

2011 ELECTION OF COUNTY BOARD CHAIR AND VICE CHAIR WAS CONDUCTED BY THE CLERK TO THE COUNTY BOARD ON TUESDAY, JANUARY 04, 2011; 10:25 A.M. BY UNANIMOUS VOTE COMMISSIONER WADE PAVLECK WAS ELECTED AS BOARD CHAIR AND BY UNANIMOUS VOTE COMMISSIONER BRIAN MCBRIDE WAS ELECTED AS VICE CHAIR.

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS

Held on Tuesday, January 4, 2011; 10:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Chrystal Clance, Terry Murray, Dale Olson, Dennis Hummitzsch, Doug Grindall; Reporter Laurel Beager

2011/01-01 Motion by McBride, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-02 Motion by Hanson, seconded by McBride to approve the minutes from the December 21, 2010 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-03 Motion by Adee, seconded by Ecklund 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; further to approve temporary hires for the Veteran Transportation Drivers as recommended by the VSO and Administration Director under County Policy: Helen O'Brien, Harold Christianson, Ron Lahman, Carol Lahman, Ronald Jean, John Briggs, Robert Weum. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-04 Motion by Adee, seconded by McBride that due to a temporary and unique situation whereas the federal government has ordered increased security on our borders and the fact that there is insufficient numbers of local law enforcement to provide this additional cover, the Undersheriff be provided overtime at time and one half for work hours beyond his normal work as Undersheriff for a period of January 1, 2011 to December 31, 2011 to provide border security under the federal directive; providing there is a need for the position to serve in this capacity. For grant funding purposes the Department of Homeland Security requires that hours of service be reported and reimbursed on an hourly basis and it is for this reason the Undersheriff as a salaried exempt employee, will be compensated on an hourly basis for this particular extra duty. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-05 Motion by Hanson, seconded by Adee to approve personal vehicle mileage reimbursement to the Complex Superintendent from the employee's residence to the employee's work site in cases of emergency building call-ins where the employee does not have available a County vehicle, with mileage reimbursement limited to a minimum of 20 miles per call in event and to include mileage reimbursement for 2010 for the twenty-three building response call ins as authorized under the County Vehicle Policy with County Board approval and as recommended by the Personnel Committee due to a lack of a county vehicle to assign to the management position. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-06 Motion by Adee, seconded by McBride to ratify the following claim payments as recommended by the Administrative Assistant for 2010 year end payments: Courthouse claims \$25,385.05, Highway claims \$59,324.47, Health claims \$5,114.34; Community Service Claims \$23,981.21; to approve payment of the monthly County Board expense claims in the amount of \$9,226.80; to approve payment of the 2011 membership dues in full for AMC (\$6,477) and to include MACSSA (\$756) and LPHA (\$641), ACA (\$2,400), NACO (\$400), NCLUCB (\$2,000), NE Regional Radio Board (\$250), RC&D (\$400), and MRCC (\$2,100); to authorize the Board Chair's signature to the December Vendor Payment Listing verifying its review. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. 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.

2011/01-07 Motion by McBride, seconded by Ecklund to award the 2011 legal publication bid to the Journal with a 3% rate increase from 2010 rates based on distribution area and twice a week publication and further, 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 2011 at a rate of \$2.40 per column inch. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

2011/01-08 Motion by Hanson, seconded by Adee that under the County Vehicle Policy to approve the 2011 County Mileage Reimbursement Rate at the IRS rate for personal vehicle mileage when county vehicles are not available at the worksite and 85% of the 2011 IRS rate for car pool usage charge to departments and for use of a personal vehicle when county vehicles are available at the employee's worksite. The current 2011 IRS rate is \$.51 and it is understood that should the IRS adjust the rate in 2011, the County Board will adjust the Mileage Reimbursement Rate accordingly and will be effective the date of County Board approval. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

2011/01-09 Motion by McBride, seconded by Ecklund to authorize two Board members to travel to Washington D.C. to attend the March 9, 2011 National Park Day at the

Capitol to represent VNP, Island View Sewer Project and the RECAP Project and to attend the National Association of Counties (NACO) Legislative Conference with the understanding one member will be representing the County Board and another the KDA Board. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

000 A representative of the International Falls Cable Commission updated the County Board on the results of the survey conducted by Midcontinent of International Falls cable subscribers regarding their support of a local public access channel and their willingness to support a three to five percent charge on their cable bill to support the local channel. Of the 270 subscribers contacted 50% stated they would find value in the channel and 60% of those supporting it would support a charge (with the majority supporting a three percent charge). The Commission would now like to survey the cable subscribers in the County to include the City of Ranier but Midcontinent requests a letter of support from the County to conduct the survey. The survey is conducted by telephone and is free of charge. The Commission feels they need the information to determine if their public access channel plan can move ahead. Board members felt that due to the state of the economy and federal and state budget deficits, the consumer may want to wait to see the impact of the government budget resolutions on their pocket book before weighing in on extra charges on their cable bill. However, Board members agreed that the survey would provide additional information for further consideration of the issue by the County Board (as the County Cable Franchise Holder which has to approve a local channel access fee on subscribers' bills).

