/01-16 Motion by McBride, seconded by Lepper accepting the Highway Engineer's Annual County Bridge Inspection Certification with no change in posting from the previous year. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-17 Motion by Hanson, seconded by McBride authorizing the Highway Engineer to call for annual fuel bids to include bulk delivery and in and out of county service stations. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-18 Motion by Pavleck, seconded by Lepper accepting the Highway Engineer's recommendation to rank the Transportation Enhancement Projects with the Gateway Corridor Project over the County's Bike Path Project due to the County not having the 20% local match for their project and the Gateway Corridor Project's local match being covered by the City of International Falls' State bonding funding. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board reviewed the City of International Falls December 22, 2009 letter to the County Board in which the City would approve the CSAH designation within their City limits for the Highway 332 Turnback but that the City wants payment of \$2.15 million of the \$3.5 million for the portion of the Highway 332 Turnback known as the Burner Road and in turn will use the \$2.15 million and MnDot's assistance to plan a state aid route and construct the road to the Foreign Trade Zone. That the City agrees the remaining \$1.35 million of the Turnback funding would go to Koochiching County. The letter went on to state additional funding the County would save by not pursuing their original plan to reroute Highway 332 to Highway 11 and the

County's plan to establish a route to the Foreign Trade Zone from Highway 11 at the Ranier Junction. The Board agreed the letter was inaccurate as these County projects are funded by CSAH and federal funding so not doing the projects does not help the County with local funding needs for operation of the Highway Department. The County Board was not in favor of this proposal and discussed what remaining options the County has to secure this funding for Koochiching County. If the issue with the City is who has road jurisdiction with regards to Highway 332, the Board discussed the option of proposing the City authorize the CSAH designation for the portion of Highway 332 in the City limit and allow the Turnback to proceed. The County could then secure the funds for Koochiching County and request the Municipal Dispute Resolution Board to determine the local road authority under State law for the portion of the state highway to be turned back which in turn decides the road authority due the turnback funding. This proposal would be based on whether there is a question on road authority and whether the Dispute Resolution Board has authority to decide on a road jurisdiction dispute. The County Board agreed that all options have to be explored and pursued by the County to provide this tax relief opportunity for the County, noting that the deadline is fast approaching to include the Koochiching County \$3.5 million Highway 332 Turnback in MnDot's Omnibus Bill for the 2010 Legislative Session.

2010/01-19 Motion by Pavleck, seconded by McBride authorizing the Board Chair to send a letter to the City of International Falls stating that the County is not in support of their December 22, 2009 proposal for payment to the City of \$2.15 million of the Turnback Funding for the Burner Road and further, to propose that if there is a question as to which entity has jurisdiction of the Highway 332 route proposed in the Turnback, to ask the City to approve the CSAH designation within the City limits as needed for the Turnback and request the Municipal Dispute Resolution Board to review and determine the road authority under state law which in turn will answer what entity should receive the turnback payment. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 12:35 p.m. Einar Sundin inquired on the Rural Fire Protection issue and questioned whether another fire department is needed.

2010/01-20 Motion by Hanson, seconded by Lepper to adjourn the meeting at 12:40 p.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, January 19, 2010; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Doug Grindall, Kathy Sikkila, Dan McCarthy, Arden Barnes;
Reporters Laurel Beager and Sheldon Slaubaugh

2010/01-21 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-22 Motion by Lepper, seconded by Pavleck to approve the minutes from the January 5, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-23 Motion by Hanson, seconded by Lepper to approve temporary clerical hire of Anita Gray in the County Attorney's Office and temporary LPN hire of Heather Englund and Miriam Zupke in the County Health Department as recommended by the Administration Director under the County Temporary Hire Policy. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-24 Motion by McBride, seconded by Pavleck to approve a revised Emergency Management Service Contract as recommended by Administration and approved by the Sheriff and County Attorney to process the contract payment under Courthouse Claim Payment Policy. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-25 Motion by Pavleck, seconded by McBride adopting the following resolution authorizing the sale of County Real Estate formally known as the Northland Day Activity Center pursuant to Minnesota Statute 373.01:

WHEREAS, Koochiching County owns a parcel of real property located at 1600 20th Avenue in International Falls, Minnesota.

WHEREAS, said real property is described as a parcel of land lying in Government Lot Two (2), Section 5, Township 70, Range 24 West of the Fourth Principal Meridian according to the United States Government Survey thereof, and being in the County of Koochiching and State of Minnesota, and more particularly described as follows: Assuming the East boundary line of said Government Lot 2 to have a bearing of N0°09'09"W and starting at the intersection of the West right-of-way of 20th Avenue and the South boundary line of the Plat of Shorewood, thence southerly along the arc of a simple curve concave to the east which has a tangent bearing of South and a radius of 966.71 feet for a distance of 40.01 feet to the point of beginning, thence continue southerly along the arc of said curve for a distance of 166.32 feet to the beginning of a simple curve concave to the West which has a radius of 881.32 feet and a tangent bearing of S12°13'45" E, thence southerly along the arc of said curve for a distance of 136.48 feet to a point, thence S89°47'00" W for a distance of 188.49 feet to a point, thence N0°13'00"W for a distance of 300.00 feet to a point, thence N89°47'00"E for a distance of 150.00 feet to the point of beginning; and containing 1.16 acres, more or less; and with an approximate 4,566 square foot facility for commercial operation built in 1980.

WHEREAS, Koochiching County has no need to continue ownership of the said real estate;

NOW, THEREFORE, pursuant to Minn. Stat. Sec. 373.01, the Koochiching County Board hereby authorizes the sale of said parcel of real property. That the County shall advertise for bids to purchase said real property in the official newspaper of the county for three consecutive weeks and once in a newspaper of general circulation in the area where the property is located. The notice shall state the time and place of considering the proposal, contain a legal description of the real estate and a brief description of any personal property.

The terms of the purchase shall be cash payable within 30 days of the bid being accepted by the Koochiching County Board. All proposals must be received by the Koochiching County Auditor/Treasurer's Office no later than 4:30 p.m. on February 17, 2010 and shall be reviewed by the County at 9:00 a.m. on February 18, 2010 in the County Boardroom. Bids must be accompanied by a cashier's check payable to Koochiching County for 10 percent of the amount of the bid. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-26 Motion by Lepper, seconded by Pavleck to approve payment of the Highway claims in the amount of \$58,066.36; to approve payment of the Courthouse claims in the amount of \$186,908.43; to approve payment of \$2,262.00 to the Koochiching Housing and Redevelopment Authority under the funding agreement in Board Motion 2005/02-32 for Board of Director's per diem; authorizing the Board Chair's signature to the December Vendor Payment Listing verifying Board's review. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-27 Motion by Lepper, seconded by McBride authorizing the Board Chair to appoint a Board member to attend the National Park Conference in Washington D.C. on March 10, 2010 to present the County's Island View Sewer Project and RECAP Project to the federal delegation for support and further, to authorize the Board member's out of state travel. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried. (Board Chair appointed Commissioner Pavleck with Commissioner McBride as the alternate.)

2010/01-28 Motion by McBride, seconded by Lepper authorizing Board members attendance to the GSA Open House/Public Hearing on the draft Environmental Impact Statement for locating a new Border Customs Facility as a County Board activity – January 27, 2010 at Rainy River Community College. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-29 Motion by Pavleck, seconded by Lepper adopting the following resolution requesting the Municipal Dispute Resolution Board be convened to determine CSAH designation for a portion of the proposed Trunk Highway No. 332 Turnback within the City limits of International Falls:

WHEREAS, Koochiching County is willing to accept Trunk Highway 332 from Trunk Highway No. 53 to Trunk Highway No. 11 as a Turnback in exchange for a lump sum payment of \$3.5 million, and

WHEREAS, the northerly 0.6 mile and the east-west 1.0 mile of the 4.25 miles proposed as a Turnback is within the City of International Falls, and

WHEREAS, the northerly 0.6 mile of Trunk Highway No. 332 was formerly designated as a County State Aid Highway No. 24, and

WHEREAS, the remainder of the proposed Turnback was designated as County State Aid Highway No. 114 and reconstructed as a State Aid Project 36-714-02 between 1974 and 1976, and

WHEREAS, the above section of County State Aid Highway were turned over to the State of Minnesota as Trunk Highway No. 332 by Commissioner Order dated December 18, 1975, and

WHEREAS, Minnesota Statutes requires municipal approval for a County State Aid Highway designation within a municipality, and

WHEREAS, Koochiching County informed the City of International Falls by letter of this proposed Turnback and requested city approval for CSAH designation approval in letters dated September 8, October 7, 2009, and January 5, 2010, and

WHEREAS, the District State-aid Engineer, Walter Leu met with the City Council to explain the turnback process and answer their questions, and

WHEREAS, the District State-aid Engineer, Walter Leu explained the turnback process to the Koochiching County Board in a letter dated October 2, 2009

WHEREAS, a meeting has held between the city council and the County Board on September 15, 2009 to establish a committee to resolve this issue, and

WHEREAS, the first meeting of this committee was canceled by the city before it was ever held, and

WHEREAS, the City of International Falls passed a motion on December 21, 2009 in which they requested the County approve the city receiving \$2.15 million of the \$3.5 million and jurisdiction of the northerly 0.6 mile of Trunk Highway No. 11 known as the Burner Road, and

WHEREAS, the Koochiching County Board did not concur with the City of International Falls' motion and requested that the city approve the CSAH designation for that portion of the turnback within the city limits by January 19, 2010, and

WHEREAS, the requested approval has not been received as of January 19, 2010.

NOW THEREFORE BE IT RESOLVED, that the County of Koochiching requests that the Minnesota Commissioner of Transportation convene the Municipal Resolution Dispute Board to determine if that portion of the proposed Trunk Highway No. 332 Turnback within the City of International Falls should be designated as a County State Aid Highway without city approval. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-30 Motion by Pavleck, seconded by Lepper accepting the recommendation of the Highway Engineer and Foreman for an increase in equipment rental per hour rates as follows: Tandem Axle Dump Truck \$80; Motor Grader \$110, Pickup/car \$25, Loader/backhoe \$75, 450 Tractor \$60, Front End Loader \$110, Athea Sweeper \$80, JD Crawler Dozer, Unit 21 \$80, Cat D8 Crawler Tractor \$120, Tandem with trailer \$110, Case Backhoe Unit 933 \$130, John Deere Mower \$90, Air Compressor \$40, Welder without operator \$30, Sander Truck \$60. Further to adjust rates for winging/widening private driveways in emergency situations where a four-wheel drive pickup can no longer push the snow - \$35 per trip and eliminate the per minute rate charge currently set in policy. Voting yes: Adee, McBride, Lepper; voting no: Hanson, Pavleck. Motion carried.

2010/01-31 Motion by Lepper, seconded by Pavleck authorizing the Sheriff to seek bids for replacement of two squad vehicles as planned in the 2010 Sheriff Budget with bid results to come back before the County Board for approval. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/01-32 Motion by Hanson, seconded by McBride authorizing the Land Commissioner to obtain quotes and execute contracts for 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: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Veterans Service Officer (VSO) provided the Board a Department report to include office activity, current and planned outreach activity, status of grant funds to the County VSO and training activities.

2010/01-33 Motion by Pavleck, seconded by Lepper authorizing out of state travel for the VSO to attend the NW MN Associations of CVSO Conference in Fargo, ND on February 4, 2010. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 10:25 a.m. Dan McCarthy stated his finance concerns as they relate to the Convention and Visitors Bureau, KEDA and the RECAP Project. Arden Barnes inquired on the status of the Pine Island Horticultural Peat Project.

2010/01-34 Motion by McBride, seconded by Lepper to adjourn the meeting at 10:45 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, February 2, 2010; 10:45 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Bob Peterson, Terry Murray, Kathy Howdahl, Doug Grindall, Arden Barnes, Einar Sundin, Attorney Jay Squires via telephone; Reporter Laurel Beager

2010/02-01 Motion by McBride, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-02 Motion by Hanson, seconded by Lepper to approve the minutes from the January 19, 2010 regular meeting with correction. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-03 Motion by McBride, seconded by Pavleck to approve a revised non-union hourly GIS/Network Specialist position description per a BMS Unit Clarification Order. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-04 Motion by Lepper, seconded by McBride to approve payment of the monthly County Board expense claims in the amount of \$7,187.72; to ratify payment of the January Health claims in the amount of \$43,825.16; to ratify payment of the January Community Service Department financial and social service program claims and administrative claims as presented; to approve the following Burial Case payments: #1434522 in the amount of \$2,043.00, #124111 in the amount of \$520.00, #1190377 in the amount of \$2,117.50, #490404 in the amount of \$1,000.00. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-05 Motion by Pavleck, seconded by Hanson to approve expenditure up to \$30,000 for replacement of a recycling trailer (\$20,000) and repair of the Transfer Station dozer (\$10,000) and further approving the following 2010 Environmental Service Budget adjustment for said purchases: increase capital outlay budget by \$30,000 and increase budgeted fund reserves by \$30,000. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-06 Motion by Lepper, seconded by Pavleck to set the 2010 County Board of Equalization Meetings: Tuesday, June 15 to convene at 1:30 p.m. with Assessor's opening report and appointments starting at 1:45 p.m.; Tuesday, June 22 at 6:00 p.m. to continue appointments with intent to conclude work and adjourn. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried

2010/02-07 Motion by Lepper, seconded by Pavleck to re-appoint Marlys Fraley-Hanson of Mizpah to the Koochiching County Housing and Redevelopment Authority Board for another five-year term. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-08 Motion by Pavleck, seconded by McBride that under M.S. 279.01 a tax statement total at or below the \$250 threshold requires full payment in May rather than half payment in two installments; that there are approximately 7,900 tax statements in Koochiching County that fall at or below the \$250 threshold; that the majority of these individual tax statements are that of large property owners thereby requiring a large tax payment in one installment; therefore be it resolved the Koochiching County Board accepts the Auditor/Treasurer's recommendation as allowed under M.S. 279.01 to aggregate tax statements whereas an individual's property tax statements in

total determine the threshold for tax payment installments. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-09 Motion by Pavleck, seconded by Hanson adopting the following resolution for supporting local deputy registrar offices:

WHEREAS, the State of Minnesota established a public/private deputy registrar system to provide citizens convenient locations to conduct title registration services for motor vehicles and DNR recreational vehicles; and

WHEREAS, the State of Minnesota in 1949 established a user service fee on motor vehicle transactions to be retained by the deputy registrar to defray the cost of providing the local service; and

WHEREAS, the State of Minnesota has shifted increased costs and responsibilities onto the deputy registrar such as regular replacement schedules of computers and associated electronic equipment, printing of previously supplied state forms, and expanded auditing tasks with additional risks and potential liability that was previously the responsibility of the State; and

WHEREAS, the State of Minnesota now competes with deputy registrar offices for the retention of some user fees that were traditionally retained solely by deputy registrars; and

WHEREAS, collectively the deputy registrar system handles over one billion dollars of state funds for the State of Minnesota annually on a cash basis only with considerable risk whereby dishonored checks are the responsibility of the deputy registrar in the full amount tendered after remitting the bulk of those funds to the State; and

WHEREAS, the user service fee that should fully support the cost for providing motor vehicle transactions no longer covers the operational costs to maintain most deputy registrar offices. Public deputy registrars must use property tax levy proceeds to subsidize this service. Rural areas with lower volumes are in jeopardy of losing service.

NOW, THEREFORE, BE IT RESOLVED that Koochiching County supports the State Legislature authorizing a more equitable recovery of dishonored payments at deputy registrar offices; and to achieve a greater retention of existing fees or a user service fee increase in the year 2010 to maintain local title and registration service to the citizens of Minnesota. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-10 Motion by Lepper, seconded by McBride accepting the recommendation of the Health Director to renew a contract with Rainy Lake Medical Center for physical and occupational therapy for homecare services for January 1, 2010 through December 31, 2010 with no rate change, funded by non-county dollars and contingent on the County Attorney's approval of the contract. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-11 Motion by Lepper, seconded by Pavleck accepting the recommendation of the Community Service Director to renew the following contracts with no change and contingent on

the County Attorney's approval of the contract: Northland Counseling Mental Health, Northland Counseling Clubhouse, NEMOJT Supported Work service, Range Mental Health Center, SD 361 Social Worker services. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-12 Motion by Pavleck, seconded by McBride to renew a County Title IV-D Cooperative Agreement for the Child Support Enforcement Program as recommended by the Community Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-13 Motion by Hanson, seconded by Lepper accepting the following day care licensing recommendations: Tracy Gunnerson – close home for family day care at provider's request; Kathryn Lund – license for family day care for ten children. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Community Service Director and Child Support Supervisor explained the State's initiative to redesign Child Support services in which the State Department of Human Services would assume the child support services program from Minnesota Counties during a multi-year phase in process. Such a redesign would take away local services and representation and will be more costly. This like other State redesign concepts would look to regionalize child support services. Board members agreed that regionalizing services is a deterrent to the citizens of Koochiching County due to the distance they must travel for service. In addition, the County Board stated that the County's experience with the State's takeover of programs is also more costly to the local taxpayer. The Director reviewed a draft resolution in which the other counties have or will adopt to support county level child support services and will request the Board's adoption at the next meeting.

000 The Board Chair called for public comment at 11:35 a.m. Arden Barnes commented on a KEDA Board action at their last meeting. Einar Sundin commented on the Rural Fire Protection Service issue.

2010/02-14 Motion by Pavleck, seconded by Lepper to award low bid for Bulk Fuel Delivery and Fuel Service Stations as recommended by the Highway Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-15 Motion by Lepper, seconded by McBride to close session at 11:40 a.m. under attorney-client privilege on pending litigation involving the Highway 332 Dispute and administrative law proceedings for the Ranier Annexation. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried. (Attending the closed session: Full Board, Administration Director, and Attorney Jay Squires via telephone.)

2010/02-16 Motion by McBride, seconded by Lepper to open session at 12:16 p.m. and adjourn the meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried

Kevin Adee, Board Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, February 9, 2010; 9:30 a.m.

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

OTHERS IN ATTENDANCE: Quay Whitbeck, Bob Peterson, Dale Olson, Dennis Hummitzsch, Arden Barnes, Einar Sundin; Reporters Laurel Beager and Sheldon Slaubaugh

2010/02-17 Motion by McBride, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-18 Motion by Hanson, seconded by Lepper to approve the minutes from the February 2, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-19 Motion by Lepper, seconded by McBride to approve payment of the Courthouse claims in the amount of \$30,610.11; authorizing the Board Chair's signature to the January Vendor Payment List verifying its review; to approve payment of the 2010 Laurentian RC&D dues in the amount of \$400.00 with payment from the 2010 County Board Budget. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-20 Motion by Lepper, seconded by Pavleck adopting the following resolution in support of county administered child support programs:

WHEREAS, the Governor's Office and the State Department of Human Services have received an independent study conducted by the Deloitte Firm regarding the Minnesota State Child Support Redesign and that this study has recommended that the State Department of Human Services assume the administration of child support services from Minnesota Counties during a multi-year phase in process; and

WHEREAS, Minnesota is ranked third in the nation with regard to total dollars collected per open case according to the 2009 Minnesota Child Support Performance Report issued by the State Department of Human Services; and

WHEREAS, the top three states in the nation with respect to total dollars collected per open case are Pennsylvania, New Jersey and Minnesota, which are county administered systems, according to the 2009 Minnesota Child Support Performance Report issued by the State Department of Human Services; and

WHEREAS, local county offices provide efficient child support services to county residents whereas a state assumption of child support service would limit availability to local residents;

WHEREAS, there are many ways the Child Support System can be improved without a state assumption of the Program; specifically by redesigning an improved software program as PRISM is outdated and inefficient.

NOW THEREFORE BE IT RESOLVED that the Koochiching County Board of Commissioners supports strong performance measures for all Minnesota counties with special state assistance for low performing counties and further, through the use of borrowing the best parts of Pennsylvania's and New Jersey's county administered system, and through the use of pilot projects, strengthen and build upon Minnesota's strong tradition of county administered child support programs. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-21 Motion by McBride, seconded by Hanson to accept the recommendation of the County Board representatives assigned to work with parties to find a resolution to the rural fire protection service, to set a 30 day window period effective February 10, 2010 for RFPA and the City of International Falls to finalize a contractual agreement between the two parties and to provide the contract to the County for further recommendation from the County Board representatives. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Commissioner Hanson and the Auditor/Treasurer updated the Board on the plans for the 2010 Census in Koochiching County. Currently testing is being done for census workers and promotional materials are being distributed to stress the importance of resident's participation. The Census affects every aspect of the County in federal and state funding to local units of government and CAP agencies; federal and state legislative representation; and even in economic development planning. It is especially important that snowbirds fill out the survey for Minnesota. The Census Survey has been reduced to 10 questions and will be mailed to those with a physical address. For those with Post Office boxes, they are working on locations where surveys can be picked up and/or the census person would come door to door. April 1st is the official start of the census.

2010/02-22 Motion by Hanson, seconded by Lepper to approve a revised service contract with Gary Cerkenik for the Island View Sewer Project revising the contract amount from \$15,000 to \$21,000 and the timeline to June 30, 2010 with the funding to continue through the Environmental Trust Fund as recommended by the Environmental Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Land Commissioner reported on the January 19 timber auction: 12 of the 13 tracts sold at the Intermediate Timber Auction and all 11 tracts sold at the Regular Timber Auction for a total sale of 20,380 cords at a value of \$397,075.09. The Land Commissioner also reviewed the 2009 total timber sold and the year end Trust Fund results.

000 The Board Chair called for public comment at 10:05 a.m. Arden Barnes inquired on the County's taking of the Tourist Information Center for the Historical Museum and Einar Sundin commented on the Rural Fire Protection matter.

2010/02-23 Motion by McBride, seconded by Pavleck to adjourn the meeting at 10:10 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, February 16, 2010; 10:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Susan Congrave, Natalie Stone, Dennis Hummitzsch, Doug Grindall, Arden Barnes; Reporter Laurel Beager

2010/02-24 Motion by Pavleck, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-25 Motion by McBride, seconded by Pavleck to approve the minutes from the February 9, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-26 Motion by Lepper, seconded by McBride to approve payment of the 2010 MRCC Dues in the amount of \$2,100.00 with payment from the 2010 County Board Budget. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-27 Motion by Pavleck, seconded by Lepper accepting the Administration Director's recommendation to authorize the publishing of County Board meeting minutes in summary form in the official newspaper as allowed under M.S. 375.12 and M.S. 331A.01 and authorize the publishing of the minute summaries, an insert of the first printing of the delinquent tax list and a summary of the county financial statement in the Northome newspaper due to this area being outside the distribution area of the awarded official newspaper for 2010. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Commissioner Hanson updated the Board on the promotion work that is being done for the 2010 Census in Koochiching County.

000 The Public Health Director and Health Educator informed the Board that a 2010 County Health Ranking Study will be released today which was conducted by the Robert Wood Johnson Foundation and UOW Population Health Institute. Because the overall ranking given in the study put Koochiching County low at 63rd of 85 Minnesota counties studied, the Health Department wanted to tell the Board and public to assess the study based on county and regional factors and not the overall state comparison. The Health Department will provide a detail report for each category studied once they have had time to review the study.

2010/02-28 Motion by Pavleck, seconded by Hanson to set aside \$5.00 per capita from the 2009 Trust Fund income (approximately \$70,800) 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: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-29 Motion by Hanson, seconded by Lepper to adopt a resolution in support of bond dollars for local roads and bridges:

WHEREAS, all Minnesota communities and businesses rely on a safe, efficient and integrated transportation system to move people and goods; and

WHEREAS, agricultural interests, manufacturers, trucking companies and other business need a network of local roads and bridges, connecting to the trunk highway system, that meet the definition of year-round, 10-ton roads; and

WHEREAS, funding for roads and bridges is not adequate to meet the needs and many road and bridges projects are ready to go but need funding in order to be let for construction; and

WHEREAS, investments in transportation infrastructure not only create immediate jobs in construction and engineering, but also stimulate overall economic activity and provide benefits to our businesses; and

WHEREAS, the Minnesota Legislature has previously appropriated funds in the capital bonding bill for the Local Bridge Program and the Local Road Improvement Program – funds that have been used to make needed repairs to local roads and bridges while reducing the burden on local property taxes; and

WHEREAS, our county has benefited from funding provided through these programs in the past;

WHEREAS, the Legislature is working to develop a new two-year capital investment bill during the 2010 Legislative Session; and

WHEREAS, Minnesota's transportation system is failing to meet the capacity needs necessary to sustain population growth and promote economic development; and

WHEREAS, the Minnesota Department of Transportation has requested \$75 million in bond proceeds for the Local Bridge Program and local governments have identified over \$50 million in projects for the Local Road Improvement Program;

NOW, THEREFORE, BE IT RESOLVED THAT the Koochiching County Board of Commissioners supports the Minnesota Legislature passage of a comprehensive capital bonding bill that includes \$75 million for the Local Bridge Program and \$50 million for the Local Road Improvement Program. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-30 Motion by Hanson, seconded by McBride accepting the Highway Engineer's recommendation to certify the final contract value for Newman Sign Company for CP -2009-03 (Sign Face Replacement on CSAH Roads) in the amount of \$74,046.20 (does not include the \$13,139.80 3M Grant). Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried

2010/02-31 Motion by Pavleck, seconded by Hanson authorizing the Highway Engineer to call for bids for a Car Pool automobile, Forestry 4x4 pickup and 2 Highway pickups. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried

000 The Board Chair called for public comment at 11:15 a.m. Arden Barnes inquired on the RECAP Permitting process discussed earlier in the KDA meeting.

2010/02-32 Motion by Hanson, seconded by McBride to adjourn the meeting at 11:16 a.m. Voting yes: Adee, McBride, Hanson, Lepper; absent for vote: Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, February 23, 2010; 9:40 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Jenell Feller, Matt Gouin, Terry Murray, Susan Congrave, Dale Olson, Pete Wiedman, Keith Knaeble, Brian Youso, Willie Kostiuk, Terry Glowack, Arden Barnes; Reporter Laurel Beager

2010/02-33 Motion by Hanson, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-34 Motion by McBride, seconded by Lepper to approve the minutes from the February 16, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-35 Motion by Lepper, seconded by Hanson to approve payment of the Courthouse claims in the amount of \$22,789.47; to approve payment of the Highway claims in the amount of \$111,891.06; to approve payment of the Health claims in the amount of \$10,070.20; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented; to approve payment of Burial Case #175670 in the amount of \$1,937.24. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-36 Motion by Hanson, seconded by McBride that the Koochiching County Board of Commissioners continues its sponsorship of the Polar Polers Ski Club in the MN Trails Assistance (Grant-In-Aid) Capital Improvement Program for the Tilson Ski Trail. Sponsorship

by the County requires that a Club/County Agreement is executed and a Certificate of Insurance is provided the County from the Ski Club for continued County sponsorship in the Grant in Aid Program for the Tilson Ski Trail. 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. Further, the Koochiching County Board approves the Polar Polers application to the MN Cross-Country Ski Trail Grant in Aid Program for its Capital Improvement Project in the amount \$1,800 as the match for the Federal Recreational Trail Grant for said Project and hereby authorizes the necessary County authorities to sign said Grant Application and Grant agreement. Voting yes: Adee, McBride, Hanson, Adee, Lepper. Motion carried.

000 The Administration Director stated that one bid was received for the sale of the County-owned NDAC property which was from ODC and bid within the range acceptable to the County based on the appraisal. The ODC Coordinator was informed by the Company yesterday, that a survey of the property is required for their purchase so the property lines are known for renovation purposes. The County Survey Technician stated that some surveying has been done in the area but more would be needed to tie everything together. If directed by the County Board, it could be done under the County Survey Program and done in a timely fashion.

2010/02-37 Motion by Pavleck, seconded by Lepper to table award of the bid for the sale of the NDAC property pending a survey of the property by the County Survey Department. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Commissioner Hanson updated the Board on the 2010 Census work in Koochiching County.

2010/02-38 Motion by Lepper, seconded by McBride to renew the MN Chippewa Tribe Non-financial Employment Agreement as recommended by the Community Service Director and upon approval of the agreement by the County Attorney. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-39 Motion by Hanson, seconded by Pavleck to approve an addendum to the AEOA Supported Work Service Agreement as recommended by the Community Service Director and upon approval of the agreement by the County Attorney. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-40 Motion by Lepper, seconded by Pavleck accepting the following Foster Care and Day Care Licensing recommendations: Rebecca Fisher for family day care licensing for ten children; Kimberly O'Loughlin to relicense for group family day care of ten children; Pamela Rognerud to relicense for group family day care of twelve children and due to a change of premise; Hallie Swenson to relicense for group family day care of ten children; to close home of Kelly Mattsen for family day care at provider's request. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Health Director updated the Board on the HINI and Seasonal flues, vaccines administered and continued vaccine plans. The Board was provided the Health Department's 2009 Financial and Statistical Report and a staffing update.

2010/02-41 Motion by Lepper, seconded by Pavleck to table action on acknowledging the Professional Advisory Committee Meeting minutes at the request of the Health Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-42 Motion by McBride, seconded by Hanson to approve the Koochiching County Wastewater Facility Plan incorporating the area of Tilson Bay to Island View for municipal sewer, referenced as Project #11110004, and further, to submit the Plan to the MPCA for approval as a usable document in their funding programs. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/02-43 Motion by Hanson, seconded by McBride to table the proposal for additional funding to MSA to continue work on the Island View Sewer Project and defer MSA's work proposal to the Project Committee for review and recommendation to the County Board. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 A report was provided to the Board from the STS Program Crew Leader as to the impact to the County if the Governor's cut of the State's Sentence to Service Program goes through. Koochiching County has two crews, one assigned full time to the county's recycling program and the other shared among various department and community needs. In addition, Law Enforcement representatives stated that this is an alternate sentencing program that has the offender giving something back and at the same time, reducing County jail and Court cost. The Board members stated that other counties are also concerned with this cut proposal as they too use the crews for many public services and projects. The Board agreed to strongly advocate the position that the State retains the State STS Program for the benefit of the offender, public and as a cost saving measure for corrections and the court system.

2010/002-44 Motion by Lepper, seconded by Pavleck authorizing the Board Chair to send a letter stating Koochiching County's strong support of the State Sentence to Service Program addressing the State House Public Safety Finance Committee, the County's Senate and House representatives, and copied to the Governor and the County Board representative on the ARC Board. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 10:43 a.m. No comment was provided.

2010/02-45 Motion by Hanson, seconded by Lepper to adjourn the meeting at 10:45 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, March 2, 2010; 10:35 a.m.

MEMBERS PRESENT: Commissioners Adee, McBride, Lepper, Pavleck

MEMBERS ABSENT: Commissioner Hanson (On Other County Business)

OTHERS IN ATTENDANCE: Doug Grindall, Tim Shuff, Berry Sherwood, Gail Rognerud, Cynthia Jaksa, Einar Sundin, Glen Wright, 9 members of the public, Phil Miller, Brian Jespersion, Linda Chezick; Reporters Laurel Beager and Sheldon Slaubaugh

2010/03-01 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Lepper, Pavleck. Motion carried.

2010/03-02 Motion by Lepper, seconded by Pavleck to approve the minutes from the February 23, 2010 regular meeting. Voting yes: Adee, McBride, Lepper, Pavleck. Motion carried.

2010/03-03 Motion by Lepper, seconded by McBride to approve payment of the monthly County Board expense claims in the amount of \$8,055.00. Voting yes: Adee, McBride, Lepper, Pavleck. Motion carried

2010/03-04 Motion by Lepper, seconded by Pavleck to set the salary for the elected County Sheriff, County Attorney, County Recorder and County Auditor/Treasurer for 2009 and 2010 at the same level as 2008; to provide paid 2009 and 2010 life insurance at the same level as 2008; provide paid 2009 and 2010 health insurance with 100% of the premium paid for single health coverage and \$1,142 per month and \$1,211 per month paid for family health coverage for 2009 and 2010 respectively. Voting yes: Adee, McBride, Lepper, Pavleck. Motion carried.

2010/03-05 Motion by McBride, seconded by Lepper to approve the Koochiching County Vehicle Policy as recommended by the Administration Director, the Koochiching County Motor Pool Vehicle Policy as recommended by the Car Pool Committee; to approve the 2010 Mileage Reimburse Rate of \$.50 cents (IRS rate) for personal vehicle mileage when county vehicles are not available at the worksite and 85% of the 2010 IRS Rate or \$.425 cents for car pool usage charge to departments and for using a personal vehicle when county vehicles are available at the worksite; to approve a revised 2010 Car Pool Budget adding \$6,512 for insurance, reducing vehicle purchase to \$20,000 and adding a \$50,000 Transfer to the 2010 General Revenue Budget to cover the cost of the Sheriff vehicle purchases for 2010. Voting yes: Adee, McBride, Lepper, Pavleck. Motion carried.

2010/03-06 Motion by Pavleck, seconded by Lepper accepting the recommendation of the Highway Engineer for the Certificate of Performance for SAP 36-702-03 (CSAH 102) with Bowman Construction for a final contract amount of \$156,357.37. Voting yes: Adee, McBride, Lepper, Pavleck. Motion carried.

000 The Highway Engineer presented a stipulation agreement between the County and MD&W Railroad which is needed to establish a public crossing of the railroad track on the private road

owned by Boise which through a pending five-year easement agreement will be opened to the public as a County road. Representatives of the Highway 53 Business Owners stated continued concerns with the County's plan to put their road through to Highway 11 from Highway 332. Commissioners spoke to the Gateway Project that is in the works to enhance Highway 53 as the gateway to Voyageurs National Park and the proposed Site 10 for the Customs Facility that will use Highway 53 for routing traffic to the bridge as examples of what is being done to support Highway 53 businesses. In addition, this 5 year easement to open up the Boise road as a public road will allow the County to see how it is used and what impact it has overall before making a final decision to establish the route long term as an extension of Highway 332. Under the 5 year easement, the Burner Road would be left open as a public road but the alternate route is hoped to take traffic off the Burner Road.

2010/03-07 Motion by Pavleck, seconded by Lepper to approve a Stipulation Agreement between Koochiching County and MD&W Railway as recommended by the Highway Engineer and approved by the County Attorney for the purpose of establishing a public railroad track crossing on a private road owned by Boise and to be turned over to the County to open as a public road under a 5 year easement agreement. Voting yes: Adee, Lepper, Pavleck; voting no: McBride. Motion carried.

000 The Board Chair opened public comment at 11:10 a.m. Councilors Gail Rognerud and Cynthia Jaksa informed the Board that it is the City's desire to have a signed contract with Rural Fire in the County Administration Office by the 30 day deadline but the signature is pending the City Attorney seeking information to determine the legality of the City to enter into a contract with Rural Fire. Einar Sundin asked when the old rural fire signs would be taken down as they have been replaced by the 911 Signs. Glen Wright along with several other members of the public stated their concerns of continued neglect of livestock at a particular location in the County as the animals are not getting proper food, water and care. A report provided by Law Enforcement was reviewed as to condition of the animals via a Senior Humane Agent and Veterinarian visiting the site and assessing the animals on February 10th. The report stated that the animals at that time were in satisfactory condition and there was no evidence to believe that the animals were in danger or neglected to be removed from the property. The County Attorney stated that though it would be everyone's desire to just remove the animals, Law Enforcement and his office have to work within the law. The Board members stated that though the County Board has no powers of enforcement and prosecution, they are willing to facilitate a review of the matter with Law Enforcement and the County Attorney. Linda Chezick informed the Board that March 29th is Vietnam Veterans Day and the VFW will be providing a breakfast for these veterans. The Board agreed to pass a proclamation at their next meeting to recognize this day for the Vietnam vets.

2010/03-08 Motion by Pavleck, seconded by Lepper to add the issue of animal cruelty to the agenda. Voting yes: Adee, McBride, Lepper, Pavleck. Motion carried.

2010/03-09 Motion by Pavleck, seconded by McBride to assign the review of the public complaint on an issue of animal cruelty to the Management Committee for review with a report back to the Board. Voting yes: Adee, McBride, Lepper, Pavleck. Motion carried.

2010/03-10 Motion by McBride, seconded by Lepper to adjourn the meeting at 12:17 p.m.
Voting yes: Adee, McBride, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaks, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, March 16, 2010; 9:50 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Barb Dory, Linda Chezick, Glen Wright, Holly Sparby, Arden Barnes, Roberta Larson, Brian Nelson, Dave Wright, Rosie Klements, Quay Whitbeck, Randy Pozniak, Scott Zahorik, Roger Jerome, Dennis Hummitzsch, Dale Olson, Doug Grindall;
Reporter Katie Hall

2010/03-11 Motion by Lepper, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-12 Motion by McBride, seconded by Pavleck to approve the minutes from the March 2, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-13 Motion by Lepper, seconded by Hanson authorizing the Board Chair's signature to the February Vendor Payment Listing verifying its review and to approve payment of the Highway claims in the amount of \$81,986.70. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-14 Motion by Hanson, seconded by Lepper to sponsor the Ridgerunner Snowmobile Club in the FY 2010 MN Trail OHV Assistance Program covering the Blue Ox ATV Trail. Sponsorship by the County requires that a Club/County Agreement be in effect (Agreement on file in the Auditor-Treasurer's Office) and as sponsor, the County is accountable to the State for expenditures charged to the program but does not require financial support or liability for cost from the County. Further, to approve the State Grant-in-Aid Agreement in the amount of \$14,600 for the Blue Ox ATV Trail and authorizing the Board Chair and Auditor/Treasurer signatures to the Agreement. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-15 Motion by Lepper, seconded by McBride to approve On Sale and Sunday Intoxicating Liquor Licenses and Tobacco License for the period of April 1, 2010 through October 31, 2010 to the International Falls Country Club as recommended by the County License Committee. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-16 Motion by Pavleck, seconded by Hanson to approve a Payroll and Benefit Administration Service Agreement for KEDA as recommended by Administration. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 In review of the request by Community Action Agencies for counties to support a resolution requesting MCIT continue insurance coverage of these agencies, the Kootasca Director provided that there are 27 Community Action Agencies in the State with 22 receiving insurance coverage through MCIT. That MCIT is reviewing whether to continue coverage of these agencies due to a risk assessment. However, if these agencies have to seek insurance protection from outside the Trust, their cost will escalate and impact the public services provided. For Koochiching County, AEOA and Kootasca are the Community Action Agencies serving the public. MCIT is not making its decision until June and should the decision result in dropping coverage for these agencies, it will not go in to effect for two years. The Administration Director stated the MCIT Director is meeting with the County Board on April 20, 2010 to provide the annual MCIT Report at which time the Board could further review this matter.

2010/03-17 Motion by Lepper, seconded by Pavleck to table action on the resolution request for MCIT to continue coverage of Community Action Agencies until the Board further reviews the matter with MCIT. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 A Census update was provided to the Board. The Census surveys are being distributed to the public and in most cases it is taking less than 5 minutes to complete it.

2010/03-18 Motion by Lepper, seconded by McBride to recognize March 29th as Vietnam Veterans Day to pay tribute to Vietnam Veterans for their heroic accomplishments and thank them for their unselfish devotion to duty in serving their country. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-19 Motion by McBride, seconded by Pavleck adopting the following resolution for acquiring the MnDot-owned Tourist Information Center at no fee title for public purposes:

WHEREAS, the County of Koochiching desires to acquire ownership from the State of Minnesota the Tourist Information Center Building, located at 200 Fourth Street in International Falls, Minnesota at no fee title for public purposes;

WHEREAS, the County of Koochiching desires to relocate the County Museum to said premises as a public purpose;

NOW THEREFORE BE IT RESOLVED that the Koochiching County Board of Commissioners authorizes County ownership of the Tourist Information Center Building and its real estate property at no fee for public purposes;

BE IT FURTHER RESOLVED, that Koochiching County upon acquiring ownership of the Tourist Information Center Building and its real estate property, will deed the property to the Historical Society for the County Historical Museum. Further, that the Koochiching County

Board Chair, and Administration Director are authorized to execute any and all documents with the State of Minnesota necessary to accomplish this property acquisition. Voting yes: Adee, McBride, Hanson, Pavleck; voting no: Lepper. Motion carried.

000 The Board reviewed their Management Committee's report on the animal neglect complaint presented to the County Board at the March 2 meeting. The findings of the Management Committee were that though the removal of the animals from the property is the desired outcome for those concerned, the 2007 public complaint resulted in the property owner having to provide better care of the animals with law enforcement monitoring the animals' condition and that based on the condition report of February 10, 2010 by a State Humane Agent and Veterinarian, there is no evidence of animal abuse at this time. Members of the public stated their concern that the animals are being mistreated and want something done. The Board Chair stated that a review will be done to determine if there is anything more that can be done by the County Board on this matter.

2010/03-20 Motion by Lepper, seconded by Pavleck to approve a service contract with RFPA effective March 16, 2010 for fire protection services for the taxing district, subject to approval of the County Attorney. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Kootasca representatives provided the Board a report on the Agency's Energy Assistance, Crisis and Energy Related Repair Programs as well as their Home Weatherization, Housing, Infrastructure and Commercial Rehabilitation Projects.

2010/03-21 Motion by Pavleck, seconded by Lepper to revised Board Motion 2000/01-22 as recommended by the Land Commissioner and Environmental Service Director to approve the subtraction of .56 acres from the County Dunnick Wetland Mitigation Bank as replacement wetland for the Biomass Project's wetland fill without requiring monetary reimbursement to Koochiching County. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-22 Motion by McBride, seconded by Pavleck to accept the recommendation of the Land Commissioner and Environmental Service Director to inform both BWSR and the Army Corp that the County will accept 12.8 acres of wetland credits for the Dunnick Lake Wetland Bank but that the County will reserve its options to seek additional credits with maintenance or vegetative plans; further that the Department Heads will bring back the final agreement for Board approval. Voting yes: Adee, McBride, Lepper, Pavleck; voting no: Hanson. Motion carried.

000 The Land commissioner and Environmental Service Director updated the Board on the proposed County White Cedar Wetland Bank where two 80 acre parcels have been identified for the plan and that the Tax Forfeited Land Statute is being reviewed for selling of credits.

000 The Environmental Service Director informed the Board that BSWR has appealed the County Board's decision on the Hasbargen Haven Wetland Bank Application to grant 80% wetland credits due to the lack of proof that the area has been farmed more than 14 of the past 20 years.

2010/03-23 Motion by Hanson, seconded by Lepper to appoint Tom Dougherty to the VNP Joint Powers Advisory Board with Jay Mitchell as his alternate effective January 1, 2010 as recommended by the Environmental Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-24 Motion by McBride, seconded by Lepper to approve payment to MSA in the amount of \$537.78 from the Environmental Trust Fund for expenses incurred on the Island View Sewer Project and as recommended by the Project Committee. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-25 Motion by Hanson, seconded by Lepper authorizing the Board Chair to send a letter to the BSWR Regional Supervisor stating the County's concerns with their Wetland Specialist assigned to the area and to copy the letter to the MN BWSR Director and Lake of the Woods and Beltrami County Board Chairs. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board took no action to allow credit from the County's Dunnick Lake Wetland Bank for a private property application in mitigating an Army Corps Violation Order.

000 The Board Chair called for public comment at 12:15 p.m. and with no comment, recessed the meeting until 1:40 p.m.

2010/03-26 Motion by Lepper, seconded by Pavleck authorizing the Highway Engineer to call for bids for hired truck rental, culverts, gravel crushing and paving of the Frontier and Vidas accesses with bid results to the County Board on April 13, 2010. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Highway Engineer informed the Board that upon approval of the Highway 332 Turnback, he would be looking to keep 332 as the number for the County State Aid Highway designation to stay with the 911 addressing assigned to properties along this route. The Board concurred.

2010/03-27 Motion by Pavleck, seconded by McBride accepting the low bid recommendation of the Highway Engineer for vehicle purchases: passenger vehicle for the Car Pool from Waschke Family GM Center at \$17,230 after trade in; 2 full size 4x2 pickups for the Highway Department from Wherley Motors at \$32,619.30; 1 full size extended cab 4x4 pickup for the Land and Forestry Department with Wherley Motors at \$21,256.65 after trade in. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-28 Motion by McBride, seconded by Pavleck to adjourn the meeting at 1:55 p.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaks, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS

Held on Tuesday, March 23, 2010; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Randy Pozniak, Jenell Feller, Brian Youso, Dennis Hummitzsch, Terry Murray, Susan Congrave, Phil Miller, Jay Squires via telephone, Keith Knaeble, Mark Bloomquist, June Etienne, Dan McCarthy, Arden Barnes, Doug Grindall; Reporter Laurel Beager

2010/03-29 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-30 Motion by Hanson, seconded by McBride to approve the minutes from the March 16, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-31 Motion by Lepper, seconded by Pavleck to approve payment of the Courthouse claims in the amount of \$77,054.55, to approve payment of the Health claims in the amount of \$11,046.30; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented; to approve payment of Burial Case #1172522 in the amount of \$2,116.50 and Case #1190377 in the amount of \$350.00. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-32 Motion by Lepper, seconded by McBride to approve On Sale, Off Sale and Sunday Intoxicating Liquor Licenses for the period of May 1, 2010 through November 1, 2010 to Island View Lodge as recommended by the County License Committee. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-33 Motion by Pavleck, seconded by Lepper accepting the recommendation of the Rural Fire Protection Association to set the 2010 annual service charge for the Rural Fire Subordinate Service Taxing District at a 20% increase over 2009 due to increased service cost: \$85 for residential and commercial rates based on the following building valuation ranges: \$5,000 up to \$20,000 - \$120; \$20,000 up to \$40,000 - \$180; \$40,000 up to \$70,000 - \$240; \$70,000 up to \$100,000 - \$300; \$100,000 up to \$150,000 - \$360; \$150,000 up to \$200,000 - \$420; \$200,000 up to \$300,000 - \$480; \$300,000 up to \$400,000 - \$540; \$400,000 up to \$500,000 - \$600; \$500,000 up to \$600,000 - \$660; \$600,000 or more - \$720; City of Ranier \$6,600. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-34 Motion by Pavleck, seconded by Lepper to accept the bid of \$150,000 from ODC for the purchase of the County-owned NDAC Facility and real estate and further, authorizing expenditure for legal services to complete the County sale closing. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 A Census update was provided to the Board.

2010/03-35 Motion by Pavleck, seconded by Lepper accepting the recommendation of the Sheriff to award low bid to Waschke Family GM Center for replacement of two squad vehicles: \$27,437 after trade in for a 2010 Chevy Tahoe 4x4 and \$14,675 after trade in for a 2010 Chevy ½ Ton Crew 4x4 pickup. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Land Commissioner presented the results of the 2009 Tax Forfeited Trust Fund apportionment, resulting in a revenue reduction of 36% from the prior year. In reviewing the deferred revenue from wood sold but not harvested, the volume of wood to harvest is there but the demand for buying the wood is down.

2010/03-36 Motion by Hanson, seconded by Lepper to renew the Addendum to the AEOA E&T Service Agreement as recommended by the Community Service Director and upon approval of the agreement by the County Attorney. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-37 Motion by Pavleck, seconded by McBride to accept the employment separation of Social Worker Janet Bowman effective April 16, 2010. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-38 Motion by Pavleck, seconded by Hanson that after review with the Community Service Director, to approve filling the vacant Social Worker position under County Policy due to the position earning federal reimbursement and without the position, there would be a funding deficit to the overall Community Service Budget; further that should any cuts be made to the non-county funding for this position, the Director will be responsible to make up the deficit in non-county dollars. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-39 Motion by Hanson, seconded by Lepper to accept the following Day Care and Foster Care Licensing recommendations: close home for Treana Schultz for day care at provider's request; relicense Toni Korpi for group family child care for twelve children. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-40 Motion by Hanson, seconded by Lepper to accept the employment separation of Home Health Aide Terri Zahn, effective March 11, 2010. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-41 Motion by McBride, seconded by Lepper to approve the purchase of a computer and projector for the Public Health Department in the amount of \$3,362.99 as funded through the SHIPS Grant as recommended by the Health Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-42 Motion by Pavleck, seconded by Hanson to close session at 10:20 a.m. to discuss strategy with the County's legal counsel for the pending Annexation Administration Process and Hearing regarding Ranier's Orderly Annexation and the City of International Falls Annexation Petition for the same property. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion

carried. (Present for the closed session: Board members, Administration Director, County Attorney Phil Miller, Attorney Jay Squires via conference call.)

2010/03-43 Motion by Hanson, seconded by Lepper to open the meeting at 11:15 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-44 Motion by Hanson, seconded by Lepper to approve the employment separation of County Attorney Secretary Les Pullar, effective April 12, 2010. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-45 Motion by Lepper, seconded by McBride to approve filling the full time County Attorney Secretary position under County Policy due to this position being the only support staff for the Office and further, to authorize temporary hire under County Policy to cover the vacant position until the permanent hire is made. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Sentence to Serve Regional Supervisor and Crew Leader updated the Board on legislative activity and support to retain the alternative sentencing program as a result of the Governor's proposal to cut the state funding entirely for the program. The representatives reviewed the numerous services the program does for communities and the county as a whole. In addition, the STS Adult Program saves the County in incarceration cost and the STS Juvenile Program has juvenile offenders performing community service as punishment for their offenses.

000 The Board Chair called for public comment at 11:33 a.m. June Etienne inquired on a newspaper article in which AMC's PACT Proposal recommended that counties take over highway patrol and MnDot's highway maintenance, stating concern with increased cost to the county as well as the loss of jobs to this area. The County Board members stated that the AMC PACT proposal does not have the full support of its members and Board members felt the information should not have been released. The County Board has concerns with the proposal and will discuss its position at the AMC Legislative Conference which they are attending tomorrow. Dan McCarthy inquired on charging seasonal recreation properties the solid waste assessment fee and inquired on the length of the contract with Markit Landfill. Arden Barnes inquired on what governmental authority should oversee the clean up of human waste left behind on the ice as a result of ice fishing.

2010/03-46 Motion by Hanson, seconded by Lepper authorizing the Board Chair to sign a Nondiscrimination Assurance Form as required by the MN Department of Administration in order for the County to receive federal surplus property stored at the Arden Hills as recommended by the Sheriff and Highway Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/03-47 Motion by Pavleck, seconded by McBride to adjourn the meeting at 11:45 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jakska, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, April 6, 2010; 10:30 a.m.

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

OTHERS IN ATTENDANCE: Brian Youso, Doug Grindall, Susan Congrave; Reporter Laurel Beager

2010/04-01 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-02 Motion by Hanson, seconded by Lepper to approve the minutes from the March 23, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-03 Motion by Lepper, seconded by McBride to approve payment of the monthly County Board expense claims in the amount of \$10,826.52 and to authorize the Board Chair's signature to the March Vendor Payment Listing verifying its review. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-04 Motion by Pavleck, seconded by Lepper to accept the recommendation of the Personnel Committee that as one means to control cost until the full impact of the State Budget Deficit to the County is known for both Calendar Years 2010 and 2011, to implement a County Hiring Freeze in which all vacant county positions will be froze for a period of six months before a request to fill the position will be heard; that should a Department Head submit a request to fill a position prior to the six month period, an absolute need to immediately fill the position must be demonstrated and must include the Department Head's consideration of temporary options. Voting yes: Adee, McBride, Lepper, Pavleck; voting no: Hanson. Motion carried.

000 The Board received an update on the census. A second mailing of census applications along with house visits are being conducted to reach the households that have not returned a census application to date.

2010/04-05 Motion by Pavleck, seconded by Hanson to set a Special County Board Meeting for Thursday, April 29, 2010 at 10:00 a.m. to act on any results of the Mediation Session on the Contested Annexation involving the City of International Falls, City of Ranier and County of Koochiching to be held on April 28, 2010 in Duluth. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-06 Motion by Hanson, seconded by Lepper to approve a 2010 Boat and Water Safety Grant Agreement with the State of Minnesota allocating funds to Koochiching County in the amount of \$6,141.00 on a reimbursement basis and authorizing the County Sheriff and Board Chair signatures to said Agreement. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-07 Motion by Lepper, seconded by Pavleck adopting the following resolution supporting the Federal Border Interoperability Demonstration Grant Application submitted by the North East Regional Radio Board for improving radio interoperability within our border counties and on our International Borders with Canada:

WHEREAS, there is a Public Safety need to provide radio communication interoperability within our border counties and along our county borders with Canada; and

WHEREAS, the Federal Government has made available a demonstration grant called the Border Interoperability Demonstration Grant Program (BIDP): and

WHEREAS, the BIDP grant will allow us to develop a means of communication interoperability between Minnesota and Canadian public safety agencies along our International Border, at our International Ports, and within our border Counties: and

WHEREAS, the Regional Radio Board has worked with the State of Minnesota Department of Public Safety, the Counties within its Regions and the jurisdictions within the Counties to complete a comprehensive application for this grant.

NOW, THEREFORE, BE IT RESOLVED that the Koochiching County Board of Commissioners hereby supports this Grant application as needed and necessary for the Citizens of our Region and the Public Safety Agencies serving those citizens.

BE IT FURTHER RESOLVED, that the Koochiching County Board of Commissioners is committed, upon approval of this grant, to assist the Regional Radio Board with the management and implementation of this grant. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 A letter was received from the River Valley Development Association requesting bituminous overlay of a section of CSAH 4, which was submitted at this time due to contractors being in the area with the State Highway 11 reconstruction. After reviewing the request and the roads in the area, the Highway Engineer stated that the section of CSAH 4 requested for overlay was done in 2003 and therefore does not warrant overlay at this time. However, he would recommend two other sections of CSAH 4 and County Road 82 for resurfacing and are within the 2010 Highway Budget.

2010/04-08 Motion by Pavleck, seconded by Hanson authorizing the Highway Engineer to call for bituminous overlay bids for County Road 82 and sections of CSAH 4 from Birchdale to 1.7 miles west and from Frontier to Border as recommended by the Highway Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-09 Motion by Lepper, seconded by McBride to accept a \$15,000 Blandin Grant for restructuring of the Northome Resource Center as recommended by the Health Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-10 Motion by Pavleck, seconded by Lepper to approve a service contract with Kathy Elhard for coordination of the Northome Resources Center effective upon the County Attorney's approval of the contract and with 100% of the contract cost covered by a \$15,000 Blandin Grant and \$5,000 Family Collaborative Grant as recommended by the Health Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 11:30 a.m. No comment was provided.

2010/04-11 Motion by Hanson, seconded by Lepper to adjourn the meeting at 11:30 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaks, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, April 13, 2010; 10:00 a.m.

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

OTHERS IN ATTENDANCE: Brian Youso, Doug Grindall, Dennis Hummitzsch, Dale Olson, Mike Ward, Dan McCarthy, Arden Barnes; Reporter Laurel Beager

2010/04-12 Motion by Lepper, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-13 Motion by McBride, seconded by Hanson to approve the minutes from the April 6, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-14 Motion by Hanson, seconded by McBride to defer a Community Service AFSCME Union Step 3 Grievance to the Personnel Committee for review and recommendation. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-15 Motion by Lepper, seconded by McBride to approve payment of the Courthouse claims in the amount of \$46,482.00. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-16 Motion by Hanson, seconded by Lepper to approve a Payroll and Benefit Administration Service Agreement with the Koochiching Housing and Redevelopment Authority as recommended by Administration. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-17 Motion by McBride, seconded by Pavleck to set a hearing for Tuesday, April 27, 2010 at 1:30 p.m. for the purposes of awarding damages for the Jacobson Cartway Petition as required under law. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-18 Motion by Hanson, seconded by Lepper authorizing the purchase of a laptop and printer as planned in the 2010 Emergency Management Budget for emergency management services as recommended by the Sheriff and Information Systems Manger. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-19 Motion by Hanson, seconded by Lepper to accept the recommendation of the Highway Engineer to award low bid for culverts to Contech Construction Products, Johnston Fargo, Cretex Construction Products and Hancock Construction Products as presented and filed in the Highway Department. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-20 Motion by Lepper, seconded by McBride to accept the recommendation of the Highway Engineer to award low bid for hired truck first to James Kennedy for Tandem Axle Dump Truck and Tractor and Trailer Combination for all zones and Tim Miovac second for Tractor and Trailer Combination in Zone 4 and 7 as presented and filed in the Highway Department. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-21 Motion by McBride, seconded by Hanson to accept the recommendation of the Highway Engineer to award low bid for gravel crushing for the Highway and Land and Forestry Departments to Roberts Sand and Gravel at \$2.63 yard. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-22 Motion by McBride, seconded by Hanson to accept the recommendation of the Highway Engineer to award low bid to Bowman Asphalt Product for paving of the Frontier Landing (SAP 36-600-13) at \$102,475 and the Vidas Landing (SAP 36-600-14) at \$95,970 with award contingent on funding sources planned for the projects being sufficient to cover the bid cost. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-23 Motion by Hanson, seconded by Lepper to approve the annual publication of the General Notice to Control or Eradicate Noxious Weeds as recommended by the Land Commissioner. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-24 Motion by McBride, seconded by Lepper adopting the following resolution accepting the City of Littlefork's request to turn over to Koochiching County the responsibility for the administration of the Wetland Conservation Act (WCA) in their City:

WHEREAS, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local governmental units (LGUs) to implement this law by adopting the rules and regulations promulgated by the Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling, excavation; and

WHEREAS, the BWSR is requesting notification of the LGU's decision adopting or accepting administrative responsibility for another LGU in accordance with Minn. Rules part 8420.0200, item A; which requires each local government unit of the State to acknowledge in writing to the Board that it is assuming its responsibilities under the Wetland Conservation Act; and

WHEREAS, the LGU is responsible for following the WCA rules as stated in 8420.0200, determining Local Government Unit duties.

NOW THEREFORE BE IT RESOLVED THAT Koochiching County accepts the administrative responsibility as the LGU for the WCA within the City limits of Littlefork within the guidelines as set forth by the WCA rules. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Environmental Service Director requested direction from the Board on how they want to proceed with BWSR's appeal of the County Board decision for the Hasbargen Haven Wetland Bank Application. The Director and Board agreed that the County would need to present not only the facts of the case but a strong legal argument on BWSR's cropping criteria for determining wetland bank acres. It was agreed to contact MCIT for resources and suggestions.

000 The VNP Superintendent presented to the Board the decisions being considered for use charges in the Park for the tour boats and campsites as allowed under the Federal Lands Recreation ACT (FLREA). For 2010, they are looking to change the current fees for two group campsites on Kabetogama Lake and for the Otter and Borealis tour boats. They will also consider establishing a user fee for the new Voyageurs Tour Boat and a reservation fee for the Interior Lake campsites, in addition to connecting the reservation of the interior lake boats to the interior campsites. For 2011, the Park will consider charging a reservation fee for all campsites for overnight stays and talk about a Park entry fee via vehicle sticker which has been suggested by the public. Board members expressed concern with a Park entry fee based on the legislative intent in forming the park and international waters. The Board members stating that charging of user fees to cover capital and replacement cost of certain services is justifiable but charging the public to enter and use the park and its waters is not warranted. In response to a question, the Superintendent stated that the decision to place Port of International Falls on the new tour boat was made by a committee of local and non local representatives but Port of Ranier was also considered as well as a combination of the two. Dan McCarthy stated that a system to accurately reflect visitor counts in the Park is needed to identify local residences from tourists to establish a measurement of tourism for the County. The Superintendent stated that campsite reservations or collecting data from the houseboat and resort businesses can provide specifics on local and non-local visits in the Park but there is no system in place to segregate local and non-local visitors in the daily count. The Board thanked the Superintendent for the information and opportunity to provide input. The Superintendent stated that meetings are scheduled to present the information to the public for their input and comment.

000 The Board Chair called for public comment at 11:55 a.m. Dan McCarthy addressed the Board with several issues.

2010/04-25 Motion by McBride, seconded by Lepper to adjourn the meeting at 12:05 p.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS

Held on Tuesday, April 20, 2010; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Robyn Sykes, Dale Olson, Laurie Mannausau, Bruce Hasbargen; Reporter Laurel Beager

2010/04-26 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-27 Motion by Hanson, seconded by McBride to approve the minutes from the April 13, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-28 Motion by Lepper, seconded by McBride to approve payment of the Highway claims in the amount of \$62,045.42. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-29 Motion by Hanson, seconded by Lepper accepting the Assessor's recommendation to grant abatement to Sam Hege, Parcel #27-018-11000, for reduction in market value due to building damage. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/04-30 Motion by Lepper, seconded by Hanson accepting the recommendation of the Survey Committee to propose a land exchange agreement with a private property owner which involves the County Point O Pines Beach property in which a 10 foot section of public right of way (public access to the beach) be provided the private landowner to meet the variance setback for their house (requiring road vacation of the described piece of right of way) in exchange for the private land owner not contesting County ownership of a portion of lakeshore property (went to private ownership due to an incorrect plat) by providing the County a quit claim deed to this property; upon the private land owner's acceptance of the proposal, County legal counsel will proceed with execution of the land exchange agreement with the private landowner. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 MCIT Director met with the Board to provide the annual report. 2009 was the organization's thirtieth anniversary and the year they revamped their vision and mission based on what service they were actually providing to counties and affiliated members. This included a name change to Minnesota Counties Intergovernmental Trust. The organization is not an insurance company but rather a group of counties and associated members collectively pooling resources to manage risk and reduce the costs for their taxpayers. Insurance is a part of the organization's service but the primary focus is strong support, risk management and protection of its members. The Director in response to the concern raised by the County stated that Community Action Agencies (CAA) are not being pushed out of MCIT as some of the information circulating would suggest. In 2009 MCIT conducted an assessment of CAA

serviced by MCIT and the assessment found that the 22 CAA were not paying their fare share of premium based on their claim exposure. This meant that the other members were subsidizing the cost of the CAA. The MCIT Board will make a determination in May as to how they want to handle this matter but it is not MCIT's position to exclude the CAA. The Board Chair stated that AEOA provides a much needed bus service for Koochiching County and if their costs increase, it may mean a reduction of services. The Director stated that CAA are recognized as providing needed services in counties but not all CAA are in MCIT. If they were all under MCIT, there is a reason to look at member counties covering some of their cost. The County Board stated that MCIT has been and continues to be a strong and valuable resource to Koochiching County and the organization does a great job in supporting and protecting its members.

000 The Environmental Service Director provided a \$765 billing to Mannco Trucking for monies due the County under the MSW Hauling Contract's fuel escalation clause for #1 fuel requirement in the months of December and January. The contractor used #2 fuel during these two months and does not feel they should have to pay for something they didn't use. The Board agreed to have the County Attorney review the contract terms to determine if the County Board has any room to move on the issue or has to abide by the contract.

2010/04-31 Motion by Pavleck, seconded by Lepper authorizing up to one acre from Dunnick Lake for wetland mitigation for John Anderson's property in which the Army Corps issued a violation order based on a grading/filling permit for the property which was issued by Koochiching County. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Administration Director stated that MCIT has taken the County's claim on BWSR's appeal of the County's Hasbargen Wetland Bank decision and will assign legal counsel for the County's defense. More information will be forthcoming once the claim is established.

2010/04-32 Motion by Lepper, seconded by Pavleck to adjourn the meeting at 11:05 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaks, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, April 27, 2010; 10:22 a.m.

MEMBERS PRESENT: Commissioners Adee, Hanson, Lepper, Pavleck

MEMBERS ABSENT: Commissioner McBride (Family Matter)

OTHERS IN ATTENDANCE: Terry Glowack, Dale Olson, Jaci Nagle, Terry Murray, Jason Johnson, Einar Sundin, Arden Barnes, Andy Piekarski, Phil Miller, Doug Grindall, Marty Cody, Matt Gouin, Justin Berg, Ronald and Delphine Nelson, Robert Stevenson; Reporter Laurel Beager

2010/04-33 Motion by Hanson, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-34 Motion by Hanson, seconded by Pavleck to approve the minutes from the April 20, 2010 regular meeting. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-35 Motion by Lepper, seconded by Pavleck to approve payment of the Courthouse claims in the amount of \$40,187.84; to approve payment of the Health claims in the amount of \$14,857.23; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented; to approve payment of Burial Case #77916 in the amount of \$1,400.00. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-36 Motion by Hanson, seconded by Lepper authorizing Board members to attend Boise's 100th Anniversary Event as a County Board activity on June 25, 2010 at Smokey Bear Park. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

000 The Board received a Census Update with returns in International Falls, Ranier and Littlefork over 70% and the County, Northome and Big Falls over 60%. The State's return average is 79%. Work continues to get surveys out to the households and encourage their return.

000 The Complex Superintendent provided a less expensive option for the Courthouse main boiler replacement and back up boiler. After further researching the matter, it was determined that the older boiler used as a backup could be sealed at a cost of around \$3,500 and that a new high efficiency burner could be replaced in the main boiler for around \$12,000, in lieu of completely replacing the boiler. The new burner is estimated to save about 15% in heating cost. The Administration Director stated that the Federal Stimulus Public Facility Energy Efficiency Cost Share Program is now open and requesting RFPs. Staff will submit an RFP requesting up to 50% cost share on the new fuel efficient burner.