2011/01-10 Motion by McBride, seconded by Ecklund to support a telephone survey of County cable subscribers by Midcontinent (and to include the City of Ranier upon their approval) which will ask subscribers if they support a local public access channel and if so, would they be supportive of a three to five percent charge on their cable bill to support the channel; said survey is at the request of the International Falls Cable Commission for their recommended plan to establish a local public access channel to be supported by cable subscriber charges. Voting yes: McBride, Hanson, Ecklund; voting no: Pavleck, Adee. Motion carried

2011/01-11 Motion by Adee, seconded by McBride to approve the following service agreement renewals as recommended by the Community Service Director: AEOA Employment/Training Contract, AEOA SELF Contract, AEOA Volunteer Driver Contract, Friends Against Abuse Supervised Visitation Contract, NEMOJT Employment/Training Contract to include an addendum to the contract for an additional grant, TriMin Computer Systems Support Contract. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Community Service Director reported that due to interest from providers and the ability to save county dollars, he would like to seek requests for proposals for Rule 25 Assessment services (court ordered assessments to determine a person's chemical dependency treatment). He stated that this opportunity exists due to the interest of a social worker to move to a financial worker position and allowing a reorganization of services. He recommends making the temporary financial worker position a permanent

position, contracting the Rule 25 Assessment services and reassigning duties of a social worker position which would eliminate one social worker position and save \$30,000 in county dollars. Knowing the State is faced with a \$6 billion budget deficit and knowing all areas will be targeted for cuts to include human services, the Director stated this is a proactive approach to reduce the Department's Budget and still retain services.

2011/01-12 Motion by Ecklund, seconded by Adee to reclass the vacant Temporary Financial Worker Position to a Permanent Position, to transfer Tracy Lunser from a Social Worker Position to the Permanent Financial Worker Position for which she posted (date of transfer to be determined) and authorizing the Community Service Director to request proposals for Rule 25 Chemical Dependency Assessment Services with the intent to contract the service and not replace one social worker position that will be vacant upon the service changes recommended. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

000 The Environmental Service Director provided an update on the AT&T Tower plans. Following approval of a Conditional Use Permit to AT&T on November 2, 2010 to extend the height of a 200 foot tower located in Ericsburg to 400 feet the FAA denied the extension due to the tower being in the flyway of the International Falls Airport so AT&T is planning to reduce the height of the tower to 311 feet which is the maximum height FAA would approve. In addition AT&T will have to mitigate for wetland credits due to the impact being over 10,000 square feet. With regards to the AT&T Tower planning on County Road 109 (KOA Road) an EAW would be conducted by the County with AT&T paying for it and that the EAW would not be done until after winter as required site information for the EAW won't be obtainable until the snow is gone. The Director stated that the potential of an alternative tower site behind Ulland's Pit should be further evaluated as to whether the rock resource or leasing the property to AT&T for the tower location has the greater long term benefit to the County. Further, the Director asked direction on whether an Interim Ordinance for Towers in Koochiching County should be considered to put reasonable restrictions on their placement. Board members stated that based on information they received from a planning forum at the AMC Conference, the federal government supports the placement of towers for the overall benefit of the public and that to argue against a tower site based on general health or visual concerns is not a prevailing argument against their placement. Arguments against a tower site have to be specific and proven to the area being affected. Board members suggested the Director contact Attorney Jay Squires or Attorney Scott Anderson to discuss the Interim Ordinance and to include a review on whether local planning can require companies to co-locate on towers.

2011/01-13 Motion by Hanson, seconded by Ecklund adopting the following resolution for Payments-in-Lieu-of-Taxes (PILT) for Northern Minnesota Forested Counties:  
WHEREAS, the concept of the state making payments to local taxing districts to help defray costs for local government services provided in support of tax-exempt natural resource lands has been in existence since the 1940's, and  
WHEREAS, results of a late 1970's study concluded that local government service costs were consistent regardless of ownership or higher because land is public, and

WHEREAS, also in the late 70's, the federal government recognized its obligation to help defray costs that local government services provided in support of tax-exempt natural resource lands and established federal payments in lieu of taxes on certain federal natural resource lands, and

WHEREAS, following suit with these actions, the 1979 State Legislature approved what is known today as State Payments-in-Lieu-of-Taxes (PILT) for tax-exempt natural resource lands, and

WHEREAS, that considerable deliberation continued over the years to improve PILT reimbursement resulted in an overhaul of the PILT laws in 2000 that is still in place today.

NOW THEREFORE BE IT RESOLVED, that the Koochiching County Board of Commissioners support the current language of M.S. 97A.061 and M.S. 477A.11-145 and its' funding.

BE IT FURTHER RESOLVED, that the Koochiching County Board of Commissioners supports moving the administration of the PILT program to the Department of Revenue.

Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

2011/01-14 Motion by Hanson, seconded by Adee accepting the Highway Engineer's recommendation to certify the final contract work and value for SAP 36-602-15 (CSAH 2) with Bowman Asphalt Products in the amount of \$968,274.75. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

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

2011/01-15 Motion by Adee, seconded by Hanson to adjourn the meeting at 11:50 a.m. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

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Wade Pavleck, Board Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, January 11, 2011; 10:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Ed Oerichbauer, Raoul Lufbery, Doug Grindall, Dale Olson, Gene Andrusco, Dan McCarthy, Dick Lorette; Reporter Laurel Beager

2011/01-16 Motion by Adee, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-17 Motion by McBride, seconded by Ecklund to approve the minutes from the January 4, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-18 Motion by Adee, seconded by McBride to approve payment of the Courthouse claims in the amount of \$145,614.98. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair announced the County Board members appointments for 2011 with the appointments to be updated in the County Committee Listing and distributed to departments and organizations. The appointments included the County Board and KDA Board appointments of Commissioner Pavleck and Commissioner McBride to attend the National Park Day at the Capitol and NACO Conference in Washington D.C. in March.

000 The City of Ranier Mayor and VNP Representative informed the County Board that as a result of public concerns on CN Railroad not having the railroad bridge across Rainy River at the City of Ranier lifted for boat navigation, a meeting of local officials with the Coast Guard resulted in proposed federal rules ordering the bridge lifted during navigation season. As stated in the proposed rule, between May 1 and October 15 each year the regulation would require the bridge to be manned by a drawtender and open on signal 24 hours a day, 7 days a week. Significant rail traffic may require the bridge to remain closed for periods but shall be expected to be opened to vessel traffic within reasonable times, as needed, after rail traffic has passed. It also establishes a permanent winter operating schedule by requiring vessels to provide at least 12 hours advance notice for a bridge opening during winter, or during the traditional non-boating season between October 16 and April 30 each year. Additionally, a clearance gauge would be required to indicate to vessels the water levels and clearance while the bridge is in the closed position. Representatives stated that the proposed federal rule is subject to public comment period up to January 26, 2011 with an anticipated effective date of May 2011. The County Board agreed that in addition to the County submitting supporting comment, they would provide the information to the City of International Falls, Town of Fort Frances and other organizations to allow them the opportunity to submit comment.

2011/01-19 Motion by McBride, seconded by Ecklund to submit written comment from Koochiching County favorably supporting Docket No. USCG-2010-1055 for proposed rules on Drawbridge Operation Regulation; Rainy River, Ranier Minnesota as proposed by the Coast Guard. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-20 Motion by Hanson, seconded by Adee authorizing County Board members to attend the annual International Lake of the Woods Water Quality Forum to be held at the RRCC on March 9 and 10, 2011 as a County Board activity. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-21 Motion by Hanson, seconded by Adee to provide a letter of recommendation for Reggie Worlds, Deputy Commission of Veterans Affairs Programs

and Services, to support his application for appointment to the State Commissioner of Veterans Affairs based on his proven record to assist where needed to ensure veterans receive services and support. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-22 Motion by Adee, seconded by McBride to approve a service agreement with Ramsland & Vigen, Inc. to assist the County in developing an Assessment Procedure for the Island View Sewer Project with a cost not to exceed \$6,500 and with funding from the Island View Sewer Project Budget. Further, to approve payment in the amount of \$1,655 for services rendered in 2010 by the Company and within the \$6,500 not to exceed cost as recommended by the Environmental Service Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair reconvened a public hearing at 11:08 a.m. on a road vacation request by Gene Andrusco for the remaining portion of Silver Avenue in the Plat of Goldville. Mr. Andrusco completed the Road Vacation Application and paid the fee. The Application was reviewed by the County Departments and a hearing was held on August 31, 2010. Though a Consent Agreement was signed by adjoining landowners to support the road vacation and the Agreement was submitted as part of the application, at the hearing comment from one adjoining landowner stated that he and another property owner were not in favor of the road vacation. The County Board reconvened the hearing with another notice sent to adjoining property owners seeking their position on whether they favored the road vacation. The hearing was to be reconvened on September 21, however, the applicant asked that it be set for January 11, 2011 which was agreed to. To date the Administration Office has received no comment from the adjoining landowners on this issue. Mr. Andrusco informed the Board that he would be willing to grant an easement to those adjoining property owners that want it but to date he has not discussed the matter with all the property owners to provide their support at this time. However, to execute easement agreements with the property owners he would need the road to be vacated. The Administration Director stated that the County Board could consider a motion of intent to vacate the road or to vacate the road with a future effective date and upon the County receiving easement agreements or waiver of an easement by the property owners and further explained the options. In call for public comment on the issue, no comment was received and the Board Chair closed the hearing at 11:15 a.m.