2010/04-37 Motion by Pavleck, seconded by Lepper authorizing the Complex Superintendent to repair the Courthouse backup boiler and replace the burner on the main boiler at a cost not to exceed \$15,500 plus tax and to authorize a transfer of budget funds from the 2010 Budget Contingency to the Complex Budget to cover the cost; further, to submit an RFP to the Federal Stimulus Public Facility Energy Efficiency Grant Program for cost share of the new burner. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-38 Motion by Hanson, seconded by Lepper accepting the recommendation of the Island View Sewer Committee to select Short Elliott Hendrickson, Inc. (S.E.H.) as the engineering firm for the Island View Sewer Project for producing the engineering plan from the design phase through the bidding phase for a construction ready project at a cost not to exceed \$405,000; further, authorizing the Environmental Service Director to recommend a service contract with S.E.H. for Board approval and with approval of the County Attorney. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

000 The Information Systems Manger provided the Board the hard numbers for construction of the new MN Counties Information Systems (MCIS) facility and member's cost and payment options. Koochiching County's cost share is \$46,559 with the option of paying as a lump sum or

through a 15 year repayment with interest. The Board though agreeing the facility is necessary and as a member committed to a cost share, stated concern with the timing of the funding commitment when the County does not know the full extent of state cuts to the County Budget for the next couple years. In addition, the County would like to see a formal agreement signed by the members and MCIS so it is clear to the members the final financial commitment being asked of them since the project may be over or under budget. The I.S. Manager stated that the MCIS Board is meeting this Friday and she will inform them of Koochiching County's position.

2010/04-39 Motion by Lepper, seconded by Pavleck that Koochiching County agrees the new MCIS Facility is needed based on the information provided and generally agrees to Koochiching County's cost share of not to exceed \$46,559. Voting yes: Adee, Hanson, Lepper; voting no: Pavleck. Motion carried.

000 The Board Chair called for public comment at 11:40 a.m. Einar Sundin stated that the old fire number signs have not been taken down in all areas of the county. Arden Barnes understood that ODC was contracted to take down the old rural fire signs. Andy Piekarski inquired on lighting at the skate board park and was informed that this is an issue to address with the City of International Falls as the park owner.

2010/04-40 Motion by Hanson, seconded by Pavleck to approve an addendum to the NEMOJT E&T Agreement as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-41 Motion by Pavleck, seconded by Lepper authorizing the Community Service Director to purchase ITV equipment at a cost of \$6,500 with funding from a \$1,500 grant, federal reimbursement of about \$3,000 and the balance in county dollars to be found within the 2010 Community Service Budget and with the understanding that there will be a pay back through reduction of out of county travel for training and meetings. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-42 Motion by Lepper, seconded by Hanson accepting the following Foster Care and Day Care Licensing recommendations: relicense Amber Black for group family day care of ten children; relicense Stephanie Dremmel for family day care for fourteen children; license Debbie Briggs for foster care of two children; license Molly French for foster care of one child; license Terry and Nancy Harala for foster care of four children; license Stanley and Keturan Schrock for foster care of one child. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

000 The Fraud Prevention Investigator assigned by the State to Itasca and Koochiching Counties, provided a report on his work in assisting the County Financial Assistance Unit with fraud investigation to determine if public assistance was provided to ineligible persons based on false information and if so, initiating the necessary action for repayment.

000 The County Board convened a public hearing at 1:35 p.m. for the purpose of reviewing the appraisal for awarding damages to the servient landowner for land taken for a Cartway Order. The servient landowner and petitioner were served the hearing notice and provided a copy of the

appraisal obtained by the County for the purposes of awarding damages. In review of the amount of damage for the land taken from the servient landowner for the cartway, the County Attorney advised that the County consider any benefit the Cartway would provide to the servient landowner and if a benefit is determined, it be deducted from the damage award per State law governing cartways. In review with the County Attorney, the County Board concurred that the information collected on the Jacobson Cartway Petition would indicate the cartway has no benefit to the servient landowner. The Board reviewed the appraisal from Ramsland & Vigen, Inc. as to the value of the land to be taken for the cartway, reasonably estimated at \$4,700. Attorney for the Petitioner stated that they are in general support of the appraisal with some question on the timber value. However, if the County Board awarded damages based on the appraised value of \$4,700, the petitioner would not dispute it. In review with the Servient Landowners, they did not agree to the land value damage award. They can not argue the appraised value, however, they argue just compensation for a cartway that is dividing their land and ruining the private and peaceful life style the property provides them. This cartway is being forced on them and they have no intentions of using the road; they view it as an eye sore. In review with the County Attorney, the Board members inquired whether they could award punitive damages and were directed to the State statute where the award of damages is limited to land value. Board members understood the position of the servient landowner and did not disagree with them. However, State law and Court Order dictates the County Board move forward and follow the process in law to establish the cartway. With no further comment, the hearing was closed at 2:05 p.m.

2010/04-43 Motion by Lepper, seconded by Pavleck to accept the appraised value of \$4,700.00 as submitted by Ramsland and Vigen, Inc. and upon determining that the servient landowner receives no benefit from the Cartway, to award \$4,700.00 in damages to servient landowner Ronald and Delphine Nelson for their property acquired for the Cartway as ordered in County Board Resolution 2009/10-29. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-44 Motion by Lepper, seconded by Hanson that as a condition of the Cartway ordered in County Board resolution 2009/10-29, certification of the cartway construction includes that the Petitioner has the sole responsibility to comply with federal and state wetlands laws and its rules and procedures as well as any other federal and state laws and regulations that apply with construction of the Cartway. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-45 Motion by Pavleck, seconded by Lepper that as a condition of the Cartway Order in County Board resolution 2009/10-29, that construction of the Cartway must be completed by September 30, 2012. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-46 Motion by Pavleck, seconded by Lepper that as a condition of the Cartway Order in County Board resolution 2009/10-30, that the Cartway is designated as private in nature for maintenance purposes with apportionment of the maintenance cost 100% to the petitioner as the benefited property owner of the Cartway; further, that the maintenance cost apportionment is subject to reconsideration with change of benefited property owners of the Cartway. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-47 Motion by Pavleck, seconded by Hanson to adjourn the meeting at 2:45 p.m.
Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaks, Administration Director

SPECIAL MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Thursday, April 29, 2010; 10:00 a.m.

MEMBERS PRESENT: Commissioners Adee, Hanson, Lepper, Pavleck
MEMBERS ABSENT: Commissioner McBride (Family Matter)

OTHERS IN ATTENDANCE: Phil Miller, Jay Squires via telephone; Reporter Laurel Beager

2010/04-48 Motion by Lepper, seconded by Pavleck to approve the agenda with additions and deletions. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-49 Motion by Lepper, seconded by Pavleck to close session at 10:06 a.m. under attorney-client privilege to review and discuss administrative law proceedings for the Ranier Orderly Annexation. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried. (Attending the closed session: County Board, Administration Director, County Attorney, and Attorney Jay Squires via telephone.) Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

2010/04-50 Motion by Pavleck, seconded by Lepper to open session at 10:30 a.m. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

000 In consideration of the County's original position to include a public hearing in the Ranier and Koochiching County Orderly Annexation Agreement, the County Board stated its reasons to support an amendment to exclude the public hearing procedure and have the Administrative Law Judge order the annexation within 30 days. At the time the County Board requested the public hearing procedure be incorporated in the Orderly Annexation, they did not anticipate that the City of International Falls would try to override the Orderly Annexation and submit their own petition to annex some of the same property. As a result of the contested annexation, city and county taxpayers have been and continue to bare the burden of administrative and legal costs as the County and City of Ranier endeavors to mediate a resolution with the City of International Falls have been unsuccessful. In addition, the federal grant and loan funds for waterline replacement for a portion of the annexed area are approved and ready to be released upon annexation of lands in the Orderly Annexation to the City of Ranier. In consideration of whether the public has been given due process in providing input and comment on the Orderly Annexation, the Board noted the number of public meetings and open comment periods specific to the Orderly Annexation from May through July 2009 where the public provided their input and comment to both the County Board and Ranier City Council.

2010/04-51 Motion by Pavleck, seconded by Lepper that Koochiching County and the City of Ranier hereby jointly agree that the Joint Resolution between Koochiching County and the City

of Ranier designating an area for Orderly Annexation and originally adopted by affirmative vote of the Koochiching County Board of Commissioners on July 28, 2009 and the City Council of Ranier on July 20, 2009 be amended and restated as follows: Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

WHEREAS, the City of Ranier (the “City”) and the County of Koochiching (“the “County”) designate for orderly annexation, the lands described in Exhibit A hereto within the County of Koochiching, Minnesota (the “Annexation Area”); and

WHEREAS, the City of Ranier and the County of Koochiching are in agreement as to the orderly annexation of the Annexation Area; and both believe it will be to their mutual benefit and to the benefit of their respective residents; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City and the County may agree on a process of orderly annexation of a designated area; and

WHEREAS, on June 12, 2009 a Notice of Intent, attached hereto as Exhibit G, to include property in an orderly annexation area was published pursuant to the requirements of Minnesota Statutes § 414.0325 Subd. 1b; and

WHEREAS, the City and the County have agreed to all the terms and conditions for the annexation of the Annexation Area as outlined in this Joint Resolution and request an order consistent with this Joint Resolution, ~~but, pursuant to Minn. Stat. § 414.0325 subd 2, wish to have a public hearing and consideration by the Chief Administrative Law Judge of the Office of Administrative Hearings – Municipal Boundary Adjustments (the “Office”) within 30 to 60 days of the filing of this Joint Resolution pursuant to Minn. Stat. § 414.09. Pursuant to Minn. Stat. § 414.0325(h), no consideration by the Chief Administrative Law Judge of the Office of Administrative Hearings – Municipal Boundary Adjustments (the “Office”) is necessary, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of this Joint Resolution.~~

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City and the Board of Commissioners of the County as follows:

1. Property. The Annexation Area is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate the Annexation Area for orderly annexation. Both the City and the County agree that no alteration of the stated Annexation Area boundaries is appropriate, and pursuant to Minn. Stat. § 414.0325(g), the Chief Administrative Law Judge may review and comment, but may not alter the boundaries and shall order the annexation in accordance with the terms of this Joint Resolution.

2. Acreage/Population/Usage. The Annexation Area consists of approximately 1,142 acres. The population in the Annexation Area is approximately 450 persons. The land type in the Annexation Area is suburban with rural open areas. The area of the City consists of approximately 98 acres. The City’s population is approximately 173 persons (2006). The land type in the City is generally suburban and residential, with local businesses generally providing services for those recreating on Rainy Lake.

3. Jurisdiction. The County does, upon adoption of this Joint Resolution by the Board of Commissioners, and the City does upon adoption of this Joint Resolution by the City Council, upon acceptance by the Office, confer jurisdiction upon the Chief Administrative Law Judge of the State Office of Administrative Hearings so as to accomplish said orderly annexation in accordance with the terms of this Joint Resolution.

4. Need. The Annexation Area is suburban with platted and rural open areas and is unincorporated. Since the City is currently providing services to a portion of the Annexation Area and is capable of providing additional services to the Annexation Area within a reasonable time, the annexation would be in the best interest of the Annexation Area. Further, the annexation will serve to provide water service to part of the Annexation Area, the residents of which have petitioned for the same, namely, the residents of Jameson Addition, French Addition and Three Points North area. Copies of said petitions are attached hereto as Exhibit C. All of the petitioners reside in the annexation area as shown on the map attached hereto as Exhibit B.

5. Planning and Zoning.

a. Ranier Community Plan. On February 17, 2009 the City Council approved the Ranier Community Plan, a copy of which is attached hereto as Exhibit D (the "Plan"). The Plan lays out recommendations for achieving the City's goals, including an implementation checklist that lists the action steps and timeline for each recommendation. Timelines for implementation vary from three months to several years. The implementation checklist follows page 28 of the attached Plan. The planning process utilized in developing the Plan focused on the City and the area in the County surrounding the City, including the areas in which the residents have petitioned the City for annexation and water service. (Exhibit C: Petition), as permitted by Minnesota Statutes § 414.0325 subd. 5, which grants the City planning authority over the Annexation Area. The planning process provided multiple opportunities for the public to provide advice and comments on the City's future development plans (see ¶6 below). The structure of the planning process included a review of community assets, vision-setting, and development of recommendations, resulting in the Plan. The City will use the Plan to guide decision making, set goals, and measure progress in the upcoming years.

b. Zoning. Recommendation C7 contained in the Plan is consideration by the City of development of a Planning and Zoning Ordinance. Currently, land use and zoning regulation in the City is pursuant to the City's Ordinance No. 64. The County has a Zoning Ordinance which governs the Annexation Area (along with the rest of the County not incorporated into Cities). It should be noted that in adopting a Planning and Zoning Ordinance, 2008 changes to Minnesota Statutes § 462.357, subd. 9 require the consideration of the development controls and objectives set forth in the Plan, among others. The City and the County agree that the County will retain its zoning control over the Annexation Area until the City has adopted a new City Zoning Ordinance ("City Zoning Ordinance") as recommended in the Plan. It is the intent of the City that upon adoption of a City Zoning Ordinance, the City Zoning Ordinance will control zoning in the Annexation Area and the City.

6. Public Process. This Joint Resolution is the result of substantial work and cooperation by both the City and the County. Significant public input on the annexation was solicited in a series of public meetings and discussion sessions. A chronology for all public meetings and discussion sessions is attached hereto as Exhibit E.

7. Tax Rate. The City and the County have estimated tax consequences of the potential annexation on residents of the City and Annexation area. The estimates for various levy amounts are attached hereto as Exhibit F.

8. Municipal Reimbursement of Assessments and Debt. Pursuant to Minnesota Statutes § 414.036, the City and County agree that there will be no reimbursement from the City to the County for the Annexation Area. Further, pursuant to Minnesota Statutes § 414.036, with respect to any special assessment assigned by the County to the Annexation Area and any portion of debt incurred by the County prior to the annexation and attributable to the Annexation Area, there are no such special assessments or debt, and therefore, the City will not reimburse the County for the same.

9. Sanitary Sewer Service. The City requests, pursuant to Minnesota Statutes § 116A.01 subd. 4, and the parties mutually understand, that the Annexation Area is to continue to receive sanitary sewer service as administered by the North Koochiching County Waste Water Treatment Board and as provided through the North Koochiching Area Sanitary District. The City will continue its current service unaltered, as administered by the North Koochiching County Waster Water Treatment Board and as provided through the North Koochiching Area Sanitary District.

10. Road Maintenance. The City and the County have estimated anticipated road maintenance and construction costs resulting from this Joint Resolution. The City and the County agree that the City will contract for snow removal in the Annexation Area under separate contract.

11. Electric Utility Service. Electric utility service is currently provided by Minnesota Power in the Annexation Area. The parties understand that Minnesota Power will remain the electrical provider following the proposed annexation. The City and the County hereby waive the electric utility service notice contemplated by Minn. Stat. § 414.0325 Subd. 1a.

~~12. Public Hearing and Order. The City and the County agree that upon receipt of this Joint Resolution, passed and adopted by each party, the Chief Administrative Law Judge of the Office of Administrative Hearings, shall set a time and place for a public hearing, as contemplated by Minn. Stat. § 414.0325 subd. 2. Following this hearing, the City and County agree that the Chief Administrative Law Judge shall make an order and set forth the factors which are the basis for the Chief Administrative Law Judge's order, pursuant to Minn. Stat. § 414.0325 subd. 3.~~

~~13. 12. Adopt and Enforce Regulations. The City and County agree to enact, adopt and strictly enforce all such resolutions, ordinances, or regulations, as may be or shall be necessary to give full effect to the stipulations contained in this Joint Resolution.~~

~~14. 13. Governing Law. This Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.~~

~~15. 14. Modification/Amendment. This Joint Resolution shall not be modified, amended, or altered except upon the written joint resolution of the City and the County duly executed and adopted by the City Council and the County Board of Commissioners and filed with the Chief Administrative Law Judge of the Office of Administrative Hearings or his or her successor.~~

~~16. 15. Term. This Joint Resolution shall be in full force and effect perpetually, unless terminated by mutual written joint resolution of the City and County. This Joint Resolution shall be filed by the City with Chief Administrative Law Judge of the Office of Administrative Hearings after adoption by the parties.~~

~~17. 16. Severability. In the event that any provision of this Joint Resolution is determined and adjudged to be unconstitutional, invalid, illegal or unenforceable by a court of competent jurisdiction, the remaining provisions of this Joint Resolution shall remain in full force and effect, and the parties hereto shall negotiate in good faith and agree to such amendments or~~

modifications of or to this Joint Resolution or other appropriate actions as shall, to the maximum extent practicable in light of such determination, implement and give effect to the intentions of the parties hereto. Such actions shall include both the City and County supporting special legislation to reinstate any material provisions of this Joint Resolution which may be declared invalid by Minnesota Courts.

~~18.~~ 17. Headings and Captions. Headings and captions are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.

~~19.~~ 18. Entire Agreement. The terms, covenants, conditions and provisions of this Joint Resolution, including the present and all future exhibits and attachments, shall constitute the entire agreement between the parties hereto, superseding all prior agreements and negotiations. This Joint Resolution shall be binding upon and inure to the benefit of the respective successors and assigns of the City and the County.

~~20.~~ 19. Disputes and Remedies. The City and County agree as follows:

a. Negotiation. When a disagreement over the interpretation of any provision of this Joint Resolution shall arise, the City and the County will direct staff members to meet at least one (1) time at a mutually convenient time and place to attempt to resolve the dispute through negotiation.

b. Arbitration. When the parties to this Joint Resolution are unable to resolve disputes, claims or counterclaims, or are unable to negotiate an interpretation of any provision of this Joint Resolution, the parties may mutually agree in writing to seek relief by submitting their respective grievances to binding arbitration. Either party may seek relief through initiation of an action in a court of competent jurisdiction. In addition to the remedies provided for in this Joint Resolution and any other available remedies at law or equity, in the case of a violation, default or breach of any provision of this Joint Resolution, the non-violating, non-defaulting, or non-breaching party may bring an action for specific performance to compel the performance of this Joint Resolution in accordance with its terms.

c. Attorney's fees to prevailing party. In the event a court action is brought to enforce any of the terms of this agreement, the prevailing party, if any, shall be entitled to payment of all its court costs, including reasonable attorney's fees.

d. Jointly drafted Agreement. In the event of litigation involving this Joint Resolution, the parties shall deem this Joint Resolution to have been jointly drafted by the City and the County.

~~21.~~ 20. Notice. Any notices required under the provisions of this Joint Resolution shall be in writing and shall be deemed sufficiently given if delivered in person or sent by certified or registered mail, return receipt requested, postage prepaid, as follows:

If to the City:	City of Ranier	If to the County:	Koochiching County
	Attn: Clerk-Treasurer		Attn: Coordinator
	2099 Spruce Street		Courthouse
	P.O. Box 186		715 4 th Street
	Ranier, MN 56668		International Falls, MN 56649

~~22.~~ 21. Exhibits. The Exhibits to this Joint Resolution are the following: Exhibit A: Legal Description; Exhibit B: Map of Annexation Area; Exhibit C: Petition for annexation by property owners; Exhibit D: Ranier Community Plan; Exhibit E: Chronology; Exhibit F: Estimates for various levy amounts; and Exhibit G: Notice of Intent and Affidavit of Publication.

2010/04-52 Motion by Lepper, seconded by Hanson that due to the cancellation of the May 4, 2010 County Board meeting, to approve payment of the monthly County Board expense claims in the amount of \$11,147.62 as recommended by Administration. Voting yes: Adee, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair adjourned the meeting at 11:05 a.m.

Kevin Adee, Board Chair

Teresa Jaks, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, May 11, 2010; 10:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Mary Servis, Donna Hoffer, Bob Peterson, Doug Grindall, Carol Clauson; Reporters Laurel Beager and Sheldon Slaubaugh

2010/05-01 Motion by Pavleck, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-02 Motion by Hanson, seconded by Pavleck to approve the minutes from the April 27, 2010 regular meeting and April 29, 2010 special meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-03 Motion by McBride, seconded by Lepper to approve the employment separation of Home Health Aide LeRae Dobson effective April 30, 2010. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-04 Motion by Lepper, seconded by McBride to approve payment of the Courthouse claims in the amount of \$24,808.83 and authorize the Board Chair's signature to the April vendor payment listing verifying its review. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-05 Motion by Pavleck, seconded by Lepper to adopt the following resolution for the application of Budget FY 2011 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 2011 grant funds.

NOW, THEREFORE BE IT RESOLVED, that the Applicant's organization hereby authorizes and approves making application to the IRRRB for FY 2011 funds to assist in economic development.

BE IT FURTHER RESOLVED, that the Applicant's Board Chair and County Administration Director 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: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-06 Motion by Lepper, seconded by McBride accepting the County Assessor's recommendation to grant the following abatements: School District 363, Parcel #66-034-44000, for change to exempt status as school owned property for assessment years 2007, 2008, and 2009; Grindstone Acres, LLC, Parcel # 07-082-02013, to correct front footage from 200 feet to 150 feet for assessment year 2009; Ivan and Marcia Stewart and Allan and Susan Braaten, Parcel # 15-052-00021, to remove value for buildings that were removed for assessment years 2007, 2008 and 2009. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-07 Motion by Hanson, seconded by McBride to direct a Fence Viewing request by Brian Dreher and Joel Maggert to the County Fence Viewing Committee for determination under M.S. 344. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-08 Motion by Hanson, seconded by Lepper amending Board motion 1991/10-47 establishing prevailing wage rates for county projects based on current levels in M.S. 471.345 Uniform Municipal Contracting Law: BE IT RESOLVED that prior to the award of any Koochiching County contract for construction, the cost of which is estimated to exceed ~~\$15,000~~, \$25,000 the contractor shall agree that the contractor's employees and any subcontractor employees who fall within any job classification established and published by the Minnesota Department of Labor and Industry, shall be paid, at a minimum, the prevailing wage rates as determined by said Department, and

BE IT FURTHER RESOLVED, that any Koochiching County construction contract, the costs of which is estimated to exceed ~~\$15,000~~ \$25,000, shall contain a provision which requires the contractor to pay/forfeit to Koochiching County, as liquidated damages, five percent (5%) of the contract amount if the contractor and or subcontractor fails to comply with the prevailing wage provision of the contract as determined by the MN Department of Labor and Industry. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-09 Motion by Pavleck, seconded by Lepper authorizing the Board Chair to sign a letter of support for Rainy Lake Medical Center's Charity Care Program providing free or a reduced cost to a recipient of care at the facility if they are not able to pay fully for the services received with eligibility based on income, residency and resources. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Senior Partnership Specialist from the Regional Census Office provided the Board a census update. Starting May 1, Census workers are in the field doing follow up on non responses. They will make 6 attempts, three in person visits followed by three telephone calls. If no contact is

made with the household at this point, Census workers will attempt to seek out a neighbor or household representative to complete the survey and document as such. The Field Office is receiving calls about slips left at their homes by Census Workers verifying the name and number left by the Census workers. The Field Office is also getting calls from households getting two surveys and representatives stated that the U.S. Census Bureau has a longer survey going out to 2% of the nation's household and that if a household gets both the 10 question and longer surveys, they should complete both. July 10th is the deadline for the census survey. In overall ratings, the State of Minnesota is second at 80% return with Wisconsin first at 81%.

2010/05-10 Motion by Pavleck, seconded by McBride authorizing the Board Chair and Highway Engineer to sign the Minnesota Department of Transportation Division of State Aid – Lump Sum Turnback Fund Agreement in the amount of \$3.5 million for Former TH 332 East of TH 53. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-11 Motion by Pavleck, seconded by Lepper to award low bid to Cone Construction in the amount of \$15,282.30 for the Courthouse/Veterans Memorial Green Space and Parking Lot concrete work as recommended by the Highway Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Public Comment was called at 11:34 a.m. Court Administrator Carol Clauson informed the Board of her retirement on May 28, 2010.

2010/05-12 Motion by McBride, seconded by Lepper to adjourn the meeting at 11:36 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, May 18, 2010; 10:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Jaci Nagle, Dale Olson; Reporter Laurel Beager

2010/05-13 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-14 Motion by Pavleck, seconded by McBride to approve the minutes from the May 11, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-15 Motion by Lepper, seconded by Pavleck to approve payment of the Highway claims in the amount of \$93,393.35. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-16 Motion by Lepper, seconded by Pavleck accepting the recommendation of the County Assessor to grant abatement to Leroy Dahl, Parcel # 66-023-22100 for reduction in land value for assessment year 2009. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-17 Motion by McBride, seconded by Lepper approving the following 2010 County Budget adjustments as recommended by Administration: Reduce the 2010 Highway Budget in project expenditure and State Grant revenue by \$232,934 for unapproved DNR Grants for road projects; to increase expenditures in the 2010 Information System Budget by \$1,200 for 911 Sign supplies with an offsetting revenue increase in the General Revenue Budget for 911 sign fees. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Administration Director reviewed the Quarter 1, 2010 Budget to include a preliminary report on where the budget stands with regards to reduced tax forfeit apportionment and interest earning revenue, and further reduction in state general aid for 2010. Once the post 2010 legislative report is reviewed for the total impact on the County with regards to decreased revenue and/or increased expenditure, a review of the 2010 County Budget by the County Board will be conducted to determine where cuts can be made and fund reserve spending can be increased to balance the 2010 budget.

000 The Board reviewed the June, July and August meeting scheduled, which will reduce County Board meetings in July and August to twice a month. In reviewing the June meeting schedule, the Board was informed that the Annexation Hearings scheduled by Administrative Judge Luis for June 1, 2, and 3 were moved to a later date to allow for a required public informational meeting on the City of International Falls Annexation Petition. Because the Annexation Hearings were moved, the June 1, 2010 County Board meeting will be held. In further review of the required joint public informational meeting on the City of International Falls Annexation Petition under M.S. 414.0333, it will require the County Board to sit at the table with the City of Intl Falls as the Township Board. The County Board does not approve or disapprove the City's Petition, but merely attends the joint public informational meeting to hear public comment as a representative of the area the City is petitioning to annex. Because there is a 10 day public notice requirement, the City is looking at June 2 or June 3 to hold this meeting. The Board agreed to the date of Thursday, June 3rd at 5:30 p.m. and will be posted and noticed as required under M.S. 414.0333. Administration will complete the summer meeting schedule and distribute.

2010/05-18 Motion by Pavleck, seconded by Lepper to approve a lease agreement with North Country for a Canon Copier for the Health Department providing for a copier, printer, fax and scan machine at a monthly cost of \$264.37 (reduced cost from current Health Department's copier lease) as recommended by the Information Systems Manager. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-19 Motion by Lepper, seconded by Pavleck to renew the Mar-Kit Landfill Contract reducing the minimum tonnage disposal from 7,500 to 7,000 tons, retaining the same per ton rate of \$45 and including a termination clause with no penalties or shortage fees if and when the RECAP comes into operation as recommended by the Environmental Service Director and upon

approval of the County Attorney. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-20 Motion by Lepper, seconded by McBride to adjourn the meeting at 11:00 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, May 25, 2010; 10:00 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Murray, Kathy Howdahl, Susan Congrave, Natalie Stone, Doug Grindall; Reporter Laurel Beager

2010/05-21 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-22 Motion by Pavleck, seconded by McBride to approve the minutes from the May 18, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-23 Motion by Lepper, seconded by Hanson to approve payment of the Courthouse claims in the amount of \$69,930.33; to approve payment of the Health claims in the amount of \$17,535.32; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented; to approve payment of Burial Case #042210 in the amount of \$96.00. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-24 Motion by Lepper, seconded by McBride accepting the recommendation of the County Assessor to grant abatement to Paul and Karen Bergstrom, Parcel #15-054-00090 and #15-054-0091 for a land value reduction due to a correction in shoreline frontage for assessment year 2009. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-25 Motion by McBride, seconded by Lepper accepting the recommendation of the Insurance Committee for Life/AD&D Insurance and Short Term and Long Term Disability Insurance as follows: Effective 7/1/10 to accept Hartford as the low bid for Life/AD&D Insurance at the rate of \$1.80 for \$10,000.00 of coverage per month per employee with the first \$10,000.00 of coverage employer paid and the next \$10,000.00 of coverage paid from the Self-Funded Health Reserves. Bid also includes a Voluntary Optional Life schedule for employees wanting to purchase additional life insurance. Effective 7/1/10, accept Hartford as the low bid for the voluntary Long Term Disability (LTD) insurance and to offer a voluntary Short Term Disability (STD) insurance to employees with implementation contingent on a minimum of 10 employees enrolling; Effective 7/1/10 accept United Health as the low bid for the voluntary Dental Insurance. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

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2010/05-26 Motion by Lepper, seconded by Pavleck to approve an amendment to the July 1, 2009 through June 30, 2011 Sentence to Service Contract for an increase in the County cost share from 50% to 75% effective July 1, 2010 as a result of 2010 legislative change; further to authorize an increase in the 2010 Environmental Service Budget for \$19,000 with an offsetting increase in the Environmental Fund Reserve Spending for 2010 to cover the increased July 1, 2010 contract payment. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-27 Motion by McBride, seconded by Pavleck to approve an Emergency Management Performance Grant with the Minnesota Department of Public Safety in the amount of \$16,750.00 with a \$16,750.00 county cash and in-kind match as recommended by the Sheriff and further, to authorize the Board Chair and Sheriff to sign said Grant Agreement. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board was informed that Della Warren was hired as a County Social Worker effective May 24, 2010.

2010/05-28 Motion by Lepper, seconded by Pavleck accepting the recommendation of the Community Service Director and upon approval of the County Attorney, to renew the following contracts adjusted for the 2% state rate deduction: Big Fork Valley Hospital and Homecare Contract; Good Samaritan Home Care Contract; Healthline Home Care Contract; Ita Bel Koo DAC Contract; County Public Health Homecare Contract; ODC Waiver Contract; Olsen's Foster Care Contract, PJ's Foster and Waivered Services Contract; Segar's Foster Care Contract; Silver Bahr Retirement Ranch Contract. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The County Child Support Supervisor reported on the Federal Performance Measures for Koochiching County's Child Support Unit – paternity 108%, establishment 95%, collections 79%, arrears 82%, medical insurance ordered 89%, all ranking first to fifth in the State. The cost effectiveness measure was reported as an area still needing improvement in the Unit. However, the Community Service Director stated that improvement in this area means a reduction in federal reimbursement, thus revenue to the County Budget which ultimately will hinder services. The Board acknowledged that the child support service measures indicate outstanding work of the employees in establishing financial assistance for the children.

2010/05-29 Motion by Lepper, seconded by McBride acknowledging the minutes from the Professional Advisory Committee meeting of May 17, 2010 as recommended by the Health Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Health Director provided the County Health Department's Financial and Statistical Report for Quarter 1, 2010 and reviewed a report comparing Koochiching County's ranking to the State's ranking based on factors reported in the 2010 Minnesota County Health Rankings Study. The Health Educator reported on the utilization of the Statewide Health Improvement Plan (SHIP) funding in Koochiching County for promoting better nutrition and physical activity.

2010/05-30 Motion by Hanson, seconded by Lepper to cancel the following Highway work billings as recommended by the County Engineer: 2009 – Courthouse work for a total of \$1,669.23 and remove the Border Theater demolition for a total of \$5,038.58; 2010 – boat repair for the Sheriff \$254.28 and moving equipment for Environmental Services \$313.89. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/05-31 Motion by Hanson, seconded by Pavleck to adjourn the meeting at 11:20 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried

Kevin Adee, Board Chair

Teresa Jakska, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, June 1, 2010; 10:15 a.m.

MEMBERS PRESENT: Commissioners Lepper, McBride, Hanson, Pavleck

MEMBERS ABSENT: Commissioner Adee (Medical Appointment)

OTHERS IN ATTENDANCE: Dale Olson, Dennis Hummitzsch, Doug Grindall, Walter Leu, Bryan Anderson

2010/06-01 Motion by McBride, seconded by Pavleck to approve the agenda with additions and deletions. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

2010/06-02 Motion by Hanson, seconded by McBride to approve the minutes from the May 25, 2010 regular meeting. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

2010/06-03 Motion by McBride, seconded by Hanson to approve payment of the monthly County Board expense claims in the amount of \$10,230.16. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

2010/06-04 Motion by Pavleck, seconded by McBride adopting the following resolution to approve Federal and State Agreements for Improvement Projects at the Falls International Airport:

To accept a 2010 Federal Grant, and the concomitant State Agreement attached to that grant, when generated by their respective agencies for Airport Improvement Projects of a runway snow blower; and

To authorize 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

To authorize the Minnesota Commissioner of Transportation to act as liaison for Koochiching County in administering the grants. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

000 The County Board acknowledged notice that the NE Minnesota Home Consortium Joint Powers Agreement of which Koochiching County is a participant, will automatically extend for a successive three years (2011-2013) to allow County residents to remain eligible for HOME Program assistance. The County Board concurred with the automatic renewal of the Joint Powers Agreement.

2010/06-05 Motion by McBride, seconded by Hanson to approve a contract with S.E.H. for design of the Island View Sewer Project with a cost not to exceed \$405,000 contingent on County legal counsel and Environmental Service Director's approval of the contract. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

000 The Land Commissioner reviewed the results of the May 2010 Timber Auction – all tracts sold in the intermediate and regular auction at a total sale value of \$629,443. The Land Commissioner also reported on the timber sale value as of May 2010 in comparison to May 2009 which reports timber sales are up (dollar value indicates sale value, not actual dollars in the Trust Fund).

000 The Land Commissioner reported on the Five-County Sustainable Forest Cooperative May Audit for the Forest Stewardship Council (FSC) Certification. The audit found 1 major nonconformance which requires an action plan to be completed with a certain timeframe. In addition, there were three minor non-conformances which also require action plans but will be assessed in the next audit.

2010/06-06 Motion by Hanson, seconded by Pavleck authorizing the Highway Engineer to call for the following road project bids: CSAH 4 from Frontier to Border for bituminous surfacing and aggregate shoulders; CSAH 4 from Birchdale to 1.7 miles west for bituminous surfacing and aggregate shoulders; County Road 82 from TH 11 to .5 miles west for bituminous surfacing and aggregate shoulders; CSAH 33 from TH 71 to TH 65 for grading and aggregate base; CSAH 18 for grading approximately 3 miles of the gravel portion; CSAH 8 for centerline culvert replacements; centerline culvert replacements on certain locations of CSAH 17, CSAH 36, CSAH 30 and CSAH 31. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

000 The District 1 State Aid Engineer and ARDC Transportation Planner met with the County Board to provide the annual MnDot Project Report to include the NE Minnesota Area Transportation Partnership Program. The Board received notice that MnDot District 2 representatives could not make the meeting but a summary of the projects planned for Koochiching County was provided. A Board member questioned the change in the construction year for the portion of TH 11 from Indus to Loman, as the material provided him last week had construction in 2012 and the material provided today stated 2013. The District 1 Engineer stated he would inquire on this change as funding would not be the reason for a delay. The District 1 Engineer updated the Board on the progress of the Highway 332 Turnback Agreement and payment. He also reviewed the 10 year federal and state funding for District 1 and the measurement of funding to the condition of the principal and non- principal roads, stating that road funding after paying the bonded debt incurred, falls short for road needs. He stated that part of the reason for the funding short fall is the drop in motor vehicle sales and related tax going to the State Highway Fund. The Board thanked the representatives for the annual report and gave

special thanks to the District 1 Engineer for the support of the County's Highway 332 Turnback request.

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

2010/06-07 Motion by Pavleck, seconded by McBride to adjourn the meeting at 11:50 a.m. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jakska, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, June 8, 2010; 11:06 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Doug Grindall, Dale Olson, Julie Kennedy; Reporter Laurel Beager

2010/06-08 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/06-09 Motion by Hanson, seconded by McBride to approve the minutes from the June 1, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/06-10 Motion by Hanson, seconded by Lepper to defer a LELS Union Step 3 Grievance to the Negotiation Committee. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/06-11 Motion by Lepper, seconded by McBride to approve payment of the Courthouse claims in the amount of \$23,952.07 and authorize the Board Chair to sign the May Vendor Payment Listing verifying its review. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/06-12 Motion by Lepper, seconded by Pavleck dedicating the Environmental Trust Fund dollars to the Island View Sewer Project and authorizing Administration to transfer the funds as needed to the Island View Sewer Project Account and with the understanding that qualified pre-construction expenditures are reimbursed through final project funding and assessments. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/06-13 Motion by Hanson, seconded by McBride adopting the following resolution authorizing the conveyance of real estate formally known as the Tourist Information Center pursuant to Minnesota Statute 373.01:

WHEREAS, Koochiching County is receiving a parcel of real property located at 715 Fourth Street in International Falls, Minnesota.

WHEREAS, said real property is described as Lots 13 through 20 inclusive, Block 10, Plat of International Falls, according to the plat thereof on file and of record in the office of the County Recorder in and for Koochiching County, Minnesota. Subject to easements, restrictions and reservations of record and the rights of existing utilities, if any, as provided in Minn. Stat. Sec. 161.45, Subdivision 3. Reserving, however, all mineral rights to Koochiching County pursuant to Minn. Stat. Sec. 373.01, Subdivision 1 (5) (g).

WHEREAS, Koochiching County desires to convey said real estate to a public entity or non-profit organization that shall use a majority of the building for public purposes including to preserve the County's history to include a museum setting to preserve and display County-wide historical artifacts;

NOW, THEREFORE, pursuant to Minn. Stat. Sec. 373.01, the Koochiching County Board hereby authorizes the conveyance of said parcel of real property. That the County shall advertise for bids to acquire said real property in the official newspaper of the county for three consecutive weeks and once in a newspaper of general circulation in the area where the property is located. The notice shall state the time and place of considering the proposals, contain a legal description of the real estate and a brief description of any personal property, if any. All proposals must be received by the Koochiching County Auditor/Treasurer's Office no later than 4:00 p.m. on June 28, 2010 and shall be reviewed by the County at 8:30 a.m. on July 6, 2010 in the County Boardroom. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/06-14 Motion by McBride, seconded by Lepper accepting the recommendation of the Financial Consultant and Management Committee to finalize the debt service charge for the Jackfish Sewer System loan debt with completion of the project: To set the monthly debt service fee at \$42.00 for properties assessed as part of the original sewer system and provide a debt service charge payoff schedule to allow property owners to pay off the debt service charge if they chose; To establish a new Hookup Policy in which a property owner will pay a hookup fee to East Koochiching Sanitary Sewer District to include \$7,770 for the debt service charge (with this charge to include any deferred vacant property special assessment on record with the County Auditor) plus East Koochiching Sanitary Sewer District's charge for administration and inspection and that property owners hooking up to the system upon adoption of this policy will pay the hookup fee plus the cost of equipment and installation on their property. That East Koochiching Sanitary Sewer District will turn over all debt service collections to the County for payment of the project debt. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/06-15 Motion by McBride, seconded by Pavleck accepting the Highway Engineer's recommendation to certify the final contract work and value: Bowman Asphalt Products for SAP#36-694-08 in the amount of \$226,923.96; Bowman Asphalt Products for CP 2009-01 in the amount of \$191,435.85. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 No one was present for public comment at 11:25 a.m.

000 The Environmental Service Director informed the Board that S.E.H. Engineer Julie Kennedy was in the area reviewing the Island View Sewer Project area and was here today to update the Board on the project. The Environmental Service Director stated that the service contract with S.E.H. has been approved by both parties and will be ready for signature shortly. The Engineer reported that the Joint Powers Board has approved allocation of the \$285,000 State Bonding Bill Grant to the VNP Clean Water Project in which \$100,000 is coming to Koochiching County. A S.E.H. Contract service and payment schedule was provided to assist the County in tracking the project and for budgeting purposes. The Engineer discussed their intent to do a postcard mailing to the property owners in the project area informing them that the contractor will be in the area doing site work for the design plan and provide them an opportunity to talk with the contractor about the project. It was also agreed that a public information meeting would be set in August to start getting information out on the project.

2010/06-16 Motion by Pavleck, seconded by Lepper to adjourn the meeting at 12:00 p.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Board Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, June 15, 2010; 10:00 a.m.

MEMBERS PRESENT: Commissioners Lepper, McBride, Hanson, Pavleck

MEMBERS ABSENT: Commissioner Adee (Medical Reason)

OTHERS IN ATTENDANCE: Dennis Hummitzsch, Terry Murray, Doug Grindall, Terry Glowack, Paul Nevanen, Tim (Chopper) McBride, Steve Shermoen, Gary Johnson, Steve Howard, Lee Hervey, Dan McCarthy, Arden Barnes; Reporter Laurel Beager

2010/06-17 Motion by McBride, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

2010/06-18 Motion by Hanson, seconded by McBride to approve the minutes from the June 8, 2010 regular meeting. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

2010/06-19 Motion by Pavleck, seconded by McBride to approve payment of the Highway claims in the amount of \$73,037.56. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

2010/06-20 Motion by Hanson, seconded by Pavleck to approve a Minnesota Snowmobile Trail Assistance Program FY 2010 Capital Improvement Grant Agreement in the amount of \$19,950.00 for the Ridge Runner's Snowmobile Club for the Dinner Creek Bridge Replacement Project and authorizing the Board Chair and Auditor's signatures to said Agreement. Sponsorship by the County requires that a Club/Trail Agreement be in effect (on file in the Auditor-Treasurer's Office) and that the County is accountable to the State for expenditures charged to the State Grant-In-Aid Program but sponsorship does not require financial support or

liability for cost from the County. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

000 Commissioner Hanson stated there was nothing new on the County Census Project from the last report.

000 The Land Commissioner updated the Board on the Loman County Park Ramp and Erosion Repair Project. The project has been in planning for close to two years but has resulted in a 75% cost share for the shoreline rip rap and repair of the public access boat ramp. The Land Commissioner also informed the Board that the Department received a \$2,000 donation from the local and State Deer Hunter's Association for clover planting.

2010/06-21 Motion by Pavleck, seconded by Hanson to renew the following service contracts as recommended by the Community Service Director and upon approval of the County Attorney with no changes except for the required state rate reduction where applicable: Crabtree Senior Home Contract; Decker's Family Care Contract; Littlefork Jackpine Chateau Contract, Mattison's Foster Care Contract; REM SLS Contract; REM SILS Contract. Voting yes: Lepper, McBride, Hanson, Pavleck. Motion carried.

000 The Highway Engineer discussed the bituminous bid results for overlay of the expanded Courthouse parking lot and recommended not accepting the bids as the price is too high. Instead he recommended bidding at some later time when other projects are in the area to see if bid prices come in lower. The Highway Engineer stated that the gravel surface is very high quality and will hold up for parking lot purposes and that calcium chloride has been applied and will continue to be applied until such time as it is overlaid. To seek lower bid prices may allow consideration of overlaying the entire Courthouse parking lot which the Complex Superintendent feels is needed if funding is available. The Complex Superintendent and Board members expressed concern about winter snowplowing ruining the gravel surface and the Complex Superintendent in response to the Board wanting a border on the parking lot, stated that room has to be provided to plow and pile snow.

2010/06-22 Motion by Pavleck, seconded by McBride accepting the Highway Engineer's recommendation to not overlay the Courthouse Parking Lot at this time due to the high cost and maintain the gravel parking lot with calcium chloride as needed until acceptable bid prices are received. Voting yes: McBride, Hanson, Pavleck; voting no: Lepper. Motion carried.

000 The KEDA Director provided background on the City-County owned Foreign Trade Zone (FTZ) and stated that due to a proposal submitted to KEDA to prepare the site for development, KEDA created a subcommittee to look at the best option to prepare the FTZ site for a tenant. The bottom line as determined by the subcommittee is how to remove the rock from the site and what is the value of the rock. The proposal received from a private company offered to pay for the site development with the company retaining the rock removed from the site. However, some on the subcommittee felt the rock has value as a limited and depleting resource in the County and therefore the County and City should retain the rock. The Highway Engineer provided information on the removal cost and rock value which came as a request from the KEDA subcommittee in looking at options to clear the FTZ. A representative for the private company

stated that the proposal provides the County and City a means to prepare the FTZ site for a tenant at no cost to them and with a lease/royalty coming back to KEDA. In discussion on clearing and grubbing the site, the Highway Engineer's cost estimate would have the cost of clearing and grubbing equal to the value of the timber taken from the site. With regards to the value of the rock, the company representative stated the rock only has a value if there is a buyer. In addition, the proposal would employ local workers for one full year and includes an incentive in which the company would act as a buffer to seek private development at the FTZ. In response to the question, the company representative stated that the proposal provides a profit to the company but in exchange, provides the City and County a developed site and support in seeking a developer. Though details still need to be worked out, the company representative stated the proposal would not interfere with KEDA's own efforts to find a developer for the site. County Board members serving on the KEDA Board stated that the options, in addition to considering the proposal, come down to seeking bids for the site development or having the City/County do the site development themselves with all options considering who retains the rock. KEDA agreed that the issue needed to go back to the City and County as properties owners to decide the direction. A representative from the City stated that the City wants to move as fast as possible to develop the FTZ and would look at the best but fastest option to get there. In addition, they are researching to find out if the City can expend their EDA funds outside their City limits to consider the options of the County and City doing the work or bidding for the site development. The Board Chair stated that the County Board is supportive of developing the site but how it is done must be carefully considered and done within the public's best interest. The Board Chair requested a site map and a lay out of options and costs for further review of the matter by the County Board.

000 Representatives from Paul Bunyan Telephone met with the Board at their request, to provide information as to the Company's services to Koochiching County as a result of public inquires made as to their recent activities in the area. The company began as a typical telephone service but over the years branched out as technology became available. In the beginning, they were only the incumbent local exchange for the Northome area but today, are also a competitive telephone company offering telephone, data and television services. The Company picked up the Blackduck Telephone Company which serviced the Kabetogama area. In 2009, the Company installed broadband cable into Big Falls, Littlefork and the International Falls area and recently ran cable into the Ash River area. This year they are running cable to the Indus School and from Cousin to Cook to tie their network in Colleraine. With this tie, the Company will have a circular network so if there is ever a cut in a line, the system can be rerouted so there is no disruption of service. They also plan to connect to Duluth where they will lease services and reduce cost. Board members welcomed the broadband enhancement for the County but would like the Company to consider the rural areas that are not or will not be connected because they are not part of a bigger plan and questioned whether federal stimulus dollars could be utilized to get broadband to these areas. Company representatives understand the need to bring technology into the rural areas and work towards this goal. In the end, however, the Company determines where services go based on cost and revenues. Single dwellings can be serviced if there are other customers in the area to help reduce the cost. They are a cooperative so have flexibility in their decision making but have to make decisions based on the overall impact to the customers they serve. With regards to the federal stimulus dollars, the funding is limited to isolated areas but if there is already broadband in the area, the federal stimulus dollars do not apply. With

regards to the inquiry made on servicing the area from Junction 11/71 to Birchdale, the Company representatives suggested a call to them with information on what is in this area so they can look at it. Generally if there is a ring of 15 to 20 people, they would look at service options. In response to the public question, the representatives stated that they are not a cell phone provider but are a vender for cell phone companies for network services.

000 The Board Chair called for public comment at 12:00 p.m. Dan McCarthy stated that bids should be sought for the FTZ site preparation and informed the Board of his application to the At- Large position on the KEDA Board. Arden Barnes stated that the County needs to be in control of the rock at the FTZ, questioning if the private developer will use the rock for the City's Riverfront Project as she is aware of the amount of rock Fort Frances used for their riverfront development.

000 The Board Chair adjourned the meeting at 12:10 p.m.

Charles Lepper, Board Vice Chair

Teresa Jaksa, Administration Director

KOOCHICHING COUNTY BOARD OF EQUALIZATION
Opening Session 2010 – Tuesday, June 15, 2010; 1:45 p.m.

MEMBERS PRESENT: Commissioners Lepper, McBride, Hanson, Pavleck; Auditor/Treasurer Bob Peterson

MEMBERS ABSENT: Commissioner Adee (Medical Reasons)

COUNTY STAFF ATTENDING: County Assessor, Administration Director

OTHERS ATTENDING: Etta Erickson, Don Carey

Oaths of Office were conducted for members of the County Board of Equalization. The County Board Vice Chairman opened the Board of Equalization (BOE) session to review 2010 property valuation and classification for taxes payable in 2011. The Assessor had the Board members complete the BOE Certification Form required by the State. Following he provided a report showing the County's valuation ratios to the State's required threshold of being within 90 to 105% of sale value. The report provided a five year history and depicted where valuation adjustments are needed in the different areas of the County (counties are required to review the valuation of the county every five years). In response to a Board member's inquiry, the Assessor stated that the property classification rates historically gave certain properties credit over others by the percent that was assigned to the rate (set by the State). Today, however, the percents applied to the property classification rates are all about the same and the property owner is encouraged to seek breaks through State programs such as Green Acres, Sustainable Forest and tax rebates. This change also affects the department operations as it requires staff to stay in the office to administer these programs rather than being in the field appraising. The Assessor stated that \$5.6 million was picked up in new construction for 2010, which is down from previous

years. In response to the question, part of the border custom facility construction is in this figure with the balance to be picked up next year when the facility is completed.

The Board Chair called for appointments:

Etta Erickson - Parcel #78-006-41000 and 78-006-44000: She referenced a 29 acre parcel and a 40 acre parcel and was concerned that because these two parcels are separated in the tax system from her other farm property, they may be valued differently. In addition, she stated concern with the 306% increase for the 40 acre parcel. The Assessor in reviewing Ms. Erickson's property stated that the overall value of the entire farm property decreased. Ms. Erickson acknowledged this but still questioned the reason for the increase on the one single parcel. Ms. Erickson also provided a copy of a letter from the US Fish and Wildlife in which a 4 acre Conservation Easement is established on the 29 acre parcel. In discussion of a conservation easement, the Assessor stated that the property owner owns the property under the easement and pays taxes on it but use of the property is restricted under the terms of the conservation easement. The Assessor was not aware of the Conservation Easement on this property and will further consider the land valuation due to the restricted use. In further review of the 29 acre parcel, the Assessor stated there is a trailer on the property valued at \$13,900 and a land value of \$27,200. Ms. Erickson disputed the value of the trailer stating it was overvalued. Ms. Erickson provided her TINT statement in review of the 40 acre parcel that increased 306%. It was determined that the increase she was speaking to was an increase in taxes, not valuation. In explaining the reasons why the tax increased on this parcel, the Auditor/Treasurer stated that most likely the agricultural credit was dropped from this parcel and explained how the process worked. In summary, valuations are increasing but the State Ag credit formula has not so every year as valuation increases, less land receives credit. The Assessor also recommended that she fill out the form in the Auditor/Treasurer Department to have these two parcels combined in the tax system since they are adjoining. The Assessor stated he would send an appraiser to the property on Friday and call the property owner to let them know when.

With no other appointments, the Assessor provided two written appeals to the Board.

1. Sherley Merklng for her 363.92 acres: She is on a retirement income and disputing the increase in the estimated market value. She submitted a formal written appeal as she is out of state and could not attend the meeting. The Assessor took another look at the property through aerial and topography data and supports their assessment being in line with the other property and valuation in the area. He does not recommend any change. Board concurred.
2. Don Carey submitted a written appeal for the valuation on his tree farm property but has now scheduled an appointment to provide his appeal orally at the June 22 BOE.

The Board Chair recessed the BOE meeting at 3:00 p.m. and will reconvene the session on June 22, 2010 at 6:00 p.m. to continue appointments with intent to conclude the 2010 BOE business.

Charles Lepper, Board Chair

Teresa Jaksa, Administration Director

KOOCHICHING COUNTY BOARD OF EQUALIZATION
Reconvened 2010 Session – Tuesday, June 22, 2010; 6:00 p.m.

MEMBERS PRESENT: Commissioners Lepper, McBride, Hanson; Auditor/Treasurer Bob Peterson

MEMBERS ABSENT: Commissioners Adee and Pavleck (Medical Reasons)

COUNTY STAFF ATTENDING: County Assessor, Appraiser, Administration Director

OTHERS ATTENDING: Debbie Bowman, Mark Pressler

000 The Board Chair reconvened the 2010 County Board of Equalization at 6:00 p.m.

Appointments:

Debbie Bowman: 80 Acre Parcel – 78-007-41000. She stated concern with the increase of valuation from \$41,500 to \$54,300 for rural property with no building. She stated that they have been unsuccessful in getting the permit to use the land for a quarry operation, and she does not understand how the valuation can just increase when nothing has changed with the property and they can't use it for what they want. The Assessor stated that the whole area was reassessed based on 2008 and 2009 sales from that area and that this property has a number of acres of high land. In addition, this 80 acre parcel was purchased at the price of \$95,000. Ms. Bowman stated that property is not selling as a result of the falling economy but the Assessor stated that even though sales have slowed, prices are not dropping. Assessor stated that use isn't the issue but valuation and this property has been valued equally to the other property in the area. Auditor/Treasurer stated that if the Assessor doesn't comply, the State will come in and make the adjustments, referencing that every year in July a letter comes from the State with required property valuation adjustments based on the valuation requirement of being between 90 and 105% of the area sales. Assessor stated that their assessment is justified and recommends no change. Board concurred.

Mark Pressler: Relating to part of his property - Lots 9, 10, 11, 12 Lynx Island (waterfront property). He feels the property is overvalued based on what he paid for the lots in 2004 and that he has made no improvements to the property except to dredge a channel for boat access. Per the County Appraiser who conducted the lake area assessments, the valuation on this property has not changed for two years so if there was an increase in tax; it was not a result of a valuation change. The property owner acknowledged that the valuation hadn't change from two years ago and stated he should have been in sooner to address his concerns. The Appraiser stated that consideration was given for waterfront consisting mostly of cattails so a lower valuation rate was applied. The property in review has 800 feet, the first 200 was put on at \$390 per foot and the rest at \$120 per foot. Lake property sales in the area justify the valuation rate formula applied and his property is being assessed at a reduced rate from property with open water. Mr. Pressler stated that nothing has sold in this area for the last year but Appraiser stated that 2 years ago

there were many sales on Lynx Island. Mr. Pressler questioned if these sales (open water) are a fair comparison for his property. The Appraiser stated that if there was not access to the property they would have viewed the property differently but the fact that there is a water channel to the property makes it accessible waterfront property. The Appraiser stated that if there is a sale to justify a different set of valuation criteria for the property, they would take another look. The Assessor recommended no change. Board concurred.

Nick Van Dyke: Made an appointment but cancelled as his concern was handled in the County Assessor's Office. The Assessor in reviewing the property found the building valuation was high as the building was not in good shape. Overall reduction from \$72,200 to \$42,000.

Don Carey: Made an appointment but had to cancel. He submitted a second letter with his appeal on the valuation assessed to his tree farm property. The Assessor stated that based on the written letter submitted at the last meeting, he had an appraiser conduct a site visit. The Appraiser recommended reduction of land value for two parcels due to low land. Assessor supports the recommendation. Board concurred. In reference to a comment made in the written appeal, the Assessor stated that there is no longer a State Property Class Rate for timber property; it has been renamed by the State but the percent assigned to it remains the same.

Etta Erickson Property – Follow up from last meeting: An appraiser did go to the property and reviewed the mobile home. The valuation was reduced from \$13,900 to \$8,500. The acreage under the conservation easement was also reviewed, 2.229 acres, and the land value was reduced from \$27,200 to \$25,900. Total valuation reduction \$41,100 to \$34,400.

Kootasca (CAP Agency) Owned Property: Assessor was notified that Kootasca had a home returned to them and that a rock has come through the floor as a result of this old structure (1959) settling. Kootasca stated that under their program, they can not take the home down. Assessor reduced the building value to \$12,000.

Big Falls Church: The Assessor reviewed an old Church structure in the City of Big Falls which is not insulated, heated – just a shell and should be taken down. He reduced the value to \$500.

With no further business or property owners in attendance for a review, the Assessor reviewed his recommended changes.

BOE2010/06-01 Motion by Peterson, seconded by McBride accepting the following Assessor recommendations for 2010 valuation adjustments: Voting yes: Lepper, McBride, Hanson, Peterson. Motion carried.

<u>Parcel #</u>	<u>Change:</u>	<u>Reason:</u>
78-006-41000	MV -\$ 6,700	Trailer/Land Revalued;
63-012-32000	MV -\$ 2,700	Land Revalued;
63-012-24000	MV - \$ 3,500	Land Revalued;
15-066-02020	MV - \$ 30,200	Building Revalued;
92-124-02020	MV - \$ 25,300	Building Revalued;

91-012-13010 MV - \$ 15,400 Building Revalued

BOE2010/06-02 Motion by Hanson, seconded by Peterson to adjourn and close the 2010 County Board of Equalization at 7:25 p.m. Voting yes: Lepper, McBride, Hanson, Peterson. Motion carried.

Charles Lepper, Board Chair

Teresa Jakska, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, June 22, 2010; 3:00 p.m.

MEMBERS PRESENT: Commissioners Lepper, McBride, Hanson
MEMBERS ABSENT: Commissioners Adee, Pavleck (Medical Reasons)
OTHERS IN ATTENDANCE: Bob Peterson, Terry Murray, Doug Grindall, Dale Olson, Dave Serrano, Richard Lord, Jenny Dougherty, Arden Barnes, Matt Gouin; Reporter Laurel Beager

2010/06-23 Motion by McBride, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-24 Motion by Hanson, seconded by McBride to approve the minutes from the June 15 2010 regular meeting. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-25 Motion by McBride, seconded by Hanson to approve payment of the Courthouse claims in the amount of \$46,523.37; to approve payment of the Health claims in the amount of \$16,749.10; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-26 Motion by Hanson, seconded by McBride to approve a Payroll and Benefit Administration Service Agreement between the County and the State Ninth Judicial District as recommended by Administration. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-27 Motion by McBride, seconded by Hanson to table the City of International Falls request to waive rent for the storage of the Command Center at the County Armory Facility to the July 13, 2010 County Board meeting due to lack of Board members and to request attendance of a City representative and Sheriff at the meeting. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-28 Motion by Hanson, seconded by McBride to approve a 2010 Federal Boating Safety Enforcement Supplemental Grant Agreement in the amount of \$24,939 with no County match and on a reimbursement basis for the purchase of a pontoon boat, buoys and GPS equipment as recommended by the Sheriff; further to authorize the Board Chair, Administration

Director and Sheriff to execute the Grant Agreement on behalf of the County. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-29 Motion by McBride, seconded by Hanson to approve the employment separation of Assistant Highway Engineer Michael Malachi effective July 1, 2010. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-30 Motion by McBride, seconded by Hanson to approve the temporary hire of Donald Zaren in the Environmental Service Department for work at the Transfer Station. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-31 Motion by Hanson, seconded by McBride to approve the temporary hire of Elissa Green in the Auditor/Treasurer Department to assist with the 2010 election. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-32 Motion by Hanson, seconded by McBride adopting the following resolution authorizing a County Absentee Ballot Board:

WHEREAS, Koochiching County is permitted by Minnesota Statute 203B.13, Subd.1 to authorize a County Absentee Ballot Board; and

WHEREAS, this authorization will bring uniformity in the processing of accepting or rejecting returned absentee ballots to Koochiching County Auditor that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22; and

WHEREAS, this will eliminate the need for election judges to perform this technical and time consuming task on election day wherein the county absentee ballot board can begin this process 30 days prior to an election; and

WHEREAS, this will speed the processing of accepted absentee ballots delivered to the precincts to be incorporated into the vote counts on election day; giving election judges more available time for the voters at the polls; and

THEREFORE, BE IT RESOLVED THAT, the Koochiching County Board of Commissioners hereby authorizes the Koochiching County Auditor to implement a County Absentee Ballot Board that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 to perform the task. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-33 Motion by Hanson, seconded by McBride to renew the following service agreements with no change as recommended by the Community Service Director and upon approval of the County Attorney: Lutheran Social Service SLS Agreement; NEMOJT Supported Work Grant Agreement; Rainy River Waivered Services Agreement, Rainy River Waivered Services MR/RC Agreement. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-34 Motion by Hanson, seconded by McBride accepting the recommendation of the County Engineer to certify work and final value for the following projects: SAP 36-600-11

(maintenance graveling of County Road 119) with work performed by the County Highway Department in the amount of \$46,252.08; SAP 36-600-10 (maintenance graveling of County Road 73) with work performed by the County Highway Department in the amount of \$40,779.76. Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-35 Motion by Hanson, seconded by McBride authorizing the County Engineer to attend the National LTAP Conference from July 12 through the 16th in Oklahoma City. Voting yes: Lepper, McBride, Hanson. Motion carried.

000 The Environmental Service Director provided the recommendation from the Planning Commission to deny the rezoning and conditional use application of Richard Lord to allow the home to be rented out as a lodging facility for a short term basis. Knowing there was going to be a shortage of Board members today, the Director contacted the applicant to request he sign an extension of the 60 day timeline for consideration of his application so the matter could be considered by the County Board on July 13 but he did not want the matter delayed. Without the timeline extension, the County Board would need to act today because the original 60 day deadline expires on July 9, prior to the next scheduled Board meeting. The issues of concern for the Planning Commission was control as there is no set standards as to which applications should be approved or not approved based on property and area conditions as well as tracking the length of time it is rented. In addition, this request requires spot zoning. A member of the public stated that this particular property is secluded and would not impact neighbors. At the time of original discussion and Board action, the applicant was not present. However, after the County Board first voted on the matter, the applicant was in attendance.

2010/06-36 Motion by McBride, seconded by Hanson accepting the recommendation of the Planning Commission to deny REZ1001 and CUP1001 for Richard Lord for an island parcel on Rainy Lake accessed off County Road 94. Voting yes: McBride, Hanson; voting no: Lepper. Motion carried.

2010/06-37 Motion by Hanson, seconded by McBride to reconsider Motion 2010/06-36 due to additional information to be received with the presence of the applicant. Voting to reconsider: Lepper, McBride, Hanson. Motion carried.

000 The Applicant stated that the property is secluded and the neighbors are not opposed to his request. That opposition to his application seems to be coming from the Morrison Point area, which is 600 feet away. He desires to rent the property three to five weeks a year and he would be willing to provide rental statements to the County as a means to track the length of activity. A concern stated on his application is an increase in traffic however, he sees the rental activity on the property being no different than the amount of traffic a residing family would have on the property. Another concern was with the RR-1 zoning change, he would be able to sell the property off as a resort but this could not occur as the required setbacks would prohibit construction of a lodging facility on this property. He feels his situation is unique and should be approved. A member of the public stated that the applicant has followed all the rules with complying with lodging tax rules and that there is a shortage of cabin/lodging facilities on the lake and this development should be supported. Most people visiting Rainy Lake, return and some as permanent residents. Another member of the public stated that the issue is setting a

precedent so that not every facility on the water becomes a lodging facility. Board members asked the applicant if he would be willing to sign a timeline extension as they would prefer not to act on it today due to the lack of Board members. The applicant agreed to the extension and submitted a signed extension agreement to the Environmental Service Director.

2010/06-38 Motion by Hanson, seconded by McBride to rescind Board Motion 2010/06-36.
Voting yes: Lepper, McBride, Hanson. Motion carried.

2010/06-39 Motion by Hanson, seconded by McBride that upon receipt of the 60 Day Timeline Extension Agreement from Richard Lord on his Rezoning and Conditional Use Permit Application, to reschedule action on the Application to a future County Board meeting within the extended 60 day period. Voting yes: Lepper, McBride, Hanson. Motion carried.

000 The Environmental Service Director provided the Board a fee schedule for the data obtained from the fly over of the Island View Sewer Project area due to a request for the contour data. The County's cost to obtain this data was \$44,600. A member of the public stated that the data was paid by taxpayer dollars and therefore should not have an additional charge for those wanting the data. Based on the cost of the data proposed in the fee schedule, he felt developers would not obtain the data even though the data will result in better development. In response to the question, contour data is used for plotting building sites and also for architectural purposes. County staff recommended the proposed fee schedule for the data.

2010/06-40 Motion by McBride, seconded by Hanson to approve the Island View and Jackfish Bay Sewer Project Flight Data Fee Schedule at \$200 per parcel and \$30 per acre as recommended by the Environmental Service Department and County Surveying Department.
Voting yes: Lepper, McBride, Hanson. Motion carried.

000 The Board Chair called for public comment at 4:10 p.m. Arden Barnes inquired on the benefits of a three or five week lodging operation.

2010/06-41 Motion by McBride, seconded by Hanson to adjourn the meeting at 4:15 p.m.
Voting yes: Lepper, McBride, Hanson. Motion carried

Charles Lepper, Board Vice Chair

Teresa Jaks, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, July 13, 2010; 10:07 a.m.