2011/01-23 Motion by Hanson, seconded by McBride to approve the road vacation of that portion of Silver Avenue, Plat of Goldville, according to the recorded plat thereof, lying northerly of the easterly extension of the north line of Lot 37 and lying southerly of the easterly extension of the north line of Lot 33, effective October 1, 2011 and that by this effective date Gene Andrusco, the property owner requesting the road vacation, shall execute easement agreements or easement waiver agreements with all adjoining property owners to this portion of vacated road and file said agreements with the County Recorder and County Administration; that if these agreements are not executed and filed by October 1, 2011 the road vacation is null and void. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-24 Motion by Hanson, seconded by Adee to award low bid for CSAH 18 Grading and Aggregate Base Road Project (SAP 36-618-09) to Davidson Construction, Inc. in the amount of \$1,040,917.83 as recommended by the County Engineer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 11:30 a.m. Dan McCarthy commented on the number of County committees and on the Ramsland & Vigen, Inc. service agreement. Dick Lorette presented information on an International Sportsman's Expo that their church is planning to host for the community with the intent to have it organized for an April 9, 2011 event. With no other comment, the Board Chair closed public comment period.

2011/01-25 Motion by Adee, seconded by Hanson to approve an agreement between the County and MD&W Railway for construction of electronic signals on CSAH 155 as recommended by the County Engineer and County Attorney and authorizing the Board Chair and County Engineer to execute said Agreement on the County's behalf. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-26 Motion by Hanson, seconded by McBride to close session at 1:50 p.m. to discuss labor relation strategy. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried. Attending: Full County Board and Administration Director.

000 The Board Chair opened session at 2:55 p.m. and adjourned the meeting.

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Wade Pavleck, Board Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, January 25, 2011; 10:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Kathy Sikkila, Jaci Nagle, Quinn McCarthy, Patricia Petite, Cynthia Jaksa, Susan Congrave, Wanda Grashorn, Terry Murray, Dennis Hummitzsch, Doug Grindall, Terry Glowack, Dale Olson, Dan McCarthy, Arden Barnes, Einar Sundin

2011/01-27 Motion by Adee, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-28 Motion by Hanson, seconded by Ecklund to approve the minutes from the January 11, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.



2011/01-29 Motion by Hanson, seconded by Adee accepting the recommendation of the Personnel Committee to restructure the County Veteran Service Office under the County Administration Department to provide administrative structure for the Veteran Service Officer position. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-30 Motion by McBride, seconded by Adee to approve the employment separation of Jeff Naglosky from the position of Assistant County Attorney due to his taking of the Elected Office of County Attorney on January 3, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board received notice of the hire of Shauna Frank as Assistant County Attorney on January 31, 2011.

2011/01-31 Motion by Hanson, seconded by McBride to approve payment of the Courthouse claims in the amount of \$54,425.78, to approve payment of the Highway claims in the amount of \$142,853.05, to approve payment of the Health claims in the amount of \$41,354.28, to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented, and to approve payment of Burial Case #213726 in the amount of \$1,888.86. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-32 Motion by McBride, seconded by Ecklund to re-appoint Ashley Germain to the Koochiching Housing and Redevelopment Authority Board of Directors as recommended by the Authority. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-33 Motion by Hanson, seconded by Adee to approve a three-year ESRI Enterprise License Agreement with an annual payment of \$26,719 for unlimited use of software products for expanding and improving the County's GIS services with expenditure from the 2011 I.S. Budget and as recommended by the I.S. Manager and as approved by the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Patricia Petite, the new Kootasca Community Action Executive Director, introduced herself to the County Board.

000 The Health Director and Public Health Nurse updated the Board on the Public Health Emergency Preparedness Program that is a segment to the County's Emergency Management Plan and covers mass dispensing plans and public health response plans for all emergency hazardous situations. The Director also informed the Board of the Cross Border Meetings that are occurring with health and emergency responder representatives. The Director informed the Board that due to the free flu vaccine provided Public Health the Department has provided flu vaccine to 614 children in the County.

2011/01-34 Motion by McBride, seconded by Adee to renew the Addendum to the AEOA Employment and Training Contract (for additional state dollars) and renew the Lutheran Social Services Guardian/Conservator Service Agreement (with no change) as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-35 Motion by Hanson, seconded by Ecklund accepting the following Foster Care and Day Care Licensing recommendations: relicense Rebecca Fisher for family day care for ten children; relicense Pamela Rognerud for a change of premises for group family day care for twelve children; relicense Jennifer Walls for group family day care for fourteen children. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-36 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: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2010/01-37 Motion by Hanson, seconded by Adee authorizing the Land Commissioner to obtain quotes and execute contracts for a three-year period for summer maintenance for eight County Parks contingent on approval by the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 At the request of the Land Commissioner, the County Board set Friday, February 4, 2011 for a County Woods Tour with Forestry staff (meet in the County Boardroom at 8:30 a.m.)