MEMBERS PRESENT: Commissioners Lepper, Pavleck, McBride, Hanson (present at 10:30 a.m. – attending funeral)

MEMBERS ABSENT: Commissioners Ade (Medical Reasons)

OTHERS IN ATTENDANCE: Kathy Sikkila, Jaci Nagle, Dennis Humitzsch, Brian Jesperson, George Gray, Brian Youso, Mike Musich, Dale Olson, Mr. and Mrs. Carl Bowman, Bruce

Sampson, Mr. and Mrs. Gerald Olson, Arlene Fish, Linda Lafky, Arden Barnes; Reporters Laurel Beager and Sheldon Slaubaugh

2010/07-01 Motion by McBride, seconded by Pavleck to approve the agenda with additions and deletions. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

2010/07-02 Motion by McBride, seconded by Pavleck to approve the minutes from the June 22 2010 regular meeting and to approve the minutes from the 2010 County Board of Equalization meetings of June 15 and 22, 2010. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

2010/07-03 Motion by Pavleck, seconded by McBride to approve the employment separation of Assessor Marty Cody effective August 1, 2010. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

2010/07-04 Motion by Pavleck, seconded by McBride to approve payment of the Courthouse claims in the amount of \$68,695.23; to ratify payment of the monthly County Board expense claims in the amount of \$7,330.90; to approve payment of the second half 2010 County Budget allocations with a 5% holdback on certain budget allocations to be determined at a later date as recommended by the Administration Director; to authorize the County Board's signature on the June Vendor Payment Listing verifying its review. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

2010/07-05 Motion by McBride, seconded by Pavleck that under MN Statute 373.01 to accept the low and only bid received from the Koochiching County Historical Society for \$1.00 for conveyance of the Tourist Information Center and its property for County historical purposes when the property is transferred to the County from MNDot at no fee. Voting yes: Pavleck, McBride; voting no: Lepper; absent: Hanson. Motion carried.

2010/07-06 Motion by McBride, seconded by Pavleck accepting the recommendation of the County Engineer to accept low bid from Knife River Materials for road projects SAP 36-604-06 in the amount of \$184,912.30, SAP 36-604-07 in the amount of \$428,432.80 and CP 2010-01 in the amount of \$53,473.46. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

2010/07-07 Motion by McBride, seconded by Pavleck accepting the recommendation of the Auditor/Treasurer for appointment of the election judges for the 2010 Primary and General Elections as presented and filed in the Auditor/Treasurer Office. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

000 Due to the VFW no longer being able to provide for veterans transportation to V.A. Medical Facilities in St. Paul and the Twin Ports, the County was asked to provide the service with the intent of the service to be supported by grant funding available to the County VSO and other financial contributions. The VSO reported that grants amounting to \$11,150 have been secured for the purchase of the transportation van and that a two year transportation grant will be applied for in July when the V.A. grant cycle opens. The County would own the van and trained drivers

from the VFW would continue to do the transport. The VFW in Littlefork has indicated a commitment to pay for the cell phone service for the transportation. Operation of the service will be managed under the County Vehicle and Temporary Hire Policies. The VSO and Administration Director will establish the final plan for County Board approval but at this time were looking to the County Board for conceptual support so planning can continue. The County Board stated their conceptual support to continue forward on the plan for the County to provide transportation of veterans with no other means of transportation to the St. Paul and Twin Ports V.A. medical facilities.

2010/07-08 Motion by Pavleck, seconded by McBride to authorize expenditure up to \$1,900 from the 2010 Land and Forestry Budget for needed replacement of the Laptop Computer for the Department as recommended by the I.S. Manager. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

2010/07-09 Motion by Pavleck, seconded by McBride to authorize expenditure up to \$4,100 for the purchase of 9 ArcView Software upgrades for the Land and Forestry Department as a part of the County GIS System Planning with funding from the 2010 IS/GIS Budget as recommended by the I.S. Manager. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

2010/07-10 Motion by McBride, seconded by Pavleck to approve the Koochiching County Highway Department's acquisition of Tax Forfeited Land for right of way purposes for S.P. 36-633-02 of .1 acre at \$100 and S.P. 36-630-01 of .05 acre at \$50.00 as requested by the County Engineer and recommended by the Land Commissioner. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

000 The Land Commissioner informed the Board that at the last meeting of the Advisory Committee, the final draft of the County Tax Forfeited Land/Forestry Management Plan was produced and will be provided to the County Board at an August meeting to plan for public review of the document.

2010/07-11 Motion by Pavleck, seconded by McBride to approve a Grant Agreement with the Minnesota Public Safety Division in the amount of \$17,963.93 to acquire and install 800 MHz trunked radios (control stations) to allow regional communication for emergency purposes with no county match requirement as recommended by the Sheriff; further authorizing the Sheriff and County Board Chair's signatures to said Agreement. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

000 The City of International Falls submitted a request for the County to waive rent for storage of their mobile command center at the County Armory Building based on the vehicle being available for county-wide emergency response purposes. The Board agreed to temporarily waive the rent charge and will further look at the request in the 2011 Budget session after reviewing the County's cost to provide for the heated storage facility and the long term use of the facility by the County.

2010/07-12 Motion by Pavleck, seconded by McBride to waive the rent charged to the City of International Falls for storage of the Mobile Command Center at the County Armory Facility for

the remainder of 2010 with the matter to be reviewed in the 2011 County Budget session for final determination. Voting yes: Lepper, Pavleck, McBride; absent: Hanson. Motion carried.

2010/07-13 Motion by Pavleck, seconded by McBride Whereas, during the Ranier/County Orderly Annexation and International Falls Annexation Petition Hearings, the matter of sanitary sewer service was raised for the area proposed to be annexed to the City of Ranier; Whereas the Orderly Annexation Resolution adopted by the County Board on July 28, 2009 incorrectly reflected that the County and City of Ranier intended that administration of the sanitary sewer in the annexation area would be shifted from East Koochiching Sanitary Sewer District to the North Koochiching Sanitary Sewer District; Whereas the North Koochiching Sanitary Sewer District formed under special legislation services the collection and disposal of effluent for the International Falls, Ranier and the East Koochiching Sanitary Sewer District (as formed under M.S. 116A by the County Board) sanitary sewer systems; Whereas the aforementioned Cities and the East Koochiching Sanitary Sewer District are responsible for administration of the sanitary sewer system within their jurisdiction; Whereas a Memorandum of Understanding was established between the City of Ranier and the East Koochiching Sanitary Sewer District in planning for the annexation, in which East Koochiching Sanitary Sewer District would continue to administer the sanitary sewer in the annexed area and North Koochiching Sanitary Sewer District would continue to accept and treat the effluent, in summary service would remain status quo. Be it resolved that the Koochiching County Board affirms the Memorandum of Understanding between the City of Ranier and the East Koochiching Sanitary Sewer District to correctly state the County's understanding and intentions for provision of sanitary sewer service in the annexed area under the Orderly Annexation Resolution adopted by the County Board on July 28, 2009. Voting yes: Lepper, Pavleck, McBride; absent for vote: Hanson. Motion carried.

2010/07-14 Motion by McBride, seconded by Pavleck to approve an Operation Stonegarden 2009 Grant Agreement with Homeland Security Emergency Management in the amount of \$144,395.00 to involve operational support of border security by the county and municipal law enforcement agencies through funding under an operation period of 04/30/10 through 03/31/12 as recommended by the County Sheriff; further to authorize the Sheriff and Board Chair's signatures to said Agreement. Voting yes: Lepper, Pavleck, McBride, Hanson. Motion carried.

2010/07-15 Motion by Pavleck, seconded by Hanson authorizing Board members' attendance to the July 26, 2010 AMC Payment in Lieu of Taxes (PILT) Work Group meeting in St. Cloud, MN for identifying ways to ensure PILT has a sustainable future due to state fiscal and political challenges to change the program. Voting yes: Lepper, Pavleck, McBride, Hanson. Motion carried.

000 The Environmental Service Director presented the Planning Commission's recommendation to approve Bowman Construction's Application for Rezoning and a Conditional Use Permit for the operation of a rock quarry in the Clementsen area on land described as the N ½ of the SE ¼, Section 7, Township 160, Range 29. The Director stated that this request has been to the Planning Commission three times and supported each time based on determination of suitable use of the property under the County Zoning Ordinance. An email from the U.S. Fish and Wildlife Service was reviewed stating that neighboring property owners believe there is a foraging area for bald eagles that will be impacted by this quarry operation and asked the

applicant to work in close coordination with their division to ensure compliance with the Eagle Protection and Migratory Bird Treaty Acts. The applicant provided a map depicting the property owners around their proposed quarry site that are in support of their operation. They also stated that the asphalt and concrete plant operation proposed in prior applications has been dropped and are now looking to operate just the rock quarry operation and have limited depth to 20 feet below ground. They stated that the Company operates other quarries and they have received no complaints from neighboring properties. Commissioner Hanson representing this area stated that some of the property owners from this area could not make the meeting today. A member of the Planning Commission stated that the Commission's responsibility is to determine if the land use request is a suitable use under the County Zoning Ordinance and that the conditions placed in the Permits are based on concerns heard by the Commission. In response to the question of whether the Planning Commission conducted a site visit, the response was that the Commission does not conduct site visits. Commissioner Hanson stated that property owners in the area are opposed to the operation and he can't force this on them even if the quarry is needed. Commissioner McBride inquired on the long term use of the quarry with the Applicant stating an estimated 5 years contingent on demand for the resource. The Zoning Technician in reference to the property being within the State SFIA Program and therefore having restricted use should have been a consideration of the Planning Commission in their decision to approve the quarry application. Several property owners from the area presented their opposition to the quarry operation and one property owner stated support for the operation. The Director stated that in regards to the State SFIA Program placing restrictions on this property, the matter was reviewed by the County Attorney and determined that actions by the Planning Commission on the quarry operation application under the County Zoning Ordinance was separate from a SFIA covenant between the property owner and the State for use of the property. The Director reviewed the conditions in the Conditional Use Permit recommended by the Planning Commission and recommended adding the stipulation prohibiting blacktop and concrete plants and to change the ¼ mile condition for the pre-blast survey and notification to ½ mile. The Director also recommended the \$200 application fee be returned to the applicant if the request is denied for the third time. In response to an inquiry on the SFIA restrictions, the Applicant stated that they have already petitioned the State to remove the property from the SFIA Program which is a four year process and further, stated that from review with other property owners having land in this program it is not uncommon to have rock/gravel removal on the property.

2010/07-16 Motion by Pavleck, seconded by McBride to accept the recommendation of the Planning Commission to approve Rezoning and a Conditional Use Permit (REZ1002 and CUP1002) to Bowman Construction for a Rock Blasting and Crushing Quarry Operation on property described as the N ½ of the SE ¼, Section 7, Township 160, Range 29 with adding the stipulations to the CUP prohibiting blacktop and concrete plants and to change the ¼ mile condition for the pre-blast survey and notification to ½ mile as recommended by the Environmental Service Director; further, that the County Board's approval of the Rezoning and CUP for said Property is conditional on the property owner meeting the State's requirements under the SFIA Program for operation of the quarry and to follow up with the U.S. Fish and Wildlife Service due to the issue raised on potential foraging of bald eagles in this area. Voting yes: Lepper, Pavleck, McBride; voting no: Hanson. Motion carried.

000 The Board Chair called for public comment at 12:00 p.m. Arden Barnes in response to the Planning Commission not conducting site visits, felt this should be done as the Commission recommends land use changes that can negatively affect other property. Dan McCarthy stated support for the quarry operation if the resource is needed as it keeps cost down and provides gravel resource for the County.

000 The Board Chair recessed the meeting to allow Administration to review previous actions taken by the County Board on RECAP Agreements due to a request from the July 13, 2010 KDA Board Meeting to have the County Board approve revised Coronal and Westinghouse Service Agreements. The Board Chair reconvened the meeting at 4:05 p.m. following the committee of the whole session.

2010/07-17 Motion by McBride, seconded by Hanson that upon review and recommendation of the County Attorney and Administration Director, to approve the First Amendment to AIA Consulting Contract dated December 12, 2006 with Coronal and the revised Westinghouse Plasma Corporation Contract, both approved by the KDA Board and as recommended by KDA Legal Counsel and Project Managers. Voting yes: Lepper, Pavleck, McBride, Hanson. Motion carried.

2010/07-18 Motion by Hanson, seconded by McBride to adjourn the meeting at 4:10 p.m. Voting yes: Lepper, Pavleck, McBride, Hanson. Motion carried

Charles Lepper, Board Vice Chair

Teresa Jakska, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, July 27, 2010; 10:00 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Gene Andrusco, Brian Youso, Terry Murray, Dale Olson, Justin Berg, Arden Barnes, LeeAnn Meer, Doug Grindall, Adam Aili, Attorney Jay Squires via telephone; Reporter Laurel Beager

2010/07-19 Motion by Pavleck, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-20 Motion by Lepper, seconded by McBride to approve the minutes from the July 13 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-21 Motion by Hanson, seconded by Lepper approving the extension of the temporary secretary hire in the County Attorney's Office until the new County Attorney has the opportunity to fill the permanent secretary position for his Office under the County Hiring Policy as recommended by the County Attorney and Administration Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-22 Motion by Lepper, seconded by McBride to approve payment of the Courthouse claims in the amount of \$33,762.85; to approve payment of the Highway claims in the amount of \$89,345.76; to approve payment of the Health claims in the amount of \$19,230.89; 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 Claim #148954 in the amount of \$1,765.83. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-23 Motion by McBride, seconded by Hanson accepting the recommendation of the Assessor to grant abatement to Elnor Walker, Parcel #15-054-00092, for correction of shoreline frontage for assessment year 2009. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-24 Motion by Hanson, seconded by McBride authorizing Board members to attend the Veteran Stand Down planning session and event as a County Board activity at the request of the VFW and MACV for County Board representation. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Mr. Andrusco presented a request to the County Board to affirm his understanding of Board Motion 94/08-37 that the entire Silver Avenue in the Plat of Goldville was vacated and which he has property adjoining a portion of Silver Avenue. The basis of his request is in his reading of the 1994 minutes and what he believes is supported by county records for the past 16 years. In previous review with Mr. Andrusco and now presented to the County Board, the Administration Director stated that the county records clearly support the approved road vacation request of Mr. Rundell back in 1994 was only a portion of Silver Avenue. The documentation supporting Administration's position are Mr. Rundell's application and map, the public hearing notice describing only the portion of the road proposed for vacation and the Notice of Vacation Completion that was recorded as the official record of the road vacation. Administration Director stated that the Road Vacation Policy needs to be followed for vacation of any of the remaining portion of Silver Avenue to ensure the County and public review of the proposed road vacation is conducted. With regard to the vacation fee, the current policy sets a \$500 vacation fee which was set to cover time and cost of processing each road vacation application, regardless if approved or not. Administration finds no justification based on the 1994 vacation of a portion of Silver Avenue to support any special consideration to Mr. Andrusco to waive policy to vacate the remaining portion of Silver Avenue.

2010/07-25 Motion by Pavleck, seconded by Lepper accepting the recommendation of the Administration Director affirming Board Motion 94/08-37 vacating a portion of Silver Avenue in the Plat of Goldville, lying South of the North Line of Lots 28 and 37 extended, as requested by James Rundell and to have Mr. Andrusco submit an application through the County Road Vacation Policy for his request to have the remaining portion of Silver Avenue vacated. Voting yes: Adee, McBride, Hanson, Pavleck; voting no: Lepper. Motion carried.

2010/07-26 Motion by Pavleck, seconded by Hanson to approve the Limited Interoperability Participation Plan with the Big Falls Fire Department as recommended by the Sheriff to allow for a grant agreement with the Big Falls Fire Department for the acquisition and installation of radio equipment capable of operating with the ARMER public safety radio system and further,

authorizing the County Sheriff and County Board Chair signatures to the Plan. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-27 Motion by McBride, seconded by Hanson to approve the employment separation of Erica Reim as a Part Time Correctional Officer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-28 Motion by Hanson, seconded by Lepper to approve the filling of two vacant Part Time Correctional Officer positions as recommended by the Sheriff which is funded in the Department Budget and which have been vacant for six months, meeting the terms of the County Hiring Freeze. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-29 Motion by McBride, seconded by Lepper to approve the following service agreements as recommended by the Community Service Director and upon approval of the County Attorney: renew the AEOA MFIP Supported Work Grant Agreement; approve a Service Agreement with Sandra Harju for SILS services; renew the Northland Counseling AFC Contract; renew the ODC DT&H Service Agreement; approve an Addendum to the Pineview Recovery Center Service Agreement for a change in rates; renew the Ridgeview LLC Contract; renew the United Behavior Health Provider Agreement. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-30 Motion by Hanson, seconded by Lepper accepting the following Day Care and Foster Care Licensing recommendations: relicense Pamela Rognerud for group family day care for 12 children; relicense Don and Julie Godfroy for child foster care for 5 children. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-31 Motion by Pavleck, seconded by Lepper to rescind Board Motion 2009/12-38 approving the Hasbargen's Haven Wetland Bank Application at 80% wetland credits as recommended by the Environmental Service Director as the action by BWSR to appeal this County action resulted in an agreement between the Applicant and BWSR of 75% credits. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-32 Motion by Lepper, seconded by Pavleck to approve the Hasbargen's Haven Wetland Bank Application at 75% wetland credits based on an agreement reached between the Applicant and BWSR and recommended by the Environmental Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Environmental Service Director provided the Board with the Army Corps position on approved credits for the County's Dunnick Lake Wetland Bank, completed in June 1997 consisting of 19.416 acres of Type 4 wetland credits. The Corps offered 12.8 acres of the original 19 plus acres but would approve 17.5 acres if the County completes the required restoration, estimated to cost the County \$24,000. At the request of the County Board, the history was reviewed on this matter. At the time the County Dunnick Lake Wetland Bank was completed and approved by BWSR (State) at 19.416 acres, the Army Corps was not involved in approving wetland banks. However since then, the Corps has taken a position on Dunnick Lake Wetland Bank that it requires their approval. Currently, BWSR's position on credits in the Dunnick Lake

Wetland Bank is at 18.86 (original 19.416 acres less .56 acre used for Northome Biomass Project wetland mitigation) but they require some minor restoration work to the bank to retain these credits. The Board members question the legality of the Corps to have any authority over Dunnick Lake credits when at the time of its completion they didn't approve wetland banks. The Environmental Service Director stated that the County could accept the Corps 12 acres. In response, Board members stated that the Corps position is they have authority over all wetlands in the County so what good is State approved credits beyond what the Army Corps approves. The Soil and Water District Technician stated that it is unlikely credits beyond what the Corps approves could be used in the County but they might be able to be sold outside the County. The Board concurred that before they are forced to take a position, they would like a review by MCIT for coverage on a challenge to a land use decision and if coverage is denied, to obtain legal counsel to review the case to determine if the Corps has authority over what State Law approved for the Dunnick Lake Wetland Bank.

000 The Environmental Service Director inquired with the County Board regarding the Northeast Waste Advisory Council (NEWAC) as at the last meeting, Board members questioned whether the counties wanted to continue the organization as they have had to cancel meetings due to a lack of a quorum. The Council is made up of County Board members from 7 counties along with a Board member of the Western Lake Superior Sanitary District and for the purpose of reviewing solid waste matters on a regional basis. The Solid Waste Officers Association from the same region meets regularly and coordinates with the AMC Solid Waste Administrator's Association so review of solid waste matters are conducted regionally and state-wide. Commissioner Pavleck, serving as the Board member on NEWAC, felt the organization should be retained to support the Regional Solid Waste Administrators Association when they need a Board's perspective.

000 The County Board added the Abitibi Mill odor to the agenda as they continue to get complaints from the public on the strong odors. The County Board wants an update from the MPCA as to what actions they have taken to correct this odor issue or what actions need to be taken to end it as this is a public health matter for Koochiching County. The Environmental Director and Administration Director will pull the file, find out if the City of International Falls received any results on their recent actions and contact the MPCA to provide the County Board their plan on how this matter is intended to be resolved.

000 The Board Chair called for public comment at 11:20 a.m. Arden Barnes concurred with the Board on the Abitibi Mill Odor and regarding the proposal to clear rock from the FTZ, she stated that the County should take the rock and not give it to a private developer for profit. LeAnn Meer, Executive Director of Friends Against Abuse, informed the Board that the Sunrise Center Against Sexual Abuse has officially merged with Friends Against Abuse as of July 1, 2010 and that they now have a satellite office in Baudette. Board members acknowledged the need for the service and their appreciation to the Agency.

2010/07-33 Motion by Lepper, seconded by Pavleck to approve a Work Order Maintenance Agreement for the portion of old TH 332 (Turned over to the County July 2010 and designated as CSAH 332) with Mn/Dot for winter road maintenance; and further, to authorize the County

Board Chair's signature to said Agreement. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Mr. Aili presented a request for the County to upgrade a road that is straight north from the end of County Road 100 in Ray and is three quarters of a mile long. He provided a 1940 map showing that the road was once open. Mr. Aili has purchased property from Forest Capital and wants to build his permanent residence on this property but needs the road upgraded. Mr. Aili stated examples where the County has upgraded roads for others. The Highway Engineer stated that there is not funding to upgrade and open roads in the County but that roads can be opened under County Policy with the landowner(s) bearing the cost of the upgrade. He also responded to the examples given by Mr. Aili that the County would only upgrade or open a road if needed for County maintenance purposes or in the case of the Finn Road, to replace a bridge as Forestry Road Funds can not replace a bridge, but Highway funds can. In estimating the cost and assuming the ditching and drainage is good, a 1.5 inch gravel base of 1 mile is \$7,000 and 6 to 12 inches is needed to support a school bus. Mr. Aili stated that in addition to gravel, the road would need two culverts and some ditching but the road is solid. Mr. Aili stated that the potential of more development in this area, in addition to his intended development, helps the County in the long run with increased tax valuation. Commissioners stated that because there is County land in this area, it would appear there is no option to vacate the road but wondered with the adjacent forestry road being upgraded in this area and the route requested by Mr. Aili also providing access to county property, if a review with the Land Commissioner is needed to see if there is any benefit to forestry to improve this route. The Board members agreed they would conduct a site visit to get a better understanding of the lay out and to put this back on the agenda in committee of the whole on August 10 for further review with the Land Commissioner and Highway Engineer.

000 The Board Chair recessed the meeting at 12:07 p.m.

2010/07-34 Motion by Lepper, seconded by Pavleck to close session at 1:10 p.m. to discuss the County's position with County Legal Counsel for the Post Hearing Brief for the Pending Contested Annexation Litigation. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried. (Attending the closed session: Full County Board, Administration Director, and Attorney Jay Squires via telephone.)

2010/07-35 Motion by Lepper, seconded by Pavleck to open session at 1:40 p.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/07-36 Motion by McBride, seconded by Hanson to adjourn the meeting at 1:40 p.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, August 10, 2010; 9:25 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Len Peterson, Brian Youso, Kathy Sikkila, Dale Olson, Doug Grindall, Tom Worth, Kevin Peterson, Pam Tomevi, Justin Berg, Dennis Wagner, Ed Oerichbauer, Raoul Lufbery, John Wilson; Reporter Laurel Beager

2010/08-01 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-02 Motion by Hanson, seconded by Pavleck to approve the minutes from the July 27, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-03 Motion by Lepper, seconded by Pavleck to appoint Len Peterson to the current term of Koochiching County Assessor (current term of office is January 1, 2009 and ending December 31, 2012) effective August 10, 2010 at 100% of C52 County Assessor salary and requiring the appointee to obtain the State Senior Assessor Accreditation within two years from his appointment as recommended by the Personnel Committee. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-04 Motion by Hanson, seconded by McBride to ratify contract settlement with the IUOE Local 49 Koochiching County Highway Bargaining Unit for 2009 through 2010 as recommended by the Board's Negotiation Committee. Further, adopting the following resolution for enrollment of the Highway Union employees into the County's Post Employment Health Care Savings Plan: 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 IUOE Local 49, representing County employees in the Highway and Environmental Services Departments (hereinafter, the "Eligible Employees"). Whereas the Union has agreed to facilitate implementation of a Post Employment Health Care Savings Plan Policy for Eligible Employees at 100% of vested sick leave accumulations at time of employment separation. Now therefore, be it resolved that the Koochiching County Board hereby agrees to facilitate implementation of the Post Employment Health Care Savings through adopted Policy with the Minnesota State Retirement System for Eligible Employees of the IUOE Local 49 of which a copy is on file in the Administration Office. Further, that implementation of the Post Employment Health Care Savings Plan for Eligible Employees is effective upon Board approval and execution of documents with the Minnesota State Retirement System for enrolling said Eligible Employees. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-05 Motion by Lepper, seconded by McBride to approve payment of the Courthouse claims in the amount of \$34,999.52; to ratify payment of the monthly County Board Expense claims in the amount of \$7,499.57; to approve payment of the Health claims in the amount of \$15,548.31; to authorize the Board Chair's signature to the July Vendor Payment Listing verifying its review. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-06 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 2010

Primary and General Elections Canvassing Board. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-07 Motion by Hanson, seconded by McBride to approve a two-day On Sale 3.2% Malt Liquor License for Applicant Brady Hasbargen for the annual Birchdale Softball Club Tournament for August 28 and 29, 2010 as recommended by the County License Committee. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-08 Motion by McBride, seconded by Lepper to approve the 2010 County Fee Schedule as recommended by Administration with changes to include the adjustment of the mileage rate to the current IRS rate, adding the Flight Data Fees previously approved by the County Board and adjusting Passport, Marriage License, and Birth Certificate fees as established under current federal and state laws. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-09 Motion by Lepper, seconded by Pavleck to amend Board Motion 2010/06-12 to include closing the Environmental Trust Fund Account upon the funding being transferred to the Island View Sewer Account as recommended by Administration. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-10 Motion by McBride, seconded by Pavleck to approve the revised Regulations and Operational Procedures of the East Koochiching Sanitary Sewer District for the change in the Jackfish Sewer Hookup Fee as established by the County in Board Motion 2010/06-14. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-11 Motion by Hanson, seconded by Lepper to approve a Minnesota Trail Assistance Program Cross-County Ski FY 2011 Grant Agreement in the amount of \$3,530 to the Polar Poler's Ski Club for the Tilson Ski Trail. As sponsor, the County is accountable to the State for expenditures charged to the program but sponsorship does not require financial support or liability for cost from the County and further, requires a Club/County Agreement be in effect (agreement on file in the Auditor/Treasurer Office). Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-12 Motion by Pavleck, seconded by McBride to approve the Limited Interoperability Participation Plan for the Koochiching County Sheriff's Department which is applicable to the use of ARMER radios by County public safety officials and further, to approve the agreement between Koochiching County and the State of Minnesota for the operation of subscriber radios on the ARMER System as recommended by the Sheriff. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-13 Motion by Hanson, seconded by Lepper authorizing County Board members to attend a luncheon on August 20, 2010 at the AmericInn to meet the Canadian Ambassador to the United States and listen to his thoughts on cross border trade between Canada and the U.S. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-14 Motion by Pavleck, seconded by Lepper to accept the following recommendations of the Veteran Service Officer and County Management Committee to provide transportation

service to V.A. medical facilities in Superior, Wisconsin and St. Paul, Minnesota for veterans who have no other means of transportation as a result of the VFW no longer being able to financially sustain the needed service: approve the County Transportation Plan as of September 1, 2010 taking veterans to Twin Ports and St. Paul V.A. Medical Facilities for 2010 and 2011 with review in 2011 for continuation and/or needed changes; approve purchase of a (7) Passenger Mini-Van for the service and accept the bid from Wherley Motors at \$19,599 for a 2010 Dodge Grand Caravan; approve the hire of drivers under the County Temporary Hire Policy; approve out of state travel to Superior, WI for drivers to travel to the Twin Ports V.A. medical facility; approve roundtrip rider fees at \$20 to Twin Ports and \$40 to St. Paul with no fee charged for persons accommodating veterans to assist in their care; approve a 2010 Veteran Transportation Budget supported by State grants and rider fee revenue and up to \$15,000 of County dollars with funding from the 2010 Budget Contingency. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-15 Motion by Hanson, seconded by McBride whereas the Association of Minnesota Counties will be electing officers to serve in Statewide capacities in December 2010; whereas Beltrami County Commissioner Joe Vene has a long history of public service and is the Association of Minnesota Counties Board Director for District 2; therefore due to his experience in public service and his service with the Association of Minnesota Counties, the Koochiching County Board hereby supports the candidacy of Commissioner Joe Vene for Second Vice-President of the Association of Minnesota Counties and requests that his name be presented on the slate of nominees for this position. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-16 Motion by Pavleck, seconded by McBride to approve a reduction in the December 2009 and January 2010 billings for Mannco Trucking by \$540 and \$225 respectively for the difference in price for usage of fuel type during these months and as allowed under the MSW Hauling Contract fuel escalation clause as recommended by the Environmental Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-17 Motion by Pavleck, seconded by Hanson authorizing the purchase of a new MSW Trailer from the 2010 Environmental Service Budget at a cost not to exceed \$65,200 and with cost in excess of the \$60,000 budgeted for the trailer to be approved through an internal adjustment of the 2010 Environmental Service Budget; it is further understood that a used trailer may be purchased at a lower cost if determined by the Environmental Service Director that it meets the department needs. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Environmental Service Director informed the Board that rule changes made to Chapter 7080 for septic systems have created concerns among counties that have already adopted ordinances as well as concern that the new rule requirements are too high of a demand for counties to meet due to budget constraints. The Director stated he would send a letter to the MPCA and copy our legislators stating Koochiching County's concerns. The Board concurred.

000 The Environmental Service Director informed the Board that S.E.H., the engineering firm hired for the Island View Sewer Project Plan, has sent notice out to the property owners in the

proposed project area providing background information and letting them know they would be in the area doing survey work for the engineering plan. In addition, a return response from property owners was requested asking for their feedback and responses are being returned. A public informational meeting about the project has been scheduled for August 24 at 7:00 p.m. at the Ranier Community Building with notice mailed to the property owners and a general notice advertised.

000 A representative from the Rainy Lake Sportfishing Club along with representatives from the MN DNR Fisheries Division and the Koochiching Soil and Water District presented a proposed plan to improve three walleye spawning areas in the Rat Root River supported by a \$255,000 funding application to the Lessard-Sams Foundation. The plan involves erosion repair on portions of three county roads to help stop silting in the river but repair cost is part of the plan's funding request. They are looking to start the work in 2011 if their funding is improved. The DNR fisheries representative stated that the DNR started a walleye tagging program and as a point of interest, 369 walleyes were tagged in the Rat Root River and some of those walleyes were found in the north arm of Rainy Lake, showing that improving fisheries in the Rat Root River benefits all of Rainy Lake. The County Engineer also stated that the DNR after acquiring right of way from private property would be looking to the County to use Highway Equipment to assist in developing a public access to the Rat Root River at the Junction of County Roads 145 and 97. The County Engineer stated he was in support of the projects.

2010/08-18 Motion by Pavleck, seconded by Lepper to support the Rat Root River Fisheries Improvement Plan and Public Access Project as presented by the Rainy Lake Sportsfishing Club and DNR to include erosion repairs on three segments of County Roads 97 and 145 and UT 198 and utilization of County Highway equipment for establishment of a public water access at the junction of County Roads 145 and 97 as recommended by the Highway Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-19 Motion by Pavleck, seconded by Lepper authorizing the County Engineer to fill the Assistant Engineer position due to the loss of revenue to the County in not getting plans out for CSAH road projects. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-20 Motion by Hanson, seconded by McBride authorizing the County Engineer to request bids for Northome/Mizpah Area Road Maintenance Contract with a three year and five year contract option. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-21 Motion by Pavleck, seconded by Lepper to support taking the portion of TH 332 between TH 53 and TH 11/71 as a County State Aid Highway based on a the County Board's review and approval of a turnback agreement with MnDot and legislative approval as recommended by the County Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-22 Motion by McBride, seconded by Pavleck authorizing the County Engineer to seek bids for bituminous surfacing and aggregate shoulders on CSAH 77 and all county and township blacktop roads west of International Falls (except a township road off County Road 105 which has inadequate base) which is planned in the 2011 Highway Budget with Turnback Funds and to

include in the bid spec, the bituminous surfacing of the gravel portion of the Courthouse parking lot as recommended by the County Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-23 Motion by Pavleck, seconded by Hanson granting the request of the City of Northome to support their Bartlett Lake Project, in conjunction with the DNR, in that the County Highway Department will supply the gravel (DNR will haul and spread the gravel) and allow the County's road maintenance contractor to construct a driveway loop and parking lot for the new boat landing area (landing to be done by the DNR) and to provide a \$3,000 cash contribution from the Land and Forestry Parks Budget for the lake campground area as an established public recreational area. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-24 Motion by Pavleck, seconded by McBride to accept the recommendation of the County Engineer that as a first step in preparing the Foreign Trade Zone site for development, to remove the timber from the rock outcropping as well as the proposed rock stockpile site upon review and recommendation by the Land Commissioner as to the value of the timber to be removed and paid by the logger to KEDA (as fiscal agent) and with the County Highway Department to do grubbing and burying the stumps; proposal is contingent on approval by KEDA and City of International Falls. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Upon request by the County Engineer as to the County Board's direction for removal of the rock from the Foreign Trade Zone, the Board Chair directed the issue to the August 31 County Board meeting for a decision.

000 The Board Chair called for public comment at 11:15 a.m. Ranier Mayor and VNP Representative provided the Board information from a recent meeting with the U.S. Coast Guard regarding concerns on the CN Railroad Bridge not being lifted for boat navigation on Rainy River. The Coast Guard reported at the meeting that federal regulations require CN to keep the lift bridge in serviceable condition and to provide a prompt opening of the lift for navigation purposes. The VNP representative stated that the Park also has a concern as they expect the new sightseeing tour boat to begin picking up some charter tours from the new Park Headquarters on the River. Commissioner Pavleck who also attended the meeting stated the County needs to take a lead on this issue and stated that everyone wants to work with CN but at times, certain fixes are required. The representatives stated that they are putting out a press release to the public on how to report to the Coast Guard any navigation delays/problems they experience as a result of the bridge not being lifted. Veteran John Wilson stated to the County Board that the current Veterans Service Officer is doing a good job and recommends the position hours be increased.

2010/08-25 Motion by Pavleck, seconded by McBride authorizing the Board Chair to send a letter to the U.S. Coast Guard stating safety concerns with regards to CN not having the railroad bridge raised when not in use by trains as boaters leaving or entering the river in times of storms, winds and emergencies can not pass if they have a large vessel and the lift bridge is down and further, that the current calling system does not provide boaters a prompt lift response. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried..

2010/08-26 Motion by McBride, seconded by Lepper to adjourn the meeting at 11:30 a.m.
Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, August 31, 2010; 9:42 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Steve Shermoen, Paul Nevenan, Pam Rooney, Jaci Nagle, Susan Congrave, Nancy Lee, Terry Murray, Dale Olson, Shawn Mason, Cynthia Jaksa, Gail Rognerud, Rod Otterness, Raymond Wright, Dan McCarthy, Arden Barnes, Mike Dobb, Marlene Bryant, Doug Grindall, Kalan Wagner, Carl Bowman, Dennis Hummitzsch; Reporter Laurel Beager

2010/08-27 Motion by Hanson, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-28 Motion by McBride, seconded by Lepper to approve the minutes from the August 10, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-29 Motion by Lepper, seconded by McBride to approve payment of the Courthouse claims in the amount of \$101,245.70, to ratify payment of the Highway claims in the amount of \$63,970.15 as recommended by Administration; to approve payment of the Health claims in the amount of \$8,591.15; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented, and to approve a transfer of funds from the 2010 Budget Projects Contingency in the amount of \$30,000 to the Island View Sewer Project Account under the approved Project Budget. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-30 Motion by Hanson, seconded by Lepper to approve a Minnesota Cross-Country Ski Trail Reimbursement Grant Agreement in the amount of \$12,300.00 (50% state/50% federal) for funding to the Polar Poler's Ski Club for the Tilson Creek Cross Country Ski Trail improvement and warming house and authorizing the Board Chair and Auditor's signatures to said Agreement. Sponsorship by the County requires that a Club/Trail Agreement be in effect (on file in the Auditor-Treasurer's Office) and that the County is accountable to the State for expenditures charged to the State Grant-In-Aid Program but sponsorship does not require financial support or liability for cost from the County. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-31 Motion by McBride, seconded by Pavleck to accept the Assessor's recommendation to grant the following abatements: Donald Schwartz, Parcel #07-082-02120, for removal of building value for assessment years 2008 and 2009; Michael and Iverne Kuryla,

Parcel # 92-003-00011, for reduction in building value for assessment year 2009 based on comparable value. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-32 Motion by Hanson, seconded by Pavleck to renew the contract with Lakeland Pathology with no change in rates but an increase in training cost for 2011 Medical Examiner services as recommended by Administration and the Sheriff. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-33 Motion by Hanson, seconded by Lepper to approve an agreement with the State of Minnesota for a Federal Stimulus Public Facility Energy Efficiency Grant in the amount of \$6,226.50 as a 50% match to the cost of the burner replacement for the Courthouse Main Boiler as recommended by Administration and the Complex Superintendent, and further to authorize the Board Chair and Administration Director's signatures to said Agreement. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-34 Motion by Pavleck, seconded by Lepper to approve the resignation of Kallie Briggs from the County seat on the Arrowhead Library System Board with a letter of appreciation for her services and to appoint a County Board member to fill the seat for the remainder of 2010 and until new appointments are made by the Board Chair for 2011. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried. (The Board Chair appointed Commissioner Hanson with Commissioner Lepper as alternate.)

2010/08-35 Motion by Pavleck, seconded by McBride to acknowledge the County Board's review of the 2009 East Koochiching Sanitary Sewer District's Financial Statement as reported by the Administration Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-36 Motion by McBride, seconded by Lepper to approve the General Obligation Bond Proceeds Grant Agreement Predesign or Design Grant Agreement with the Minnesota Pollution Control Agency for the Koochiching County RECAP in the amount of \$2,345,100 with \$270,118 allocated to Koochiching County and \$2,074,982 allocated to the Koochiching Development Authority (KDA) and authorize the Koochiching County Board Chair's signature to said Agreement; further that upon execution of the Agreement with the MPCA to direct County Administration to secure the \$270,118 payable to Koochiching County to be transferred to the Koochiching Development Authority for the required funding match of the federal Department of Energy (DOE) RECAP Grant Agreement entered into by the KDA and to continue administering the RECAP project monies received from the state and DOE and paying invoices received by the KDA for said RECAP pre-design or design. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-37 Motion by Hanson, seconded by Lepper to approve a Satellite Office Agreement with the State of Minnesota to allow the County to provide State services for Uniform Commercial Code filing and retrieval on a local level and upon approval of the Agreement by the County Attorney, to authorize the Board Chair and County Recorder's signatures to the Agreement. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-38 Motion by Pavleck, seconded by Lepper authorizing expenditure from the 2010 Information Systems Budget up to \$26,000 for planned implementation of a Web Sense Network Filtering Device and a Terminal Services Server for internal network security/control and remote connectivity for satellite offices as recommended by the Information Systems Manager. Further, to approve the following internal Information System Budget expenditure line item adjustment to accommodate the capital outlay purchase: 01-060-064.6665 (\$2,000), 01-060-064.6666 \$1,000 and 01-060-064.6276 \$1,000. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-39 Motion by McBride, seconded by Pavleck acknowledging review of the minutes from the August 26, 2010 Health Professional Advisory Committee meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Health Director provided the Department's Second Quarter Financial/Statistical Report and Public Health Nursing staff provided a Department Immunizations Report to include immunization history, requirements and procedures. The Health Director informed the Board that notice was given that the federal PHER III grant funds unspent by August 30, 2010 are required to be returned. This grant falls under the Public Health Emergency Response Grant system related to the HINI Influenza. The Department had expended the grant funds to date and a conference is being scheduled to discuss continued funding to support public health preparedness for HINI.

2010/08-40 Motion by McBride, seconded by Pavleck to approve an addendum to the AEOA Volunteer Driver Service Agreement with an increase in rate as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/08-41 Motion by Hanson, seconded by Lepper to approve the following service agreements as recommended by the Community Service Director and upon approval of the County Attorney: Family Freedom Corporation Waiver Services, Hasbargen's Foster Care Services, renew Amendment for the Minnesota Care Service Contract, Philips Lifeline Waiver Services, School District 361 Non Financial Agreement, School District 362 Social Worker Services, School District 363 Social Worker Services. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Environmental Service Director presented Richard Lord's rezoning and conditional use permit application which by County Board action was tabled under a 60 day Timeline Extension Agreement. The Director stated that this was the last Board meeting the issue could be presented within the 60 day timeline and in review with the applicant, he was not able to attend the meeting but assumed final action would support the Planning Commission's recommendation to deny the application. The Director recommended that the County Board support the Planning Commission in denying this application and other similar applications until there are rules and regulations in place for use of private property for lodging purposes.

2010/08-42 Motion by Pavleck, seconded by Lepper to deny the REZ 1001 and CUP 1001 application by Richard Lord to change zoning on a parcel of land located on County Road 94

from R-2 to RR-1 for short term rental of the home as recommended by the Planning Commission without prejudice; further, to request the Planning Commission recommend conditions for considering lodging activities on private property in drafting of the new County Zoning Ordinance. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Administration Director updated the Board with regards to their request for a response from the MPCA regarding the air emissions emitted by the AbitibiBowater mill in Fort Frances, Canada. A copy of a letter from the MPCA to the Ontario Minister of the Environment was submitted on behalf of Koochiching County and State regarding concerns on the affect of these odors to the U.S. and public and requested expeditious action to lessen the emissions. In addition, the County's complaint was forwarded to the Division Director of the EPA Air and Radiation Division and a response will be forthcoming. A Board member stated that this complaint was also reviewed with the Canadian Ambassador during his visit to the area. Board members continue to support an in-person meeting with the MPCA Commissioner and EPA representatives to discuss and resolve the issue rather than a letter writing approach. The Administration Director will continue to pursue the meeting request.

000 The Board Chair opened a public hearing at 11:15 a.m. for the purpose of receiving public comment on a road vacation request by Gene Andrusco for the remaining portion of Silver Avenue in the Plat of Goldville. The Administration Director stated that no written comment was received on the issue. Raymond Wright stated opposition to the road vacation as it would land lock his back lots. In review of the consent agreement submitted by Mr. Andrusco in which the adjoining property owners signed in support of the road vacation, Mr. Wright stated that at the time he signed it, he didn't understand the issue. He also stated that in talking with another adjoining property owner who signed this agreement, he also opposes the road vacation because it too will land lock his back lots. No other comment was presented. Based on receiving the new information it was agreed to recess the hearing and again send notice out to the adjoining property owners in hopes of determining if adjoining owners support or oppose the road vacation request. The hearing will be reconvened on Tuesday, September 21, 2010 at 11:00 a.m.

000 Representatives from the City of International Falls reviewed the City's 2010-2012 Strategic Action Plan with the County Board.

000 The Board Chair called for public comment at 12:10 p.m. Dan McCarthy informed the Board that the Solid Waste Fee assessed on homestead property is not justified when the property can't get the service. Arden Barnes stated that ambulances now need GPS units to locate some of the 911 addresses/signs. Mike Dobbs stated that in an agreement for County Road 77, he agreed to give right of way in return for an approach on his property at a specific location. However, the approach was put in at another location on his property which he was not notified of and not within the terms of the agreement. There was a reason why he wanted the approach in the specific location. The Highway Engineer in review of the matter stated that the approach was shifted 300 feet to a higher point so a culvert wasn't needed and he understands from an engineering standpoint why it was done. However, he will work with the property owner to rectify the problem. Marlene Bryant stated her concern as a property owner in the Jackfish Sewer Project.

2010/08-43 Motion by Pavleck, seconded by Lepper authorizing the purchase a loader/backhoe from state bid at a cost of \$95,000 as planned in the 2010 Highway Budget and to auction the replaced case loader/backhoe as recommended by the Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The County Engineer reviewed the proposal for the County to remove the rock from the Foreign Trade Zone development site and retain the material for public purposes. The County would seek bids for blasting approximately 77,000 cubic yards of rock of which 95% of that quantity would be required to be crushed to 1" minus and that every cubic yard of rock is estimated to yield 2.3 tons of aggregate. The estimated cost for blasting and crushing is \$700,000 to \$800,000 and is based on a final elevation for site development that has been agreed upon by Arro of the North and the County Engineer. The Engineer stated that in review with MCIT with regards to the blasting, a motion is recommended to appoint the County Engineer to be in charge of the project. The Engineer stated that rock is a limited resource and having this resource for County projects is a definite benefit to the County Budget and taxpayer, stating that the value of the material could be twice the cost of blasting and crushing. A Board member asked if the City of International Falls has a position as to whether they want any of the aggregate. A Board member asked what the rate of return to the County is and how much County rock remains from the Harbor Lane Project. The Engineer stated that the cost of purchasing gravel is high and having this material will reduce cost for County road maintenance and construction whether short term or long term. With regards to the reserve from Harbor Lane Project, the Engineer stated its utilization was much faster than originally anticipated. Wagner stated that their proposal to establish the site in exchange for retaining the rock will get the site ready for development whereas the County's proposal does not, referencing the elevation difference in the two proposals. The Engineer stated that in review with Arro Surveying, the County's proposal for elevation meets levels for railroad track purposes and further depth needed for actual infrastructure can be done as part of its site development and construction. In response to why Wagner's proposal has a higher cost, the Engineer stated it is due to Wagner blasting 3 feet deeper than what the County is proposing. In response to the urgency to do this, the Engineer stated that the City and KEDA want to move on clearing the site for development. In response to when Wagner or the County could begin, both confirmed as soon as possible with intent to start in the fall. In response to the question as to the County doing just the blasting and stockpiling the rock, the Engineer stated the cost would be \$350,000 and the County would then determine an annual budget amount for crushing the material as done for the Harbor Lane material. In response to the question, the County could bid some of the material for sale on construction projects for a cash return on the investment. Board members stated that the City jointly owns the property and the County needs to know if they support the County's proposal and also if they want any of the material. A Board member stated that if the County turns down this resource, it increases the cost to the taxpayer because rock is in short supply. This is public property and a public resource and needs to benefit the taxpayer. In addition, the contractor submitting the proposal deserves an answer as well as KEDA and the City. Contractors in the audience stated concern with the county taking this material and competing against private business. In response, a Board member stated that the County could bid all the material for sale but in the end, the taxpayer is made whole for their resource.

2010/08-44 Motion by Pavleck, seconded by Hanson that the County Board conceptually supports the County Engineer's proposal to blast and crush the rock at the Foreign Trade Zone site by bid at a cost of \$700,000 to \$800,000 for approximately 77,000 cubic yards of rock of which 95% would be crushed to 1" minus and that the proposal be submitted to the City of International Falls to determine their support and if they would want up to 50% of the material at the cost of the blasting and crushing. Voting yes: Adee, Hanson, Lepper, Pavleck; voting no: McBride. Motion carried.

000 The Land Commissioner reported on the August 4, 2010 Timber Auction: all tracts were sold in the intermediate and regular auctions for a total sale value of \$406,370. The Land Commissioner also provided a history of timber sold and timber scaled for a three year period and reported that sold timber (permits) on the books but not active total 1433,744 cords at a value of \$3,300,025. The history comparison shows that though timber sold increased this year, the amount of wood cut and scaled has decreased. The factors are wood demands and weather conditions.

000 The Board Chair adjourned the meeting at 3:45 p.m.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, September 7, 2010; 11:15 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Einar Sundin, Arden Barnes; Reporter Laurel Beager

2010/09-01 Motion by Pavleck, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-02 Motion by McBride, seconded by Hanson to approve the minutes from the August 31, 2010 regular meeting with correction. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-03 Motion by Hanson, seconded by Lepper to approve the employment separation of Heather Englund as part time LPN in the Public Health Department effective August 31, 2010; to ratify emergency temporary hire of RaeAnn Taylor as LPN effective 8/29/10 for filling weekend shifts due to the vacancy as authorized by the Administration Director under the Temporary Hire Policy; to authorize the Public Health Director to fill the vacant part time LPN position to service one home care case requiring nursing service. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-04 Motion by Lepper, seconded by McBride to approve payment of the monthly County Board expense claims in the amount of \$8,466.88. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-05 Motion by Pavleck, seconded by Lepper to approve the 2011 tax levies for the following approved subordinate service taxing districts and to pay the respective 2011 service contract amounts: Littlefork Ambulance Service levy of \$50,000, Northome First Responders Service levy of \$6,000, and Rainy River First Responders Service levy of \$9,900; further to approve the 2011 tax levies for the following approved fire service taxing districts and to pay the respective 2011 service contract amounts: Fire District 1 (Northome) levy of \$10,824, Fire District 2 (Littlefork) levy of \$76,565, 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: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-06 Motion by McBride, seconded by Hanson authorizing Board members to attend the RC&D Laurentian Council Meeting held at the AmericInn in International Falls on Monday, September 13 at 11:00 a.m. as a County Board activity. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-07 Motion by Lepper, seconded by Pavleck adopting the following resolution authorizing the acceptance and execution of a Minnesota Department of Transportation Grant Agreement for Emergency Equipment Funding:

Be it resolved by the Koochiching County Board of Commissioners on behalf of the county and the International Falls-Koochiching County Airport Commission that a State of Minnesota grant agreement for emergency replacement of electrical equipment at Falls International Airport is accepted by this body and further, that the Chairman of the Koochiching County Board of Commissioners is authorized to execute this agreement and any amendments on behalf of the county and the International Falls-Koochiching County Airport Commission. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-08 Motion by McBride, seconded by Pavleck that at the applicant's request, to reconvene the Road Vacation Hearing for the portion of Silver Avenue in the Plat of Goldville to the October 5, 2010 County Board meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-09 Motion by Pavleck, seconded by Lepper authorizing the County Engineer to hold the annual County Auction for disposal of surplus equipment and furniture and to seek proposals for auctioneering services as recommended by the County Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 11:30 a.m. Einar Sundin stated that in discussion with the fire department, there is a need for cluster signs at road intersections for locating 911 address signs. Arden Barnes inquired on locations in the County where there are street lights on County roads.

000 The Board Chair adjourned the meeting at 11:28 a.m.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, September 14, 2010; 11:05 a.m.

MEMBERS PRESENT: Commissioners Adee, McBride, Hanson (left at 2:45 p.m. for other county business), Lepper, Pavleck

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Doug Grindall, Will Hoyt, Dan Maggert, Judy Albrecht, Eugene Henning, Dan McCarthy, Waylon Olson, Kurt Schuschke, Dale Olson, Mike LaBlanc, Audrey LaBlanc, Sandy Tomczak, Dennis Hummitzsch, Rod Bergstrom, Tom Worth, Tim O'Hara, Scott Dane, James Sutch, James Yount, Dennis Wagner, Dan Klocek, Dale Erickson, Lyle Windsness, Ron Lindner, Larry Mannausau, Chopper McBride via telephone; Reporters Laurel Beager and Sheldon Slaubaugh

2010/09-10 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-11 Motion by Hanson, seconded by Pavleck to approve the minutes from the September 7, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-12 Motion by Lepper, seconded by McBride to approve payment of the Courthouse claims in the amount of \$28,483.80 and to authorize the County Board Chair's signature to the August Vendor Payment List verifying its review. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-13 Motion by Pavleck, seconded by Lepper approving the proposed 2011 County Budget's gross tax levy at \$3,901,261 (3% increase over last year of \$114,000). The 2011 proposed levy breakdown is as follows: General Revenue - \$1,732,909; Community Service - \$1,227,325; Public Health - \$100,000; Highway - \$691,027; Environmental Services - \$150,000. Further, to set the required public hearing for the proposed 2011 County Levy and Budget for Tuesday, December 14, 2010 at 6:15 p.m. in the Courthouse Boardroom. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-14 Motion by Hanson, seconded by Pavleck to adopt the following resolution in support of the Littlefork Medical Center's Bus Replacement Grant Application: Whereas the Littlefork Medical Center is in need of replacing their 1996 handicapped bus due to high mileage; Whereas the bus is needed for transport of the residents from the Littlefork Care Center to events and appointments in and outside of Koochiching County; Whereas, due to the remoteness of Koochiching County long distance travel is required within the County and outside the County to other service cities. Now Therefore Be it Resolved that the Koochiching County Board supports the Littlefork Medical Center's application for a MnDot Transportation Grant to replace their bus and requests its approval as a needed service for residents of the Littlefork Care Center and other senior and disabled persons needing medical transportation as determined by the Littlefork Medical Center. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-15 Motion by Pavleck, seconded by McBride that in review of the Land Exchange proposal between the State of Minnesota and Camping and Education Foundation, LLC designated as Land Exchange #892, the Koochiching County Board of Commissioners hereby supports the land exchange as proposed for the benefit of the public which will retain the public Tilson Hiking Trail on the State land to be exchanged to the private party, provide public access to county and state land on the private land to be exchange to the State and provide economic development for the County with the development plans of the Camping and Education Foundation, LLC. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-16 Motion by McBride, seconded by Pavleck to direct County Administration to set a public hearing under the County's Road Vacation Policy to vacate a ten foot section of the public access to the Point O Pines Beach as part of a land exchange agreement for property boundary adjustments between the County and a private landowner (reference Board Motion 2010/04-30). Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-17 Motion by Hanson, seconded by Lepper to authorize County Board members to attend a Water and Land Rights Public Education Meeting on September 23, 2010 in Bemidji as a Board activity. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The County Engineer provided the two bids for the Northome/Mizpah Area Road Maintenance Contract with a recommendation to award the low bid under a five year contract to Ungerecht/Henning. Members of the public provided comment on the matter. One member questioned ethics of the past contractor. Another questioned the qualifications of the low bidder to do road projects. The low bidder spoke to his qualifications as a past County Highway employee and as a contractor doing road projects for counties and the state. Board members' comments were that the services provided by Mr. Albrecht are very good but the service is determined by bid and if the bidder meets the bid requirements, cost is the determining factor. With regards to Board members inquiry as to the public concerns relayed on wanting work done timely and having the equipment to handle this service, the County Engineer stated that the low bidder has the required equipment and the Department will monitor the contract performance as it does with its other contracts.

2010/09-18 Motion by McBride, seconded by Lepper accepting the recommendation of the County Engineer to award low bid for the Northome/Mizpah Area Road Maintenance Contract to Al Ungerecht and Eugene Henning under a five year contract. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-19 Motion by Pavleck, seconded by McBride to set the pay for the hire of the Assistant County Engineer at 100% as recommended by the County Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The County Engineer informed the Board that Will Hoyt was hired as Assistant County Engineer effective September 14, 2010.

000 The Board received notice of the hire of RaeAnn Taylor on September 4, 2010 as a part time LPN in the Health Department.

000 The Board Chair called for public comment at 11:43 a.m. Dan McCarthy stated his concern with the County's decision to not publish the full minutes in the newspaper as not all of the public has access to a computer or the Administration Department to review the complete minutes and further requested that public attendance be published in the summary.

000 A group of residents from the Meadowview area presented petitions for water and sewer service for the area. The representatives stated that they did approach the City of International Falls and their position is service would be provided through annexation into the City but the residents of this area do not want to annex into the city. In review of numbers, there are 78 residents along Highway 11/71 and 57 from the Meadowview area. Understanding the County can provide sewer service to this area through a sewer district, they would like the County to provide sewer to the area. Board members explained that to look at sewer, funding would be needed for a feasibility study as the first step and they will check with the engineering firm working on the Island View Sewer Project to see if they would be willing to conduct a study and if so, provide a cost to do so. In addition, the Board stated that a committee should be formed to work on the project to include residents from the area, the Environmental Service Director and two Board members. With regards to water for the area, the County can install water lines through a water district but the water is owned by the City so review with the City of International Falls would be needed. With regards to the Papermakers (West Kooch) waterline, the Administration Director stated that there is an agreement on file that states the City of International Falls would take ownership of the line but there is no documentation that this has been done. The Board requested a legal review of the agreement. In response to using the funding in the County's Papermakers waterline escrow account for the feasibility study, the Administration Director stated that the fund is reserved for the line's repair and replacement. The Environmental Service Director stated he would set up a committee meeting for further review and a plan of action.

000 The County Board opened a public hearing at 1:40 p.m. to hear public comment on the proposed Long Range Plan for the Management of Tax-Forfeited Land and Forest Resources of Koochiching County as recommended by the Advisory Committee. The Land Commissioner provided an overview of the Plan's intent. Public comment was called. Rod Bergstrom as an Advisory Committee member spoke to the proposed plan and strongly recommends its adoption as presented. Tom Worth questioned why County leases are being addressed in this plan and not as a separate issue. He stated that the proposed increase in cabin lease fees along with personal property tax on the cabin is expensive. With regards to the habitat portion of the plan, he supports the objection of the MN Deer Hunters Association that the plan is shortsighted in sustainability of the forest for habitat with the accelerated timber harvest of 60 to 80 year old aspen. Tim O'Hara representing the MN Forest Industries provided a chart showing the mortality of the forest and stated that 22,000 acres of aspen in the County are age 60 or older. He stated that the plan will catch up on the old forest and then scale down. Scott Dane from the Associated Contract Loggers/Truckers stated concern with the opposition that is coming now with the harvest plan as the committee process encouraged review of comments/concerns so they could be reviewed with all the stakeholders and through data. He encouraged the Board to adopt the plan on behalf of the wood industry. James Sutch stated objection with the increase in the lease fee as it would be too costly to retain a lease and commended the effort of the Advisory

Committee for their work. Jim Yount, a member of the Advisory Committee, stated that the harvest model decided in the plan was based on best knowledge and information and it does support forest sustainability. If the harvest plan begins to show detrimental impacts to the forest, the plan can change. He urged the Board to adopt the plan and not sell the plan short. Dennis Wagner stated that the plan is reviewed every ten years so he does not see a big risk to the forest in this time period. Mr. Yount stated that the plan is based on a 100 year model but accelerates harvest of old wood in the first five to ten years so most changes will occur in the 10 year period. Dan Klocek stated his support for the plan stating that 60 to 80 year old aspen is lying on the ground and would be better utilized in the wood industry. With regards to the concern about loss of conifers, he understood that permits require a certain amount of conifer not be cut. Dale Erickson, member of the committee, stated that the plan is a result of true compromise based on expert and knowledgeable resources and encouraged the Board's adoption. Lyle Windsness stated objection to the lease fee increase stating that just because Forest Capital increased their fees, doesn't automatically mean the County should increase theirs. Ron Lindner, member of the committee, stated that he is pro game and fish but there is a lot of old aspen rotting in the County and is a lost product for the wood industry. He stated that the concern on the loss of conifers in the accelerated harvest plan has been addressed. With regards to the lease issue, the County incurs cost with the leases and the fee revenue now does not cover it. The reality is that recreational property is an added expense for anyone whether they lease or own the land and it comes with a price. Larry Mannausau stated that in economic downturns the increased harvest will help the economy as well as the budgets. The Board Chair read the written comment submitted to include two written comments submitted by Boise and Boise Forte Band. County Board members all stated their appreciation to the Committee for their hard and good work in producing the plan. Commissioner Hanson stated that he would adopt the plan as written. Commissioner Lepper stated that the plan is a good product based on comprise of a good representation of stakeholders and experts in the field. He would also support the plan as presented. Commissioner McBride stated that he does not like to see wood go to waste and supports the harvest plan. However, he is not comfortable with other items in the plan but acknowledged that it is a plan and it can be amended if something is off. Commissioner Adee stated he too is not comfortable with the all the items in the plan but overall feels it is a good work product. Commissioner Pavleck stated that the plan raises questions for him and would not be comfortable adopting the plan as is. He would be more comfortable adopting it as a guide with the county reviewing and implementing each section. Upon request by the County Board for the Land Commissioner's comment, the Land Commissioner stated that the planning process had two options to consider for the harvest plan and he has concern with the option chosen. His concerns are that the accelerated harvest of old wood will reduce future cut options and the preservation of the conifers in the accelerated harvest plan. With no further comment, the County Board closed the hearing at 2:45 p.m.

2010/09-20 Motion by Hanson, seconded by Lepper to approve the Long Range Plan for the Management of Tax-Forfeited Land and Forest Resources of Koochiching County and its recommendation as presented by the Advisory Committee with the deletion of the cabin lease fee recommendation on page 1 of the plan and to refer to the Plan for guidance in a separate review and decision of cabin lease fees by the County Board. Voting yes: Adee, McBride, Hanson, Lepper; voting no: Pavleck. Motion carried.

000 The Land Commissioner and County Engineer presented two quotes for removal of the timber from the FTZ development and stockpile sites. The high quote of \$1,820 is recommended for lump sum payment from the logger to the County/City for eight acres of timber. In review with City of International Falls Councilor McBride, he confirmed that the City supports the County's proposal for removal of the wood by action taken through the KEDA Board that supported the County's proposal.

2010/09-21 Motion by Pavleck, seconded by McBride to award high quote to Dale and Andrew Kennedy in the amount of \$1,820 to as a lump sum payment to the County and City of International for the eight acres of timber they will remove from the Foreign Trade Zone development and stockpile sites as recommended by the Land Commissioner and as supported by the KEDA Board and further, that the County act as fiscal agent and accept payment on behalf of the County and City with intent to apply to the grubbing and stump removal cost. Voting yes: Adee, McBride, Lepper, Pavleck; absent for vote: Hanson. Motion carried.

000 The Environmental Service Director informed the Board that at the last Planning and Zoning Commission meeting a complaint was reviewed concerning an unpermitted gravel pit for the State Highway 11 Project. At the direction of the Planning Commission, the Director investigated the matter and found it was a one-time borrow area for the State Highway Project and will not operate on a continuous basis. Based on review of the Zoning Ordinance and past practice, the County does not require a permit for one time borrow areas and therefore will not require a permit for this one. However, the Director will make sure the Contractor has a restoration plan and will review the County's position for future one time borrow areas as part of the drafting of the new County Zoning Ordinance. Board member stated that if nothing else, the County should be notified so they are aware of the matter if and when a complaint or inquiry comes in.

000 The Board Chair adjourned the meeting at 3:50 p.m.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, September 21, 2010; 10:30 a.m.

MEMBERS PRESENT: Commissioners Adee, McBride, Hanson, Lepper

MEMBERS ABSENT: Commissioner Pavleck (Family Matter)

OTHERS IN ATTENDANCE: LeeAnn Meer, Paul Nevenan, Doug Grindall, Dennis Hummitzsch, Dale Olson, Kevin Nagurski, Brent and Lisa Bacon, Jeremy Kilbride, Steve Blair, Jim Leseman, Russ and Pam Spry, Mike Romslo, Donald Cole, Arden Barnes, Ron Jean, Gary Schanus; Reporter Laurel Beager

2010/09-22 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper. Motion carried.

2010/09-23 Motion by Hanson, seconded by Lepper to approve the minutes from the September 14, 2010 regular meeting with correction. Voting yes: Adee, McBride, Hanson, Lepper. Motion carried.

2010/09-24 Motion by Lepper, seconded by McBride to approve payment of the Highway claims in the amount of \$98,156.13. Voting yes: Adee, McBride, Hanson, Lepper. Motion carried.

2010/09-25 Motion by Hanson, seconded by McBride to revise Board Motion 2010/08-34 that the Board Chair appointment to the Arrowhead Library System Board is that of Commissioner Lepper with Commissioner Hanson as alternate. Voting yes: Adee, McBride, Hanson, Lepper. Motion carried.

000 Friends Against Abuse Director informed the Board of the presentation of Rachel's Challenge on October 5 which focuses on community involvement in the prevention of bullying, intimidation and violence and she encouraged the public officials' attendance to show support to the kids.

2010/09-26 Motion by Hanson, seconded by Lepper to authorize Board members' attendance to the October 5, 2010 Rachel's Challenge to be held at the Falls High School at 6:00 p.m. Voting yes: Adee, McBride, Hanson, Lepper. Motion carried.

000 The Board was informed by Commissioner Hanson and the KEDA Director that the contract with MPCA has been executed and the State funding for the RECAP Project is now available to match and leverage federal funding for the project. At this time \$5 million of state and federal funding is dedicated to the project. Project representatives acknowledged those who assisted in getting the necessary contracts and funding in place for the project. Due to the delay in getting the state contract, the project lost some attention and placed it further down on the list with others in the nation. However, things are moving forward again and the project study is back on track.

2010/09-27 Motion by McBride, seconded by Lepper accepting the recommendation of the County Engineer to award low bid for bituminous overlays to KGM Contractors in the amount of \$1,473,338.27 for SAP 36-677-07 (CSAH 77) and CP 2010-03 (County Roads and Township Roads) and CP 2010-04 for paving the gravel portion of the Courthouse Parking Lot. Voting yes: Adee, McBride, Hanson, Lepper. Motion carried.

000 The Land Commissioner reviewed the FSC Forest Certification Audit finding for a High Conservation Value Forest Assessment and resulting management plan. The finding applies to the Five Counties Certification Cooperative and is an international standard for certification. The Land Commissioner stated that as part of the assessment to identify any unique environmental conditions or characteristics in the Forest, consultation with the public and stakeholders is needed and solicitation will be done through published notice.