2011/01-38 Motion by Adee, seconded by Ecklund to renew the Emergency Preparedness Management Contract with Robert M. Byman for assisting the Sheriff with the County Emergency Management Plan under federal and state requirements as recommended by the Sheriff and upon approval by the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-39 Motion by McBride, seconded by Adee to accept the County Engineer's certification of the final contract value for SAP 35-628-03 (CSAH 28 as a shared project with Itasca County SAP-624-006) with Hawkinson Construction Company for \$435,207.70 with Koochiching County's share of the contract value of \$35,428.99 as recommended by the County Engineer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/01-40 Motion by McBride, seconded by Ecklund authorizing the Complex Superintendent to replace the heating system at the Transfer Station based on lowest quote and a cost not to exceed \$20,000; that funding will come from the Environmental Service Budget as available with the balance from the County Sinking Building Account

as recommended by the Complex Superintendent and Environmental Service Director.  
Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 11:45 a.m. Dan McCarthy inquired on the Airport Joint Powers Agreement regarding the formation of the Airport Commission. Arden Barnes commented on the Public Health report regarding vaccines and Einar Sundin commented on the RECAP and FTZ Projects.

000 The Board Chair adjourned the meeting at 11:55 a.m.

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Wade Pavleck, Board Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, February 1, 2011; 10:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, McBride, Hanson, Ecklund

MEMBERS ABSENT: Commissioner Adee (Medical Appointment)

OTHERS IN ATTENDANCE: Kathy Sikkila, Len Peterson, Brian Youso, Dennis Hummitzsch, Doug Grindall, Jeff Naglosky, Shauna Frank, Mike Kochaniuk; Reporter Laurel Beager

2011/02-01 Motion by McBride, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

2011/02-02 Motion by Ecklund, seconded by McBride to approve the minutes from the January 25, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

2011/02-03 Motion by Hanson, seconded by McBride to approve payment of the monthly County Board expense claims in the amount of \$7,786.45. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

000 As a result of the local concerns relayed to the EPA regarding the strong odor from the AbitibiBowater wastewater treatment lagoons, a conference call was held with the Board Chair, Administration Director and EPA and MPCA representatives. EPA stated that in discussions with the Environment of Canada they were informed that permits were approved and that Abitibi has begun work to implement a Total Reduced Sulfur Emissions Plan with substantial work to begin this spring and full implementation of a Correction Plan by 2012. With regards to the County's request to place monitors at Ranier, EPA and MPCA representatives stated that the purpose of the monitor was to identify the source which was determined by the monitor at the U.S. Custom Station,

even though this location may not be picking up the strongest of the odor. EPA representatives stated that they would keep the County updated on a regular basis.

000 The Veteran Service Officer reported that the County was awarded a two-year \$35,000 State V.A. Grant to support the County's transportation service of veterans to V.A. Medical Facilities which based on projected cost, would carry the service for two years.

2011/02-04 Motion by McBride, seconded by Ecklund to adopt the following resolution approving the County VSO Enhancement Grant Contract with the Minnesota Department of Veterans Affairs: BE IT RESOLVED by Koochiching County, that the County enter into Grant Contract CFMS#B52981 with the Minnesota Department of Veterans Affairs for a County Veterans Service Office Enhancement Grant in the amount of \$35,000 for the County Veterans Transportation Program and that it is understood that the grant must be used to enhance the operations of the County Veterans Service Office under M.S. 197.608, Subd. 4(a). BE IT FURTHER RESOLVED by Koochiching County that the County Veteran Service Officer and County Board Chair are authorized to execute the Grant Contract for the County Veteran Transportation Program on behalf of Koochiching County. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

2011/02-05 Motion by McBride, seconded by Hanson authorizing the County Assessor to fill the vacant County Appraiser position. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

2011/02-06 Motion by Hanson, seconded by Ecklund authorizing the Sheriff to request bids for replacement of two squad vehicles as planned in the 2011 Budget with bid results to come back to the Board for approval. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

000 The Land Commissioner reported that the January 19<sup>th</sup> Timber Auction resulted in 23,425 cords sold at a sale value of \$626,865. The Land Commissioner reviewed a letter from the Minnesota Timber Producers Association requesting timber sales be extended immediately due to the unfrozen ground condition as a result of the snow levels, which is preventing some sites from being logged.

2011/02-07 Motion by Hanson, seconded by Ecklund that due to high snow levels causing unfrozen ground conditions during the 2010/11 winter logging season, that for only timber permits expiring in 2011, the County will grant a no fee one year extension and for permits already in extension will allow an additional no fee one year extension and further, permits reaching their initial expiration date in 2011 will have the 20% payment waived to enter into extension. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

000 The Land Commissioner reviewed the 2010 Timber Sale summary with total value of wood sold at \$2,083,591. Total wood sold and not cut to date is 136,999 cords at a value of \$3,185,126. The Land Commissioner stated that in comparing 2009 to 2010,

sales went up over 30% and that timber made available for sale in 2010 is within the Long Range Resource Management Plan goals.