2010/09-28 Motion by Lepper, seconded by Hanson authorizing the Land Commissioner to conduct the required assessment for a High Conservation Value Forest as a requirement of the County's FSC Forest Certification based on the four components identified in the certification audit finding. Voting yes: Adee, McBride, Hanson, Lepper. Motion carried.

2010/09-29 Motion by Lepper, seconded by McBride to approve a Tax Forfeited Land Repurchase Application for Richard Koeneman for property described as the West 800 Feet of the North one-half of the Southeast Quarter of the Southwest Quarter except the South 120 feet in Section 35, Township 71, Range 24 per County Policy and as recommended by the Land Commissioner. Voting yes: Adee, McBride, Hanson, Lepper. Motion carried.

000 The Environmental Service Director reviewed the Planning Commission's recommendation to approve a Rezoning and Conditional Use Permit Application for Kevin Nagurski for construction and operation of a semi truck terminal on the established truck route of Highway 332. The Director stated that the Planning Commission approved the application but not unanimously and did not place any conditions in the permit. In response to questions, the applicant stated that he does have a purchase agreement for the full parcel and would like to use the UT road for a secondary approach from Highway 332. The Environmental Service Director suggested the following conditions to the Permit: no development beyond the site area proposed, move development more north and use of UT 212 is limited to regular vehicles only. In addition, he suggested UT 212 not extend to Highway 53 so there is no access from Highway 53. Residential property owners living across from or adjacent to the development area spoke in opposition to the development due to the increased and continuous truck traffic in and out of the area. In addition, adjacent property owners spoke in opposition of allowing UT 212 for truck traffic, questioning whether the County considered the cost for maintaining this road for heavy truck use. A property owner stated concern with adding commercial zoning to this residential area and stated that if the County is going to add commercial zoning, they should present a plan for the entire area as it is not fair to the residential property owners to have the area change one parcel at a time. The Applicant in response to the Director's inquiry stated the development can not move further north due to wetlands, he would be willing to not use UT 212 and would be willing not to develop on the back lot. In response to other comment, the Applicant stated that his business plan is not intended to make his business a whole lot bigger but he can't guarantee there wouldn't be expansion if the opportunity presents itself. Commissioner McBride after conducting the site visit is opposed to using the UT road for this development and would support the UT be vacated to prevent any use. Commissioner Adee stated support for the residents in the area. Commissioner Hanson also stated support for the area residents as has been his position when development is opposed by the residents in the area.

2010/09-30 Motion by McBride, seconded by Lepper to accept the recommendation of the Planning Commission to approve REZ 1003 and CUP 1003 for Kevin Nagurski for a semi truck terminal development on a parcel located on Highway 332 (Truck Route) about one half mile south of County Road 24 with approval contingent on the Planning Commission establishing use conditions in the Permit and with the applicant to agree to a time line extension to allow for the permit conditions to be established. Voting yes: McBride, Lepper; voting no: Adee, Hanson. Motion failed.

000 The Board Chair called for public comment at 11:45 a.m. Arden Barnes stated that the use of the rock at the FTZ needs to benefit the taxpayer and inquired on the status of federal funding for the Ranier By-Pass Project. Ron Jean stated concern with the proposed increase in the Cabin Lease Fees as he felt the increase was too high. With no other comment the Board recessed for lunch at 12:00 p.m.

000 The Board reviewed the County Ordinance for the management of all Terrain Vehicles in the Public Right of Way on Roads within the County's Jurisdiction which has a sunset date of November 1, 2010. In review with the County Engineer, Land Commissioner and Sheriff no complaints or concerns have been reported since its adoption last year. The Board members concurred that they have not heard any complaints on this allowance. The Board was unanimous they would like the ordinance permanently established.

2010/09-31 Motion by Lepper, seconded by Hanson directing the Administration Director to set the public hearing on the County's intent to permanently establish the County Ordinance for the management of all Terrain Vehicles in the Public Right of Way on Roads within the County's Jurisdiction. Voting yes: Adee, McBride, Hanson, Lepper. Motion carried.

2010/09-32 Motion by McBride, seconded by Lepper to adjourn the meeting at 1:45 p.m. Voting yes: Adee, McBride, Hanson, Lepper. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, September 28, 2010; 10:00 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Brian Youso, Terry Murray, Dan McCarthy, Arden Barnes;
Reporter Laurel Beager

2010/09-33 Motion by McBride, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-34 Motion by McBride, seconded by Lepper to approve the minutes from the September 21, 2010 regular meeting with correction. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-35 Motion by Lepper, seconded by Pavleck to approve payment of the Courthouse claims in the amount of \$59,035.86; to approve payment of the Health claims in the amount of \$19,785.77; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented and approve payment of Burial

Case #221513 in the amount of \$1,867.50. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-36 Motion by Pavleck, seconded by Lepper that as Fiscal Agent and member of the Highway 53 Four-Lane 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 2011 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 (City of International Falls, Koochiching County and St. Louis County). Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The County Board acknowledged the letter from the City of International Falls providing a status report on where the City is at on the County's proposal to blast, crush and retain the aggregate from the FTZ Site which indicates the City will require more time to have the proposal reviewed.

2010/09-37 Motion by Pavleck, seconded by Lepper to approve a revised Limited Interoperability Participation Plan for the Koochiching County Sheriff's Department to include the City of Big Falls which is applicable to the use of ARMER radios by public safety officials and further, authorize the County Board Chair and Sheriff to sign the Plan. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-38 Motion by Hanson, seconded by Lepper to approve Minnesota Lawful Gambling LG220 Premises Permit Application for Friends of the Falls Fire Department for permitted gambling activities (raffle on November 22, 2010) at the Roadhouse located at 3536 Highway 11 E, International Falls, MN. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/09-39 Motion by Pavleck, seconded by McBride to renew the Northome SLS Waiver Contract with no change as recommended by the Community Service Director and upon approval by the County Attorney. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Community Service Director, in response to a letter addressed to the County Board regarding AMC's Child Support Work Group, stated that he and the Child Support Supervisor have met with several key people as well as attending committee and work group meetings to review the State's initiative to take over child support services. The Director reported that the State is pushing counties to regionalize human services to save the State money except in the case of Child Support, the State wants to take it over because the program is well funded through federal incentives and reimbursements. The Director stated that regionalizing certain services and having child support serviced at the State level will mean a loss of local service and representation for the public of Koochiching County. The County Board concurred. In addition, the Director informed the Board that legislation passed this year was recently brought to the forefront that any person in out of home placement at the time they turn 18 years of age, can chose to stay in placement up until the age of 21 with the entire cost of placement borne by

the county. The Director was asked to provide more information on the legislation for review with state legislators and AMC and other county affiliations.

000 The Board Chair called for public comment at 10:45 a.m. Dan McCarthy inquired on the use of the IRRRB funding allocated to the County each year and stated his objection to providing funding to the KEDA. Arden Barnes stated concerns with the inaccuracy of a report in the newspaper and with funding KEDA. Einar Sundin stated that cluster signs are needed at the road intersections to locate 911 Addressing Signs.

2010/09-40 Motion by Hanson, seconded by Lepper to adjourn the meeting at 10:55 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, October 5, 2010; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Dennis Hummitzsch, Marcia Glover and 4H Students, Jenell Feller, Dan McCarthy, Arden Barnes, David Serrano

2010/10-01 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper; absent for vote: Pavleck. Motion carried.

2010/10-02 Motion by Hanson, seconded by McBride to approve the minutes from the September 28, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper; absent for vote: Pavleck. Motion carried.

2010/10-03 Motion by Lepper, seconded by McBride to approve payment of the monthly County Board expense claims in the amount of \$9,364.82; to sponsor the International Voyageurs Snowmobile Club and Ridgerunner Snowmobile Club in the MN Trails Assistance Grant In Aid Program for Fiscal Year 2011 covering the Blue Ox, Caldwell Brook and Lundstrom Trails and Hagerman, Voyageurs West and Loman Trails and approving a Snowmobile FY 2011 Maintenance and Grooming Grant Agreement in the amount of \$110,526. Sponsorship by the County requires that a Club/County Agreement be in effect (Agreement on file in the Auditor-Treasurer Office). As sponsor, the County is accountable to the State for expenditures charged to the State Grant in Aid Program but sponsorship does not require financial support or liability for cost from the County. Voting yes: Adee, McBride, Hanson, Lepper; absent for vote: Pavleck. Motion carried.

2010/10-04 Motion by Lepper, seconded by Hanson to approve a MnDot Office of Aeronautics Air Service Marketing Grant (Agreement No. 97561) in the amount of \$21,000 for MnDot

Project No. 3501-ATS7 to promote commercial air travel for the Airport with the required local match funded in the 2011 Falls International Airport Budget. Further to authorize 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 to authorize the Minnesota Commissioner of Transportation to act as liaison for Koochiching County in administering the grants. Voting yes: Adee, McBride, Hanson, Lepper; absent for vote: Pavleck. Motion carried.

2010/10-05 Motion by McBride, seconded by Lepper to revise Board Motion 2010/09-08 to reconvene the Road Vacation Hearing for the portion of Silver Avenue in the Plat of Goldville to January 11, 2011 at the applicant's request so that he may attend the hearing. Voting yes: Adee, McBride, Hanson, Lepper; absent for vote: Pavleck. Motion carried.

2010/10-06 Motion by McBride, seconded by Pavleck accepting the recommendation of the County Survey Committee to extend the appointment of Robert Murray as County Surveyor and the Murray Surveying, Inc. Contract for 2011, 2012 and 2013 to include 2% rate increase for the surveyor and technician for 2011 with any further rate changes for the following years to be an option agreed upon by both parties and recommended by the Survey Committee and with the annual level of expenditure not to exceed the amount approved through the budget process set by the County Board and based on the annual work plan recommended by the County Survey Committee. Voting yes: Adee, McBride, Pavleck; voting no: Hanson, Lepper. Motion carried.

2010/10-07 Motion by McBride, seconded by Lepper proclaiming October 4 through 8, 2010 as National 4-H Week in Koochiching County and acknowledging the 4H participants for their innovation and leadership. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Occupational Development Center Coordinator updated the Board on their newly renovated facility and open house and on their current work and program activities.

2010/10-08 Motion by Hanson, seconded by Lepper authorizing Board members' attendance to the Occupational Development Center's open house on October 8, 2010 between 10:00 a.m. and 2:00 p.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-09 Motion by Lepper, seconded by Pavleck to set a committee of the whole meeting for Thursday, October 7 at 8:45 a.m. for review of the 2011 County Budget. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-10 Motion by Pavleck, seconded by McBride to set a hearing for October 26, 2010 at 11:00 a.m. for the Road Vacation Application of Tom and Melissa Holt and Charles Phillips for a portion of First Street in the Plat of Hoey's Acreage. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-11 Motion by Pavleck, seconded by Lepper accepting the recommendation of the County Engineer to revoke the section of CSAH 7 (Memorial Drive) between CSAH 24 and CSAH 332 (1.0 mile) and to designate Keenan Drive between CSAH 2 and Trunk Highway 11/71 as CSAH 45 (length .919 mile) with the revocation and designated approved by the City of

International Falls at their meeting of October 4, 2010. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 10:04 a.m. Dan McCarthy requested public comment be held at the start of Board meetings, requested the policy for Commissioners travel and the date the solid waste assessment fee recommendation will be coming from the Solid Waste Advisory Committee to the County Board. Arden Barnes inquired on the establishment of a foreign trade zone as to whether it can be done privately or has to be through a public entity. David Serrano, in reference to the decision to extend the current survey contract, stated that he understood the County would go back out for RFPs based on the Board motion two years ago.

2010/10-12 Motion by Lepper, seconded by McBride to adjourn the meeting at 10:15 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, October 12, 2010; 10:00 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Kathy Sikkila, Dale Olson, Doug Grindall, Dennis Hummitzsch, Roberta Museta, John and Dixie Kalstad, Dan McCarthy, Arden Barnes, Brian Youso, Terry Randolph; Reporter Laurel Beager

2010/10-13 Motion by McBride, seconded by Pavleck to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-14 Motion by Hanson, seconded by Lepper to approve the minutes from the October 5, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-15 Motion by Lepper, seconded by McBride to approve payment of the Courthouse claims in the amount of \$20,954.65; to authorize the Board Chair's signature to the September Vendor Payment Listing verifying its review. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-16 Motion by Lepper, seconded by Pavleck to approve the publication of the 2009 County Financial Statement in summary form as recommended by Administration. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-17 Motion by Pavleck, seconded by Lepper to approve out of state travel for the Veteran Service Officer to attend District Meetings and Training in Fargo, North Dakota for

November 4, 2010 and February 3, May 5, August 4 and November 3, 2011. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-18 Motion by Pavleck, seconded by McBride certifying special assessments on commercial properties for their delinquent 2009 solid waste service fee plus a ten percent penalty to the Auditor/Treasurer for collection on the 2011 tax statements. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-19 Motion by Hanson, seconded McBride to table the request by the Lost River Trails Inc. to designate a snowmobile trail in the right of way along County Road 15 to County Road 118 until more information is provided on procedures required for designating trails in the State Trail System. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-20 Motion by Pavleck, seconded by Lepper to support the City of Big Falls Trails Plan as presented and further, to sponsor the City's Walking and Bike Trail Project for a grant application to the Northeast Minnesota Area Transportation Partnership Enhancements Program with the County's sponsorship to include acting as Fiscal Agent for the grant with the City of Big Falls responsible for any local match for the grant. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair opened a hearing at 11:05 a.m. for the purpose of receiving public comment on the County's proposal to vacate a 10 foot section of public right of way (public access to the Point of Pines Beach) as part of a land exchange agreement between a private landowner and the County to establish boundary lines for the County's Point of Pine Beach. The Administration Director stated that no written comment was received on the vacation proposal. The Board Chair opened the hearing for public comment. Dan McCarthy inquired on whether public access to the water was retained. The Administration Director stated only a strip of the public access to the beach was vacated but the remaining portion of the access would be retained which is adequate for a walkway to the beach as well as providing for County equipment to maintain the beach. Mrs. Kalstad stated that the public access has historically been designated by the County as a public walking access only. With no other comment, the Board Chair closed the hearing at 11:15 a.m.

2010/10-21 Motion by McBride, seconded by Lepper to approve the vacation of a strip of the platted road that provides access to the Point Of Pine Beach to allow for property boundary adjustments under a land exchange agreement between the County and a private landowner with the area to be vacated described as: That part of the Road designated on the Revised Plat of Lots 1-2-3-4-5 of Block 4 Plat of Point of Pines, according to the recorded plat thereof, lying southwesterly and northerly of a line described as commencing at the southwest corner of Lot 1, said Revised Plat of Lots 1-2-3-4-5 of Block 4 Plat of Point of Pines, said corner is designated by an iron monument 1 inch in diameter; thence North 44°44'00" East, bearing based on the Koochiching County Coordinate System, along the southeasterly line of said Lot 1, a distance 10.00 feet to the point of beginning of the line to be described, said point of beginning is designated by a 1 inch diameter monument with a 3 inch aluminum cap marked Koochiching County Survey Monument; thence South 45°16'00" East a distance of 5.00 feet to a point designated by a 1 inch diameter monument ` RLS 15483; thence South 89°56'03" West a

distance of 25.07 feet, more or less, to the angle point in the south line of Lot 3, said Revised Plat of Lots 1-2-3-4-5 of Block 4 Plat of Point of Pines, said angle point is designated by a ¾ inch capped pipe marked RLS 6807 and said line there terminating. This description is made in accordance with the Certificate of Survey. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 11:15 a.m. Arden Barnes inquired on the Big Falls Trail Plan with regards to the cost and need. With no other comment, the Board Chair recessed the meeting at 11:20 a.m.

000 The Board Chair opened a hearing at 1:30 p.m. to receive public comment on the Board's intent to remove the sunset clause from the County Ordinance for the Management of All Terrain Vehicles in the Public Right of Way on Roads within the County's Jurisdiction, which would permanently establish the Ordinance. The Board Chair opened the hearing for public comment. Terry Randolph, a property owner in the Moonlight Rock area, stated that though he has no complaint on the ATV Ordinance itself, he has complaints and public safety concerns with motorized vehicle usage on the Moonlight Rock Road to include ATVs, cars and trucks and would like more presence of law enforcement in this area. In response to a Board members question, he stated that use on the road by ATVs has not increased since the Ordinance was adopted but has been an ongoing concern for the area. Property owners in the area are often called upon for help when there is an accident or vehicles are stuck because the vehicle operators use the road for recreational purposes, not travel. The Sheriff stated that property owners need to call law enforcement when this type of activity is occurring so they can check on the situation. Dan McCarthy inquired on the State Regulation Book for ATV usage. The Board Chair recognized the one written comment received which was from the City of International Falls stating their continued support of the idea that trail use opportunities should be expanded. With no other comment, the Board Chair closed the hearing at 1:45 p.m.

2010/10-22 Motion by Lepper, seconded by Hanson that the Koochiching County Board ordains the Koochiching County Ordinance for the management of All Terrain Vehicles in the public right of way on roads within the County's jurisdiction under Minnesota Statutes 84.928, subd. 6 (c) (2) which authorizes counties to enact an ordinance providing for the operation of All Terrain Vehicles on the extreme right hand side of a road right of way at a speed not greater than 20 miles per hour and shall not operate all terrain vehicles or other motorized vehicle on the bike trail between International Falls and Ranier or any other trail where motorized vehicles are prohibited. That County road under this Ordinance means all County State-Aid Highways, County Roads and Unorganized Township Roads outside of an incorporated municipality located in Koochiching County. Except as otherwise provided in this Ordinance, operation of All Terrain Vehicles shall be in compliance with Minnesota Statutes 84.92 – 84.928, as well as any other federal, state or local rule or regulation as it applies to sections in this 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- Treasurer located in the Koochiching County Courthouse, 715 4th Street, International Falls, MN. This Ordinance shall take effect and be in full force upon its adoption by the Koochiching County Board of Commissioners. Voting yes: Hanson, McBride, Adee,

Lepper, Pavleck. Motion carried.

2010/10-23 Motion by Pavleck, seconded by McBride to adjourn the meeting at 1:45 p.m.
Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, October 19, 2010; 9:35 a.m.

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

OTHERS IN ATTENDANCE: Dan McCarthy, Arden Barnes, Crystal Clance; Reporter Laurel Beager

2010/10-24 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-25 Motion by Hanson, seconded by Lepper to approve the minutes from the October 12, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-26 Motion by Pavleck, seconded by McBride to ratify contract settlement with the LELS Local 102 Koochiching County Law Enforcement Unit for 2009 through 2010 as recommended by the Board's Negotiation Committee. Further, adopting the following resolution for enrollment of the LELS Union employees into the County's Post Employment Health Care Savings Plan: 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 LELS Local 102, representing County employees in the Sheriff Department (hereinafter, the "Eligible Employees"). Whereas the Union has agreed to facilitate implementation of a Post Employment Health Care Savings Plan Policy for Eligible Employees at 50% of vested sick leave accumulations at time of employment separation. Now therefore, be it resolved that the Koochiching County Board hereby agrees to facilitate implementation of the Post Employment Health Care Savings through adopted Policy with the Minnesota State Retirement System for Eligible Employees of the LELS Local 102 of which a copy is on file in the Administration Office. Further, that implementation of the Post Employment Health Care Savings Plan for Eligible Employees is effective upon Board approval and execution of documents with the Minnesota State Retirement System for enrolling said Eligible Employees. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-27 Motion by Lepper, seconded by Pavleck to approve payment of the Highway claims in the amount of \$44,622.48. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-28 Motion by McBride, seconded by Lepper accepting the 2010 County Joint Powers Agreement Report from Administration and acknowledging the termination of the NW MN Counties Joint Powers Agreement for Beaver Damage Control (funding ended), the Boundary Waters Drug Task Force Joint Powers Agreement (due to non-participation by the County) and the NE Region Homeland Security Emergency Management Joint Powers Agreement (never executed by all counties). Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-29 Motion by McBride, seconded by Lepper to approve a revised Koochiching County Joint Powers Policy to recognize the Administration Office for maintenance of the central file. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 9:45 a.m. Dan McCarthy stated that agenda times need to be kept and wants public comment stated, not summarized, in the minutes. He stated that at a recent hearing on a tower proposal there was not a representative in attendance to answer any technical questions of the public. Arden Barnes was provided the procedure for scheduling items on the County Board meeting agenda. A member of the public inquired on whether the public was allowed to cut a Christmas tree in County road right of way and was deferred to the Highway Department for a response.

2010/10-30 Motion by McBride, seconded by Lepper to adjourn the meeting at 9:55 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, October 26, 2010; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Murray, Dennis Hummitzsch, Dale Olson, Steve Blair, Doug Grindall, Ron Peterson, Dan McCarthy, Arden Barnes, Lonnie Glover, Holly Blais, Everett Ramsey, Mark Trompeter; Reporter Laurel Beager

2010/10-31 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-32 Motion by Hanson, seconded by Lepper to approve the minutes from the October 19, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-33 Motion by Hanson, seconded by Lepper approving the Personnel Committee's recommended County-Wide County Job Evaluation for ranked county job descriptions and with implementation of a job appeal process and further, that due to concerns heard by employees as a result of the Job Evaluation process and outcome, to set a forum in which employees can voice

concerns to the County Board. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-34 Motion by Lepper, seconded by Pavleck to approve payment of the Courthouse claims in the amount of \$49,557.41, to approve payment of the Health claims in the amount of \$22,698.82 and to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented and approve payment of Burial Case #1411092 in the amount of \$2,109.50. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-35 Motion by Hanson, seconded by McBride to defer the funding request for renovation of the Historical Silverdale Church to the KDA and to review the request with the Historical Society Director for potential grant funding for historic buildings. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-36 Motion by Hanson, seconded by McBride to approve a one-day 3.2% Malt Liquor License for Anton Imhof for the November 6, 2010 Annual Deer Hunters Dance as recommended by the License Committee. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-37 Motion by Hanson, seconded by Lepper accepting the following Foster and Day Care Licensing recommendations: close home for day care for Stacey Leseman at the provider's request, license Kelly Mattsen for family day care for ten children, relicense Jannette Sullivan-Kucera for child foster care. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-38 Motion by Hanson, seconded by Lepper to set the following dates for the 2011 Timber Auctions: January 19, May 4, August 3 and November 16. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Environmental Service Director updated the Board regarding the CUP request by AT&T to construct a 395 foot tower near the end of County Road 109 (KOA Road). The Director reported that there is strong public opposition to the tower construction and the Planning Commission tabled the issue until an EAW process is completed. In call for public comment, a member of the public stated that to date, local units of government denying the company's tower request have resulted in the company taking the issue to court and the local units of governments did not prevail if they did not have a legal reason to deny the request. A member of the public stated that the company needs to have a representative attend public meetings that can speak to the technical questions. A member of the public stated that health reasons is not a legal reason for denying the towers and in review of a study, towers have lowered property values in the area they are located. Board members stated they would wait for the recommendation from the Planning Commission but felt the companies should be working with the County on tower locations, using existing towers when possible. On another tower matter, AT&T requested a CUP to add 200 feet to an MPR Tower near Ericksburg and the Planning Commission has recommended its approval. Board members asked if the tower height meets the Airport zoning

requirements and would also like a discussion with AT&T representatives on their tower planning in the County.

2010/10-39 Motion by Pavleck, seconded by Hanson to table the Planning Commission's recommendation for a CUP to AT&T for extending the height of a MPR Tower in Ericsburg until the County Board can review tower plans in the County with AT&T representatives, and with tabling action subject to the timeline requirement for acting on the CUP request. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-40 Motion by McBride, seconded by Hanson to remove the sunset clause and adopt the County Policy on Land Divisions as recommended by the Environmental Service Director for the purpose of establishing a multi-county department review of subdivision applications to ensure that the property division meets the County's taxation, addressing, access and zoning conditions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-41 Motion by Hanson, seconded by McBride authorizing the County Engineer to submit an application to the NE MN Area Transportation Partnership Enhancement Program for widening and overlaying the existing bike trail from Second Creek to City of Ranier's main street at an estimated cost of \$188,000 with a 20% local match. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board was presented with a proposal to purchase private land for a by-pass road for the City of Ranier due to train traffic frequently blocking main street. The property owner wants to give local units of government the opportunity to purchase the property before putting it on the market and would like a response by next week. The property is zoned commercial. Board members agreed to place the item on the agenda for next week in review with the status of the Federal Priority Project funding that includes a Ranier By-Pass Road, land value and other information pertinent to the County considering the property for road purposes.

000 The Board Chair opened a hearing at 11:10 a.m. to receive public comment on the request to vacate a portion of a street in the Plat of Hoey's Acreage as being a part of First Street lying north of Central Avenue and south of First Avenue north. The Administration Director stated one written comment was received by a property owner in the area inquiring as to how the road vacation would affect them. The Administration Director stated that the property is not affected by the street vacation request and will be notified as such. In call for comment, no public comment was received and the Board Chair closed the hearing.

2010/10-42 Motion by Pavleck, seconded by McBride to approve a road vacation for a portion of a street in the Plat of Hoey's Acreage described as that part of 1st St., PLAT OF HOEY'S ACREAGE, according to the recorded plat thereof, lying north of Central Avenue and south of 1st Ave. N. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 11:15 a.m. Dan McCarthy stated that the meeting with AT&T to discuss their tower planning needs to have a representative present that can speak to technical questions and further requested information on the requirements for a newspaper to bid for county publications. Everett Ramsey stated his concerns on the Ranier

Annexation, feeling his rights were violated for having no say in whether to be annexed into a City. Mark Trompeter wanted the Board to ask why AT&T needs to put up another tower as he feels for the most part, existing towers provide for cell phone service. Other members of the public stated that where cell phone service is needed, is on the other side of Brule Narrows on Rainy Lake for safety reasons.

2010/10-43 Motion by Lepper, seconded by McBride authorizing Board members to attend a meeting of the International Lake of the Woods and Rainy River Watershed Task Force on Tuesday, October 26, 2010 in International Falls in which the Task Force will describe its plans for carrying out the mandate to assist the International Joint Commission in addressing water quality, water quantity and related issues in the Lake of the Woods and Rainy River Watershed. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/10-44 Motion by McBride, seconded by Pavleck to adjourn the meeting at 11:45 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, November 2, 2010; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Dennis Hummitzsch, Ron Peterson, Dale Olson, Mark Hemstreet, Jamie Kirchner, James Reis, Dan Blais, Lonnie Glover, Dan McCarthy, Dave Deedrick, John Arnold. Karin Eckdahl; Reporter Laurel Beager

2010/11-01 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-02 Motion by McBride, seconded by Pavleck to approve the minutes from the October 26, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-03 Motion by Lepper, seconded by Hanson approving payment of the monthly County Board expense claims in the amount of \$9,133.64. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-04 Motion by McBride, seconded by Lepper accepting the County Insurance Committee recommendation for the 2011 County Group Health Plans effective January 1, 2011: change the Group's CMM Plan to the Northeast Cooperative's Common Plan #16 with the monthly premium rate of \$461.50 single and \$1236.00 family with loss of coverage due to an increase in deductible and resulting maximum OOP increase of \$1,500/\$2,500 single and \$3,000/\$5,000 family and the loss of 100% accident coverage and separate OOP cap for prescription drugs with added coverage of a full preventive benefit plan. Further,

to renew the optional VEBA Health Plan #823 at the monthly premium rate of \$404.00 single and \$1081.50 family monthly with no other changes to the plan. Both plans comply with State Law and the Federal Health Reform changes for 2011 and the employer's monthly premium contribution is set at 2010 levels of 100% single premium contribution and \$1,211 family monthly contribution. Further to renew the County's Flexible Spending Plan with Select Account with no change in rates and plan with Employee – Employer cost share of the monthly administration fee for participating employees is at a rate of \$1.83 per month. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-05 Motion by Lepper, seconded by Pavleck 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: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-06 Motion by Hanson, seconded by McBride to authorize Board members' attendance to the U.S. Border Patrol Station Grand Opening Ceremony on Monday, November 8, 2010 at 1:00 p.m. as a Board activity. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-07 Motion by Hanson, seconded by Lepper to support Kittson County in their request for a Supreme Court review of a recent decision of the Minnesota Court of Appeals which concerns roads established along lateral ditches number 12, 13 and 14 of State Ditch Number 72 in Peatland Township. That the decision is being interpreted by the MN DNR to pertain to other important and long established roads and reportedly they are removing county signs from roadways established by previous County Road Orders and replacing them with DNR signs that

prohibit or restrict certain vehicle traffic, which becomes a serious concern for access to and from public and private lands. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-08 Motion by McBride, seconded by Pavleck to correct Board Motion 2010/10-21 for a corrected legal description: 2010/10-21 Motion by McBride, seconded by Lepper to approve the vacation of a strip of the platted road that provides access to the Point Of Pine Beach to allow for property boundary adjustments under a land exchange agreement between the County and a private landowner with the area to be vacated described as: That part of the Road designated on the Revised Plat of Lots 1-2-3-4-5 of Block 4 Plat of Point of Pines, according to the recorded plat thereof, lying southwesterly and northerly of a line described as commencing at the southwest corner of Lot 1, said Revised Plat of Lots 1-2-3-4-5 of Block 4 Plat of Point of Pines, said corner is designated by an iron monument 1 inch in diameter; thence North 44°44'00" East, bearing based on the Koochiching County Coordinate System, along the southeasterly line of said Lot 1, a distance 10.00 feet to the point of beginning of the line to be described, said point of beginning is designated by a 1 inch diameter monument with a 3 inch aluminum cap marked Koochiching County Survey Monument; thence South 45°16'00" East a distance of 5.00 feet to a point designated by a 1 inch diameter monument **with a 3 inch aluminum cap marked Koochiching County Survey Monument; thence South 44°44'00" West a distance of 24.48 feet to a point designated by a 1 inch diameter monument with a 3 inch aluminum cap marked Koochiching County Survey Monument; thence South 66°25'45" West a distance of 76.38 feet to a point designated by a ½ inch capped pipe marked RLS 15483; thence South 89°56'03" West a distance of 25.07 feet, more or less, to the angle point in the south line of Lot 3, said Revised Plat of Lots 1-2-3-4-5 of Block 4 Plat of Point of Pines, said angle point is designated by a ¾ inch capped pipe marked RLS 6807 and said line there terminating.** This description is made in accordance with the Certificate of Survey. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board reviewed additional information pertaining to a property purchase offer from Ron Peterson to the County to provide right of way for a Ranier By-Pass Road. The Administration Director stated that the County submitted application for Federal High Priority Transportation Projects which included a CN Bypass Road for the City of Ranier, however, the funding has not been approved to date. In addition, the County Engineer has not sought an appraisal of the property which is required for right of way purposes. The Land Commissioner stated that to review the property for land exchange will also require an appraisal and stated that for public recreational opportunities, the property isn't a fit. Mr. Peterson stated that the price offer is fixed regardless of what appraisal results are obtained by the County. Board members stated that though the property provides opportunity for a by-pass road, the County is obligated to purchase or exchange on appraised value.

2010/11-09 Motion by McBride, seconded by Pavleck to table the proposal from Ron Peterson to purchase his property for the Ranier By-Pass Road until the November 16, 2010 County Board meeting for further review with the County Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-10 Motion by Lepper, seconded by Pavleck to add an additional property proposal to the County from Ron Peterson to the agenda for discussion. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Ron Peterson presented a proposal to the County to purchase up to 40 acres of his property which is adjacent to the Foreign Trade Zone and Tax Forfeited property. The Board agreed to defer the proposal to the Land Commissioner for review and place it on the November 16, 2010 County Board agenda.