2011/02-08 Motion by Hanson, seconded by McBride to award low bid for Bulk Fuel Delivery and Fuel Service Stations as recommended by the Highway Engineer. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

000 The County Engineer informed the Board that due to limited NE MN Area Transportation Enhancement Funds and number of project applications for consideration (11 applications totaling \$4.7 million and available funding is \$1.5 million), counties with more than 1 application for 2015 Enhancement Projects were requested by the NE ATP Enhancement Committee to rank their projects. The County has submitted two applications for the Big Falls Streetscape Project and Second Creek to Ranier Bike Trail Widening Project. The Engineer stated that the bike trail from International Falls to Second Bridge has been approved for 2014 Enhancement Funding and is why he recommended application for 2015 enhancement funding for the second phase of the bike trail. In response to the question, the Engineer stated that applications not considered in the current grant cycle can be resubmitted in the proceeding grant cycles.

2011/02-09 Motion by McBride, seconded by Ecklund that the County Board prioritizes its 2015 NE MN ATP Enhancement Project Grant Applications as first the Bike Trail Widening Project and second the Big Falls Streetscape Project. Voting yes: Pavleck, McBride, Ecklund; voting no: Hanson. Motion carried.

000 The Board Chair called for public comment at 11:55 a.m. Introduction of the new Assistant County Attorney was made to the County Board. Mike Kochaniuk relayed a concern to the Board regarding the availability of the County Health Plan's 90 Day Prescription Refill Program to a local pharmacy.

2011/02-10 Motion by McBride, second by Ecklund to adjourn the meeting at 11:55 a.m. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

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Wade Pavleck, Board Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, February 8, 2011; 10:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, McBride, Hanson, Ecklund, Ade  
MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Bob Peterson, Dale Olson, Dennis Hummitzsch, Justin Berg, Doug Grindall, Jeff Veeder, Ed Oerichbauer, Reporter Laurel Beager

2011/02-11 Motion by Adee, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-12 Motion by McBride, seconded by Ecklund to approve the minutes from the February 1, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board was informed of the temporary hire of Donald Zaren at the Transfer Station.

2011/02-13 Motion by Hanson, seconded by Adee authorizing the Board Chair's signature to the January 2011 Vendor Payment Listing verifying its review. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-14 Motion by McBride, seconded by Adee to confirm the City of International Falls reappointment of Robert Anderson to the Citizen-at-large position of the International Falls-Koochiching County Airport Commission for a two-year term from January 2011 to December 2013. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2010/02-15 Motion by McBride, seconded by Ecklund that under M.S. 279.01 a tax statement total at or below the \$100 threshold requires full payment in May rather than half payment in two installments; that the majority of these individual tax statements in Koochiching County 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: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-16 Motion by Hanson, seconded by Adee accepting the recommendation of the County Assessor to grant abatement to Lorin Stern, Parcel #06-085-00010, for correction of land valuation. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-17 Motion by Adee, seconded by Ecklund to approve an increase in the Solid Waste Service Fee for residential and commercial properties with dwellings from \$55 to \$60 annually, effective 2012 and upon annual property assessment certification to the Auditor/Treasurer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-18 Motion by Hanson, seconded by Adee to set a public hearing for the purpose of presenting the County's intent to apply the Solid Waste Service Fee to Seasonal Recreation properties with dwellings at 40% of the Solid Waste Service Fee charged to residential and commercial properties. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-19 Motion by McBride, seconded by Ecklund to change the public hours of the Transfer Station to 9:00 a.m. to 4:00 p.m. Monday through Friday and 9:00 a.m. to 1:00 p.m. on Saturday with the effective date to be some time in March as determined by the Environmental Service Director upon sufficient public notice. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-20 Motion by Ecklund, seconded by McBride to establish a Brush Fee Coupon for disposal of leaves, tree debris, hay and like materials at the Transfer Station with the fee based on three different size loads and to authorize the Environmental Service Director to implement the new brush fee and collection plan this year. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Environmental Service Director requested direction from the Board as to the Northeast Waste Advisory Council's inquiry of whether operating rules should be changed to allow County staff voting rights in lieu of County Commissioners who make up the Board of Directors. The County Board stated that the purpose was to involve policy makers in the regional waste management and/or planning decisions and therefore should be kept to the policy maker level, whether the decision is made there or at each County Board level and carried by staff to the meeting.

2011/02-21 Motion by McBride, seconded by Ecklund to authorize the Board Chair to sign the County's Wetland Bank Application for a Proposed Site 3 County White Cedar Wetland Bank on land described as the entire Section 26 in Township 64, Range 24 as recommended by the Environmental Service Director, Land Commissioner and Soil and Water District Technician. Voting yes: Pavleck, McBride, Hanson, Ecklund; absent for vote: Adee. Motion carried.

2011/02-22 Motion by Hanson, seconded by Adee to approve an agreement with Mn/DOT for the Turnback of TH 332 between TH 53 and TH 11/71 for a lump sum payment of \$4.5 million which upon legislative approval, this section of state highway will be re-designated as a County State Aid Highway under the County's jurisdiction as recommended by the County Engineer; further to authorize the Board Chair and County Engineer to sign said Agreement. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Commissioner Pavleck reported that at the last ATP Enhancement Committee meeting, the County's priority Second Creek to Ranier Bike Trail Improvement Project was selected for Enhancement Funding in 2015.

000 A representative from School District 361 reported to the Board that in the last ten days the school bus was delayed due to stopped CN trains blocking the Van Lynn Road and that of the last 5 days it was blocked for 7 minutes, 16 minutes, 30 minutes, 9 minutes and 13 minutes respectively. This doesn't just affect the kids on the Van Lynn Road getting to school, but puts the whole bus route behind which affects all the kids on the route. The representative stated he called CN officials and did not get the impression

they thought this was a serious matter. When he asked if the trains could schedule their activity around school bus route times, he was told that trains have to move when they have to move. Commissioner Adee stated that last week he was delayed by the train which resulted in him being 30 minutes late for a medical appointment. He was told by a CN worker that the cold temperatures put more stress on the trains and thus there are more breakdowns in the winter. Commissioner Adee would like to request CN shorten the trains in the cold months (now two miles long) so there aren't as many breakdowns. Commissioner McBride stated that it is not acceptable for kids to be waiting for their bus in frigid temperatures longer than normal because their bus is stuck on the other side of the tracks. The Board Chair felt the County Board should initiate a meeting of federal and state legislative and DOT officials and CN to demand the railroad be more responsive to the local traffic needs in this area for the public's safety and welfare.

2011/02-23 Motion by Adee, seconded by Ecklund to request the County's Federal and State Legislative Representatives and DOT Representatives along with the County Board to set a meeting with CN Railroad Officials to demand responsiveness to the local public complaints and concerns of stopped CN trains blocking the Van Lynn Road in Koochiching County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

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

2011/02-24 Motion by McBride, second by Adee to adjourn the meeting at 12:00 p.m. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

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Wade Pavleck, Board Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, February 15, 2011; 9:35 a.m.

MEMBERS PRESENT: Commissioners McBride, Hanson, Ecklund, Adee

MEMBERS ABSENT: Commissioner Pavleck (St. Paul – Legislative Business)

OTHERS IN ATTENDANCE: Indus Eighth Grade Civics Class, Doug Grindall, Chrystal Clance, Carl Bowman, Arden Barnes; Reporter Laurel Beager

2011/02-25 Motion by Ecklund, seconded by Adee to approve the agenda with additions and deletions. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-26 Motion by Adee, seconded by Hanson to approve the minutes from the February 8, 2011 regular meeting with correction. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.



000 The Board was informed of the hire of Anita Gray to the position of County Attorney Secretary, effective January 31, 2011.

2011/02-27 Motion by Ecklund, seconded by Adee to approve payment of the Courthouse claims in the amount of \$26,732.57. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-28 Motion by Hanson, seconded by Ecklund to set the 2011 County Board of Equalization Meetings: Tuesday, June 14 to convene at 1:30 p.m. with Assessor's opening report and appointments starting at 1:45 p.m.; Tuesday, June 21 at 6:00 p.m. to continue appointments with intent to conclude work and adjourn. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-29 Motion by Hanson, seconded by Adee that as sponsor, to approve an amended MN Trails Grant in Aid Agreement for the Polar Poler's Ski Club in the amount of \$4,430.00 for the Tilson Ski Trail (reference original agreement 2010/08-11). Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-30 Motion by Adee, seconded by Ecklund to approve the 2011 Boat and Water Safety Grant Agreement with the State of Minnesota allocating funds to Koochiching County in the amount of \$5,694.00 on a reimbursement basis with no county match requirement and further, authorizing the Sheriff and Board Chair to sign said Grant Agreement. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/02-31 Motion by Ecklund, seconded by Adee to accept Administration's recommendation to retain the NACO Prescription Discount Drug Program after finding that TWRx's Program benefits are comparable so a change in programs will offer nothing new to the public. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Highway Engineer stated that the first step in consideration of the proposed County quarry operation in Birchdale is to apply for rezoning and a conditional use permit through the County Zoning Ordinance. The Engineer in response to a comment from the public stated that it would be his intent to start work this summer if zoning, permits and Board approval is granted. Comment from a local contractor asked why the County would not purchase the gravel from a local provider rather than create its own operation. Commissioner Hanson stated that the County Board will need to consider the merits of the project once it has more information and this review will consider the financial perspectives for the taxpayers.

2011/02-32 Motion by Hanson, seconded by Ecklund to authorize the County Engineer and County Land Commissioner to make application to the County Planning Commission for a Rezoning and Conditional Use Permit for a Quarry Mine operation on twenty acres near Birchdale described as the East ½ of the SW ¼ of the NE ¼ of Section 15, Township 159 North, Range 26 West; and further that upon receiving the Planning Commission's information and recommendation on the Rezoning and Conditional Use Permit, the

County Board will review the merits of the project and determine the establishment of a County Quarry operation as proposed. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried

000 The Board Chair called for public comment at 10:00 a.m. Arden Barnes commented on the FTZ rock and inquired on the Abitibi mill operation. Chrystal Clance inquired about the open Environmental Service Technician position being advertised. Board members thanked the 8<sup>th</sup> Grade Civics students for attending the meeting.