000 The Environmental Service Director stated that the Planning Commission recommendation to approve the CUP to AT&T for extension of the Tower in Ericsburg was tabled at the last meeting with a request of the County Board to have Company representatives further review their tower plans with the County Board. The Director stated that in review of airport zoning, there is no issue but that the Company has to comply and receive approval from the FAA with any tower they erect or extend. AT&T Engineer reviewed a document which showed their current service levels and where they need to have towers to improve the service along Highway 53 and the lake area. Currently there is no in-vehicle service along State Highway 53 which is the reason they are looking at the Ericsburg Tower and mentioned they are also erecting a tower in the Ash River area. In response to the question, the Environmental Service Director stated that for the Ericsburg Tower CUP Application, there was no real resistance from the public but there was strong opposition on their tower proposal in the KOA area. A member of the public asked if there was a study done on the health affect to the public with cell phone towers. A member of the public asked why the Boise tower at Second Bridge and the DNR Ranger Tower on the Sha Sha Hills could not be used instead of erecting a new tower in the KOA area. AT&T representative stated that they did look at these towers but the Boise and Ranger towers did not provide the physical location and/or option to extend the height. In addition, they looked at the County's tower at the Van Lynn Road but found that the tower was not able to take any more equipment. A Board member in review of the map inquired on the tower site out west. AT&T representative stated that it is a tower they plan to erect but was not sure of height. In response, the representative stated that they did try to co-locate with other cell company towers in this area. In response to a question, AT&T representative stated that AT&T has filed their plan with the FAA but has not received approval to date. Board members stated that the State is putting up or extending towers in seven locations in the County for the ARMER System and they have concerns that there will be towers going up every where. AT&T representative stated that they have reviewed their options for improving service around and in the City of Intl Falls and the lake area including using existing sites but found no other workable option. A member of the public stated that federal legislation allows towers to be placed on federal lands so why not place the tower in the Park. A member of the public stated that there were two raw land sites, the KOA area and another behind Ulland's Pit and asked why the other option was not used. A member of the public asked what the Company will do if the County Board doesn't approve the CUP for the KOA tower. AT&T representative stated he could not speak to what the Company will do if the application is denied. AT&T representatives stated that the Ericsburg and KOA applications are separate; one is not tied to the other. In response to the question of whether the Company has a history of taking LGUs to court for denial of applications, the representative stated that he was not aware of this occurring. A Board member stated that the County would prefer to work with the Company to find an alternative to the KOA site. The Environmental Service Director stated

that his research found no lawsuit filed by AT&T in the State of Minnesota. A property owner in the KOA area stated that while AT&T has one year of time and money in this project, he has a life time invested in his property which will be forever negatively impacted by the tower. The company will profit and his property will lose value. A member of the public stated that in democracy, majority rules and communication is today's way of life. People are affected but decisions have to be made to conduct business. In response to the Ulland Pit site, representatives stated that wetland and access issues make this option too costly. In response to a question, the Environmental Service Director stated that the public notice on the Ericsburg Tower did inform that the existing tower was proposed for height extension. AT&T representatives stated their willingness to further discuss other site options if that is the desire of the County Board.

2010/11-11 Motion by McBride, seconded by Lepper accepting the Planning Commission recommendation to approve a Conditional Use Permit (CUP #1005) by AT&T to extend a Minnesota Public Radio (MPR) Tower an additional 200 feet in height with the tower location approximately 1 mile south of Ericsburg off County Road 98 on property owned by MPR and located in Section 18, Township 69N, Range 23W. Voting yes: Adee, McBride, Hanson, Lepper; voting no: Pavleck. Motion carried.

000 A representative of TWRx, LLC presented their County Prescription Drug Card Program for consideration by the County. Their Company is Minnesota based and includes vision discounts and hearing product discounts if the providers are a participant in the program. The Board agreed to have Administration provide a program comparison for further consideration.

2010/11-12 Motion by Lepper, seconded by Pavleck to approve two Applications for Repurchase of Tax Forfeit Land for Peter and Shelley Mai for property described as Lots 1, 2, 3, Block 11 Plat of Robinsons & Swedbacks Addition to Big Falls and Lots 22, 23 and 24 and vacated avenue, Block 11 Plat of Robinsons & Swedbacks Addition to Big Falls. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Land Commissioner informed the Board that four properties within the City of International Falls have been cleaned and are ready for demolition. He would talk to the City about doing the demolition but use the County's demo site.

000 The Board Chair called for public comment at 11:30 a.m. Dan McCarthy requested that the County agenda time be followed and agendas and packets be sent out 2 weeks prior to the meeting to better accommodate the public. In addition, he requested review of his comments in the minutes.

2010/11-13 Motion by Lepper, seconded by Pavleck to adjourn the meeting at 11:37 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS

Held on Tuesday, November 16, 2010; 10:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Dale Olson, Dennis Hummitzsch, Will Hoyt, Ron Peterson, Arden Barnes, Ed Oerichbauer, Raoul Lufbery, John Veeda; Reporter Laurel Beager

2010/11-14 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-15 Motion by Hanson, seconded by Lepper to approve the minutes from the November 2, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-16 Motion by Lepper, seconded by McBride to approve payment of the Highway claims in the amount of \$104,410.03 and to authorize the Board Chair's signature to the October Vendor Payment Listing verifying its review. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-17 Motion by Lepper, seconded by Pavleck authorizing the Administration Office to request bids for the County's 2011 publications as required under MN Statute. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-18 Motion by McBride, seconded by Lepper to re-appoint Commissioner Wade Pavleck as the County's representative on the Arrowhead Regional Development Commission under a three-year term from January 2011 to January 2014. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-19 Motion by Pavleck, seconded by McBride that for PERA documentation purposes, to approve the separation of Commissioner Charles Lepper from the Elected Office of County Commissioner at the expiration of his term ending January 1, 2011. Voting yes: Adee, McBride, Hanson, Pavleck; abstaining: Lepper. Motion carried.

2010/11-20 Motion by Pavleck, seconded by Lepper to table approval of the amended Joint Powers Agreement for the NE MN Radio Board until the November 23 Board meeting to allow the Board Chair to attend the next Joint Powers Board meeting to discuss the County's concerns with the State ARMER System and how the Joint Powers may or may not impact the County's independent decision to become a part of the State's communication system. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-21 Motion by Hanson, seconded by Lepper to sponsor the Ridgerunner Snowmobile Club in the MN Trail Assistance Program for Off Highway Vehicles and approving a FY 2010 Supplemental Grant –In-Aid Agreement covering the Blue Ox ATV Trail for \$3,100 and authorizing the Board Chair and Auditor-Treasurer's signatures to said Agreement. Sponsorship by the County requires that Club/County Agreement be in effect (Agreement on file in the Auditor-Treasurer's Office). As sponsor, the County is accountable to the State of expenditures

charged to the program; sponsorship does not require financial support or liability for cost from the County. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-22 Motion by McBride, seconded by Lepper to authorize the Board members' attendance to the Forest Capital Partners celebration of the completion of the 76,000 acre Conservation Easement with the event held on November 17, 2010 at the AmericInn at 11:30 a.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-23 Motion by McBride, seconded by Pavleck to award low or only quote received for the Canister Site Attendant Contracts as recommended by the Environmental Service Director for the Big Falls, Birchdale, Littlefork, Loman, Mizpah, Ray and Silverdale Canister Sites with payment of a signing sum to be deducted from the total contract amount as determined by the Environmental Service Director for up front costs. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-24 Motion by McBride, seconded by Pavleck to award the low quote for the Canister Site Hauling Contracts to Friend's Garbage for the Big Falls, Birchdale, Loman, Mizpah and Ray Canister Sites and to Jim's Disposal for the Littlefork Canister Site as recommended by the Environmental Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Environmental Service Director provided a recommendation for the County to accept the Army Corps 12.8 acre approval of wetland credits for the Dunnick Lake Wetland Bank contingent upon agreement of a conservation easement between the Army Corps and the County and with the understanding that no further work needs to be done at the site to obtain these credits. To obtain the additional 4.7 acre approval from the Corps, the County would have to invest an estimated \$30,000 to do mitigation work in and around the bank. At an estimated value of \$10,000 per wetland credit, the County would earn \$47,000 for the additional credits and after cost, receive a net gain of \$17,000. However in further consideration of the additional credits, Dunnick Lake as it stands today is a nice open water area and the mitigation plan wanted by the Corps would change this to a more marsh-like condition. Therefore it is recommended to retain the open water area and accept the 12.8 acre of wetland credits.

2010/11-25 Motion by Pavleck, seconded by McBride to accept the Army Corps position to approve 12.8 acres of wetland credits for the County's Dunnick Lake Wetland Bank contingent upon agreement of a conservation easement between the County and Army Corps for the wetland bank and with the understanding that no further work is required at the site to obtain the credit approval from the Corps. Voting yes: Adee, McBride, Lepper, Pavleck; voting no: Hanson. Motion carried.

000 The Assistant County Engineer reviewed the Department's position on the proposal from Ron Peterson for the County to purchase his property for right of way for a By-Pass Road for the City of Ranier. The County Engineer's position is that with the federal funding uncertain at this time for the by-pass road and the fact that the property owner is fixed on a price, it doesn't make sense to spend money on an appraisal if the project can't move forward. Arden Barnes, resident of the City of Ranier, asked the Board to consider this opportunity as the train blockage in the City of Ranier is frequent and a more convenient route for the public and shorter route for

emergency vehicles should be provided. Commissioner Pavleck stated that in fairness to the Ranier area, the CN Trains are blocking a County Road, not a city street, and the County should consider the problem for the area. Having said this, the land purchase opportunity is not an option if the County is bound by appraised value and the property owner's price is fixed. In addition, whether the road project moves forward is dependent on the federal funding award. Board members agreed. Mr. Peterson stated that he would be willing to review the issue again with the County at the first meeting in January so the Board knows if the federal funding is approved in the transportation bill. However, he will also pursue other interests in the property. John Veeda, a property owner adjacent to Mr. Peterson's property, stated his opposition to the by-pass road on this property as it will be in very close proximity to his residence.

2010/11-26 Motion by Lepper, seconded by Pavleck to authorize the County Engineer to call for bids for CSAH 155 upon approval of the construction plan, submission of the right of way documents and receipt of the Corps wetland permit as recommended by the County Engineer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Land Commissioner reviewed the property purchase proposal from Ron Peterson for land adjacent the FTZ and Tax Forfeited land. The Land Commissioner recommended the County obtain an easement from Mr. Peterson for a forestry road to retain access off State Highway 11 and also to retain the current snowmobile trail. With regards to the remaining property, it would have some recreational opportunities if there was mutual cooperation with the other adjacent landowners. To consider this property purchase and/or a land exchange would also require the County to obtain an appraisal. The Land Commissioner stated that he would participate in reviews of the property owner's recreational plan for the area with the other adjacent property owners for potential development.

2010/11-27 Motion by Pavleck, seconded by Lepper authorizing the Land Commissioner to enter into negotiations with Ron Peterson to obtain an easement off State Highway 11 for a forestry road and trail access and bring back a recommendation to the County Board. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 11:55 a.m. The Mayor of Ranier and representative from Voyageurs National Park informed the Board that the U.S. Coast Guard has instituted operational rules for the CN Lift Bridge over Rainy River at the City of Ranier. The Coast Guard will not license the bridge for remote operation but that the bridge will operate on an "Open on Demand" basis. The Open on Demand Policy will be enforced during the busy boating season from May 1 through October 15. In addition black and white clearance gauges will be erected on each side of the bridge and south bound trains will be given 30 minutes to clear the bridge. Representatives stated thanks to the Coast Guard as well as all the local governments, agencies and newspaper for their support in resolving this local concern for the public.

2010/11-28 Motion by Hanson, seconded by McBride to adjourn the meeting at 12:05 p.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, November 23, 2010; 9:30 a.m.

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

OTHERS IN ATTENDANCE: Jeff Naglosky, Terry Murray, Susan Congrave, Dennis Hummitzsch, Doug Grindall, Arden Barnes, Dan McCarthy, Rob Ecklund; Reporter Laurel Beager

2010/11-29 Motion by McBride, seconded by Lepper to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-30 Motion by Pavleck, seconded by Hanson to approve the minutes from the November 16, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-31 Motion by Lepper, seconded by McBride to approve payment of the Courthouse claims in the amount of \$39,911.58, to approve payment of the Health claims in the amount of \$17,223.61, to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented and approve payment of Burial Case #1522754 in the amount of \$2,024.67. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-32 Motion by Lepper, seconded by Hanson to execute a Club Trail Agreement between Koochiching County and Lost River Trails Snowmobile Club for the existing trails within Koochiching County which have been permitted and approved under the Minnesota Grant in Aid Program and those approved routes by the County as connectors to permitted trails. Maps of the existing trails are on file in the Auditor/Treasurer Department. Motion further authorizes the County Board Chair and Auditor-Treasurer to sign the Agreement on behalf of the County. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-33 Motion by Pavleck, seconded by Lepper to approve a two-year Joint Powers Agreement between the City of Ranier and Koochiching County to allow the County to continue services to the annexed area at the levels previously provided by the County prior to annexation and allow time to the City of Ranier to establish, amend and implement its plans and policies for servicing the annexed area. Motion further authorizes the Board Chair and Administration Director to sign the Joint Powers Agreement on behalf of the County. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-34 Motion by Hanson, seconded by Pavleck adopting the following resolution approving modifications to the Joint Powers Agreement forming the Northeast (NE) Regional Radio Board: WHEREAS, Koochiching County is a participating member of the NE Regional Radio Board, a Joint Powers Entity formed pursuant to M.S. 403.39 and 471.59; and WHEREAS, a Joint Powers Agreement creating the NE Regional Radio Board was approved by

the eleven counties and four cities comprising the Board, including Koochiching County; WHEREAS, the current Joint Powers Agreement provides for membership by counties and cities within HSEM Region 2; and WHEREAS, the Minnesota Legislature has amended M.S. 471.59 to provide authority for federally recognized Indian tribes to participate in Joint Powers Agreements; and WHEREAS, compliance with this amendment to M.S. requires modification of the existing Joint Powers Agreement; and WHEREAS, the NE Regional Radio Board recommends modification of the Joint Powers Agreement governing the NE Regional Radio Board to provide for the authority for federally recognized Indian tribes meeting the same requirements as counties and cities within HSEM Region 2 to participate in the NE Regional Radio Board; and WHEREAS, the NE Regional Radio Board further recommends modification of the Joint Powers Agreement to provide management and administration of regional Emergency Management functions by the Regional Radio Board. NOW THEREFORE, BE IT RESOLVED the Koochiching County Board of Commissioners approves the modifications to the Joint Powers Agreement recommended by the NE Regional Radio Board and request consideration of the modification requested by the Koochiching County Attorney regarding dispute resolution language pertaining to Indian tribes. Voting yes: Adee, McBride, Hanson, Pavleck; abstaining: Lepper. Motion carried.

2010/11-35 Motion by Pavleck, seconded by Lepper authorizing the hire of a full time Legal Secretary for the County Attorney's Office as requested by the County Attorney with hire through the County Hiring Policy. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-36 Motion by Lepper, seconded by Pavleck authorizing the hire of a full time Assistant County Attorney as requested by the County Attorney with hire through the County Hiring Policy. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-37 Motion by Lepper, seconded by Pavleck to extend the hire of Tracy Podpeskar in the interim position of Financial Worker as requested by the Community Service due to heavy caseloads in the Financial Unit with the County Board's authorization for extension limited to a period of up to one year beginning January 1, 2011. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-38 Motion by Lepper, seconded by McBride accepting the following Foster Care and Day Care Licensing recommendations: relicense Carole Schulz for group family day care for fourteen children; relicense Jennifer Thompson for family day care for ten children; relicense LuAnn McBride for group family day care for ten children. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-39 Motion by Lepper, seconded by McBride to add an additional Burial Case payment to the agenda at the request of the Community Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-40 Motion by Lepper, seconded by Pavleck to approve payment of Burial Case #1682137 in the amount of \$1,755.00. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-41 Motion by Pavleck, seconded by Lepper acknowledging receipt of the minutes from the County Health Professional Advisory Committee meeting of November 17, 2010 as recommended by the Health Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Health Director provided the Department's Quarter 3, 2010 Financial and Statistical Report and the Director's Report. The Director reported that after being informed to spend down the PHER III Grant or lose it, the Department spent it down. However, not all counties did so the State reallocated the unspent dollars with Koochiching County receiving a share of \$11,400.

2010/11-42 Motion by Lepper, seconded by McBride to approve a Letter of Agreement with the Littlefork Medical Center for medical consultation for the County Health Department at an annual cost of \$800 as recommended by the Health Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-43 Motion by McBride, seconded by Pavleck to approve a PHER III Grant in the amount of \$11,400 for the County Health Department with no cash match as recommended by the Health Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-44 Motion by McBride, seconded by Hanson accepting the recommendation of the Land Commissioner based on past practice to accept the forfeiture of Timber Permits K9066 and K9131 from Walter Veit at his request due to closing of his logging business and waive the forfeiture penalty on the permits due to hardship but deny his request for a refund of the timber permit down payment. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-45 Motion by Pavleck, seconded by Lepper to certify contract performance on the following road projects as recommended by the County Engineer: County Road 82 bituminous surfacing and aggregate shouldering with Knife River Contracting with a final contract amount of \$60,869.61; CSAH 4 bituminous surfacing and aggregate shouldering with Knife River Contracting with a final contract amount of \$481,033.01; CSAH 77 grading and aggregate base with Wagner Construction with a final contract amount of \$861,495.28; CSAH 4 bituminous surfacing and aggregate shoulders with Knife River Contracting with a final contract amount of \$199,181.28. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/11-46 Motion by Hanson, seconded by McBride to approve an amended Grant Agreement with the State of Minnesota for a \$6,226.50 Federal Stimulus Public Facility Energy Efficiency Grant to replace the burner in the Courthouse Boiler due to added language required by the Department of Energy in the State grant agreements to ensure compliance with federal rules. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 10:50 a.m. Dan McCarthy stated support for filling of the County Attorney's Assistant position as a more cost effective means of providing services over contracting as found in the past. He further inquired on the overruns in the road projects and stated his opinion on the County's structure for solid waste services. Arden Barnes

inquired with the County Engineer regarding the Railroad Crossing work in Ranier and the blockage of the road.

000 With no further business, the Board Chair adjourned the meeting at 11:10 a.m.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, December 14, 2010; 3:00 p.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Bob Peterson, Terry Glowack, Randy Pozniak, Einar Sundin, Dennis Hummitzsch, Dan McCarthy, Arden Barnes; Reporter Laurel Beager

2010/12-01 Motion by McBride, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-02 Motion by Hanson, seconded by Pavleck to approve the minutes from the November 23, 2010 regular meeting. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-03 Motion by McBride, seconded by Lepper to set the County Board 2011 Salary and Per Diem at no change from 2010 with a review to be conducted in 2011 for proceeding years due to the salary and per diem not being adjusted since 1997. Voting yes: Adee, McBride, Lepper, Pavleck; voting no: Hanson. Motion carried.

2010/12-04 Motion by Lepper, seconded by McBride to approve payment of the monthly County Board expense claims in the amount of \$6,587.00 and to designate the Administrative Assistant 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 4, 2011 Board meeting for ratification. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-05 Motion by Lepper, seconded by Hanson accepting the recommendation of the County's License Committee granting the following 2011 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; Sha Sha LLC DBA Sha Sha Resort, On/Off/Sunday Intoxicating Sales; LBC Enterprises Inc DBA Lu's, On/Off/Sunday Intoxicating Sales; Almost Lindy's Inc, On Sale and Sunday Intoxicating Sales;

Little, Terrance & Sharon DBA Y Knot Quick Stop, Off Sale Intoxicating Sales; KD Enterprises of Int'l Falls LLC DBA The Junction, On/Off/Sunday Intoxicating; Roadhouse Night Club Inc DBA Road House, On and Sunday Intoxicating Sales; further to approve the following Tobacco License Applications as recommended by the Administrative Assistant: The Junction, 65 Express, Christiansen's Store, Korner Kwik Stop, The Loon's Nest, Nelson's Store, Rainy Lake One Stop, Thunderbird Lodge, Woodland Inn, Y-Knot Quick Stop, Lu's. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-06 Motion by Pavleck, seconded by McBride to approve the 2011 Forestland Leases with no change in terms and a 5.15% rate increase as recommended by Administration. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-07 Motion by Hanson, seconded by Lepper to approve a snowmobile trail extension from Northome to Kelliher along County road right of way for the Lost River Trail Snowmobile Club in accordance with the conditions set by the County Engineer and terms in the County/Club Trail Agreement on file in the Auditor-Treasurer's Office. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-08 Motion by McBride, seconded by Lepper to accept on behalf of the International Falls-Koochiching County Airport Commission, an Air Service Marketing Grant in the amount of \$6,700 from MnDot Office of Aeronautics for the purpose of promoting air service and ridership at the Falls International Airport and further, to authorize the Board Chair to sign said Agreement. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-09 Motion by Hanson, seconded by Pavleck to approve a Joint Powers Agreement with the State of Minnesota for reimbursement of cost for the 2011 General Election recount services for Koochiching County. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-10 Motion by Pavleck, seconded by Hanson to renew the Occupational Development Center's cleaning contract with a three percent increase (last increased 5 years ago) as recommended by the Complex Superintendent. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 A representative from the Rural Fire Protection Association provided a report on the Organization's activities: A new website has been established for RFPA posting the organization's financial and meeting information; a new pumper truck has been purchased through a low interest loan and will not require an increase in the service fees; that based on interest received, RFPA conducted a survey of the 200 island properties on fire protection services with 133 returned and 94 in favor, 5 maybe and 34 against. RFPA will conduct a cost-benefit analysis after considering its options for providing fire protection to island properties including participation with other organizations having fire protection watercraft. The representative stated that they have received calls from property owners regarding the 911 Signs and stated that RFPA hired ODC to take down their old fire signs, which has been done. Einar Sundin stated that old fire signs are still up in other areas of the county and should be taken down.

000 The Land Commissioner provided a report on the November 17 Timber Auction resulting in all but one tract being sold for a total of 26,682 cords at an auction sale value of \$615,964. The Land Commissioner stated that the unsold tract will be recommended to be withdrawn, reappraised and provided through an informal direct sale as salvage (blowdown area). The Commissioner reported that the 2010 timber sold is valued at \$2,078,247.

2010/12-11 Motion by Hanson, seconded by Lepper accepting the recommendation of the Land Commissioner to withdraw Tract 32 from the Timber Auction List for reappraisal and sale through an informal direct sale as salvage (blowdown material) under statute limits. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Land Commissioner reported that the County's assessment for complying with the (Forest Certification) FSC High Conservation Value Finding has been completed and submitted to the Audit Group, closing the Corrective Action Request for Koochiching County.

2010/12-12 Motion by Pavleck, seconded by Lepper authorizing the Land Commissioner to purchase a snowmobile to replace a 1998 snowmobile that is not fully operational and needed to conduct the timber sale work with funds to come from the Land Department's Resource Development Budget where PILT revenue received was more than anticipated thereby allowing funding for this purchase. It is further agreed the Administration Director will adjust the Department Budget for 2010 or 2011 depending on when the actual purchase is made. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-13 Motion by Hanson, seconded by Pavleck to award low bid to Mannco Trucking for a two-year MSW Hauling Contract to Mar-Kit Landfill as recommended by the Environmental Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-14 Motion by Pavleck, seconded by McBride to authorize the Board Chair's signature to the FY 2011 BSWR Natural Resources Block Grant Agreement in the amount of \$55,805 to assist with the management of the County's water, shoreland, SSTS and wetland plans and with the local levy share of \$2,717 and other required local match; further, that no expenditures occur until the grant funds are received by the County. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-15 Motion by Pavleck, seconded by Lepper authorizing the Environmental Service Director to fill the vacant Environmental Services Technician position under the County Hiring Policy. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 4:20 p.m. Arden Barnes requested the County Board look into the environmental concerns for the U.S. as a result of the Biomass operations in Canada. The Board agreed to put this on the next meeting's agenda for further review. Dan McCarthy inquired on the Board's timeline for reviewing changes in the assessment of solid waste cost to properties.

2010/12-16 Motion by McBride, seconded by Lepper to adjourn the meeting at 4:30 p.m.
Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, December 21, 2010; 10:35 a.m.

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

OTHERS IN ATTENDANCE: Bob Peterson, Terry Murray, Dale Olson, Justin Berg, Dennis Hummitzsch, Mike Ward, Dan McCarthy, Doug Grindall, Arden Barnes; Reporter Laurel Beager

2010/12-17 Motion by Pavleck, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-18 Motion by McBride, seconded by Pavleck to approve the minutes from the December 14, 2010 regular meeting with correction. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-19 Motion by Lepper, seconded by Hanson approving the 2011 County Budget gross levy at \$3,901,261 (3% increase over last year of \$114,000). The 2011 proposed levy breakdown is as follows: General Revenue - \$1,778,561; Community Service - \$1,227,325; Public Health - \$73,000; Highway - \$719,027; Environmental Services - \$103,348. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-20 Motion by McBride, seconded by Lepper authorizing the following County Fund designation for the 2011 County Budget: \$476,962 for the 2011 General Revenue Fund Budget; \$2,265,793 for the 2011 Highway Budget; \$300,000 for the 2011 KCCS Budget; \$50,000 for the 2011 Health Budget; \$30,000 for the 2011 E.S. Budget; \$0 for the 2011 County Development Budget; \$58,249 for the 2011 Land and Forestry Budget; \$18,044 for the 2011 Wastewater Debt Service Budget. Motion further authorizes the Administration Director to set for each fund, cash flow in accordance with the State Auditor's guidelines and to designate the remaining balance for long term operation and capital budget planning. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-21 Motion by Lepper, seconded by McBride to adopt the 2011 Budget and Budget Plan in the amount of \$23,792,349 plus the 2011 Fund 02 and 13 Supplement Budget in the amount of \$315,245 for a grand total of \$24,107,594. Motion further adopts the following budget directives, effective immediately, and until such time as amended or terminated by the County Board in order to respond to anticipated State aid or service cuts to the County:

- a. 2011 Budget remains open and subject to adjustments at any time to respond to anticipated State aid cuts or other changes as a result of State actions to balance the State's \$6.188 Billion Fiscal Years 2012 and 2013 Budget deficit.

- b. First half allocations paid to outside entities will be accompanied with a memo stating that should the County Budget face cuts in state aids or other situations that would cause a need to readjust the County Budget, second half allocations will be subject to further consideration;
- e. Department Heads are expected to manage a tight budget to allow for further reduction of expenditures in the 2011 Budget to respond to state aid cuts or other situations that would cause a need to reduce the County Budget. This directive requires further review and approval of the County Board for all 2011 budgeted capital outlay or capital projects funded by County dollars. In addition, all capital outlay or projects to be funded by other revenue sources will not be purchased or started until the revenue source is secured with the County.
- f. Hiring Freeze per Board Motion 2010/04-04: Understanding that vacant positions create hardship on department operations, the objective of the County Board in implementing the hiring freeze is to save dollars for the time the position remains vacant and to allow the opportunity to review service changes and reallocation of resources through attrition if the impact to the County as a result of the State Budget deficit requires adjustments at the County level. (2010/04-04 Motion by Pavleck, seconded by Lepper to accept the recommendation of the Personnel Committee that as one means to control cost until the full impact of the State Budget Deficit to the County is known for both Calendar Years 2010 and 2011, to implement a County Hiring Freeze in which all vacant county positions will be froze for a period of six months before a request to fill the position will be heard; that should a Department Head submit a request to fill a position prior to the six month period, an absolute need to immediately fill the position must be demonstrated and must include the Department Head's consideration of temporary options.) Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-22 Motion by Hanson, seconded by McBride 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 2011 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: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-23 Motion by Lepper, seconded by Pavleck to approve payment of the Courthouse claims in the amount of \$102,036.42; to approve payment of the Highway claims in the amount of \$89,798.09; to approve payment of the Health claims in the amount of \$21,000.02; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented; to authorize the Board Chair's signature to the November 2010 Vendor Payment Listing verifying its review. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Commissioner Pavleck informed the Board that at the last Arrowhead Regional Correction's (ARC) meeting, the Board received an invoice from St. Louis County for administrative and legal services for ARC with a 46% increase over last year. However, there was no detailed invoice submitted to show the justification for this large increase but rather,

representatives stated it was based on their new system for allocating their cost for services. The Administration Director stated it is probably an indirect cost system where all cost associated with a service are compiled (direct and indirect) and billed. Board members agreed that St. Louis County is the biggest benefactor of ARC as they retain the jobs and the tax base as well as having an adult and juvenile correction center in close proximity so their transport cost is low. The Board was informed that the ARC Director will be scheduling a visit to update the County Board on the ARC activities.

2010/12-24 Motion by Hanson, seconded by Lepper to approve a lease agreement with Pitney Bowes for a new postage machine with an increase in the current cost but covered in the 2011 Postage Budget as recommended by the Auditor-Treasurer. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-25 Motion by McBride, seconded by Lepper to renew the following service contracts as recommended by the KCCS Director (with minor changes and not affecting the county dollars): AEOA Congregate Meals; AEOA Home Delivered Meals; Blue Heron; Family Freedom Corporation; First Call for Help; Sharon Frank; Non Financial Agreement with MN Chippewa Tribe; ODC Supported Employment; Pineview Detox; Pineview Recovery Center; Range Mental Health Center; Rational Alternatives. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-26 Motion by McBride, seconded by Lepper to approve the employment separation of Financial Worker Debra Graves effective December 16, 2010. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-27 Motion by Pavleck, seconded by Hanson to transfer Tracy Podpeskar from the Temporary Financial Worker Position to the Permanent Financial Worker Position, vacant as a result of an employment separation, as recommended by the KCCS Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-28 Motion by Hanson, seconded by Lepper to authorize the KCCS Director to conduct the Union Job Posting as the first step in considering the filling of the Temporary Financial Worker Position and to come back with a recommendation on hiring under the County Hiring Freeze. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The KCCS Director updated the Board on the Arrowhead Human Services Redesign Plan providing for a regionally shared information management system in which case data can be shared by the member counties. The system would also allow remote locations to be established within the county for the public to access the Community Services Agency via a computer rather than having to travel to the facility and this system will eliminate the current need for document storage space in County facilities as data would be electronically stored. There will be a substantial investment to get the system and the plan is to begin with income maintenance cases. The Region would use the existing system of St. Louis County and we are looking at implementation for Koochiching County in 2012 dependent on the County having the high speed internet capability to operate this system. The Director stated he would have a more detail report in the near future.

000 The Environmental Service Director provided an update on the proposed Island View Sewer Project, showing the work done and yet to be done to complete the Design Plan. Based on funding available to the project and what is intended to be paid out of the service contract, there is \$17,000 available to work on the land assessment policy and financial analysis to determine what land can be assessed and how much it can be assessed to determine how much funding will be needed to make the project feasible.

2010/12-29 Motion by McBride, seconded by Pavleck to approve a service agreement with Environmental Financial Group, Inc. at a cost not to exceed \$7,500 to develop financial forecasts, assist in developing an assessment policy and provide a report of this analysis for the Island View Sewer Project as recommended by the Environmental Service Director with funding from the Island View Sewer Project Budget. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-30 Motion by McBride, seconded by Pavleck to table approval of a service agreement with Ramsland & Vigen Inc. for assisting the County in developing an assessment procedure and policy for the Island View Sewer Project for a more detailed proposal on the specific service and a not to exceed cost. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-31 Motion by Hanson, seconded by Lepper to authorize the Board Chair to sign Part A of the County's Wetland Bank Application for Site #1 located in Section 33, T 65N-R22W and Site #2 location in Section 28, T158N-R26W for the County's Proposed White Cedar Wetland Bank as recommended by the Environmental Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-32 Motion by McBride, seconded by Lepper to approve a service agreement with the Occupational Development Center, Inc. for road cleanup on Highway 71 and County Road 107 at a rate of \$32.96 per hour and not to exceed \$1,845.76 annually as recommended by the Environmental Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-33 Motion by Pavleck, seconded by McBride to approve a service agreement with the Occupational Development Center, Inc. for baling, sorting and cleaning at the Transfer Station at a three percent increase (\$7.47 per client) over the 2010 rate as recommended by the Environmental Service Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 Arden Barnes at the last meeting reported on the odors coming from the Canadian mill and biomass burner and felt the MPCA and/or EPA have a responsibility to the U.S. public to investigate and respond to this public concern. It was agreed the Administration Director would follow up with the EPA representative with a copy to MPCA and state and federal representatives as to their plan to respond to the County on this previously reported matter.

2010/12-34 Motion by Hanson, seconded by McBride authorizing the County Engineer to call for annual fuel bids for out of county service stations, in county service stations and bulk

delivery with results to the County Board on February 1, 2011. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2010/12-35 Motion by McBride, seconded by Lepper accepting the County Engineer's certification that the Annual Bridge Safety Inspection for the Year 2010 has been completed as required by MN Statute 165.03, Subdivision 3 and Minnesota Rule 8810 with no changes recommended in the bridge postings. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair called for public comment at 12:22 p.m. Dan McCarthy prior to the Board acting on the service agreement with Ramsland & Vigen Inc. commented that the Board should obtain a detailed invoice and service proposal to include a not to exceed cost. During public comment he received verification that the next County Board meeting will be January 4, 2011.

2010/12-36 Motion by Lepper, seconded by McBride to adjourn the meeting at 12:25 p.m. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

Kevin Adee, Chair

Teresa Jaksa, Administration Director