2011/02-33 Motion by Adee, second by Ecklund to adjourn the meeting at 10:10 a.m. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

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Wade Pavleck, Board Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, February 22, 2011; 9:30 a.m.

MEMBERS PRESENT: Commissioners McBride, Ecklund, Adee

MEMBERS ABSENT: Commissioner Hanson (St. Paul – Legislative Business);  
Commissioner Pavleck (Medical Absence)

OTHERS IN ATTENDANCE: Terry Murray, Susan Congrave, Natalie Stone; Reporter  
Laurel Beager

2011/02-34 Motion by Adee, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: McBride, Ecklund, Adee. Motion carried.

2011/02-35 Motion by Ecklund, seconded by Adee to approve the minutes from the February 15, 2011 regular meeting. Voting yes: McBride, Ecklund, Adee. Motion carried.

000 The Board was informed of the temporary hire of Lois Richards for bailiff services for the Sheriff Department.

2011/02-36 Motion by Adee, seconded by Ecklund to table action on the recommended changes from the appeal process for the County Job Study and reschedule to another meeting due to the lack of Board members. Voting yes: Ecklund, Adee; voting no: McBride. Motion carried.

2011/02-37 Motion by Adee, seconded by Ecklund to approve payment of the Highway claims in the amount of \$131,689.34; to approve payment of the Health claims in the amount of \$13,688.88; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented, and

to approve payment of Burial Case #1445890 in the amount of \$900.54. Voting yes: McBride, Ecklund, Adee. Motion carried.

2011/02-38 Motion by Ecklund, seconded by Adee to approve a lease agreement with Xerox for a W7545P copier/printer for the County Surveyor Office as recommended by the Auditor/Treasurer. Voting yes: McBride, Ecklund, Adee. Motion carried.

2011/02-39 Motion by Adee, seconded by Ecklund authorizing the Board Chair to send a letter to federal congressional representatives to support funding for RC&D Programs which are successful in leveraging financial resources to support economic development and resource protection in rural areas and of which is subject to funding elimination in the President's Budget. Voting yes: McBride, Ecklund, Adee. Motion carried.

2011/02-40 Motion by Adee, seconded by Ecklund to renew the Northland Counseling Clubhouse Contract and the Northland Counseling Service Contract as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: McBride, Ecklund, Adee. Motion carried.

2011/02-41 Motion by Ecklund, seconded by Adee conceptually supporting the investment to the Electronic Document Management for Region 3 Income Maintenance for providing electronic case management at a projected four-year cost of \$240,649 to \$312,097 before federal reimbursement (\$120,325 to \$156,048 after federal reimbursement) with support contingent on available funding and approval through the 2012 County Budget process. Voting yes: McBride, Ecklund, Adee. Motion carried

2011/02-42 Motion by Adee, seconded by Ecklund Adee to approve a lease agreement for replacement of two copier/printers for the Community Service Department as recommended by the Director with funding in the 2011 Department Budget. Voting yes: McBride, Ecklund, Adee. Motion carried.

2011/02-43 Motion by Adee, seconded by Ecklund accepting the following Foster Care and Day Care Licensing recommendations: Kathryn Lund - close the home for day care licensing at the provider's request; relicense Catherine Besser for group family day care for twelve children. Voting yes: McBride, Ecklund, Adee. Motion carried

2011/02-44 Motion by Adee, seconded by Ecklund acknowledging the minutes from the February 16, 2011 Health Professional Advisory Committee meeting. Voting yes: McBride, Ecklund, Adee. Motion carried.

2011/02-45 Motion by Ecklund, seconded by Adee to renew the Rainy Lake Medical Center Therapy Contract as recommended by the Health Director and upon approval of the County Attorney. Voting yes: McBride, Ecklund, Adee. Motion carried.

2011/02-46 Motion by Ecklund, seconded by Adee to renew the Contract with Kathy Elhard for the Northome Resource Center Coordinator service as recommended by the

Health Director and upon approval of the County Attorney. Voting yes: McBride, Ecklund, Adee. Motion carried.

000 The Health Director updated the Board on Health legislative priorities and the Health Department's response to a Chicken Pox outbreak in the Northome School. The Health Educator updated the Board on the Statewide Health Improvement Program (SHIPS) projects and activities within the County to increase healthy behaviors and prevent the leading causes of illness and death (tobacco, poor nutrition and physical inactivity).

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

2011/02-47 Motion by Adee, seconded by Ecklund to adjourn the meeting at 10:43 a.m. Voting yes: McBride, Ecklund, Adee. Motion carried.

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Brian McBride, Board Vice Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, March 1, 2011; 9:30 a.m.

MEMBERS PRESENT: Commissioners McBride, Hanson, Ecklund, Adee

MEMBERS ABSENT: Commissioner Pavleck (Medical Absence)

OTHERS IN ATTENDANCE: Randy Pozniak, Lisa Santee, Judge LeDuc, Jeff Naglosky, Dale Olson; Reporter Laurel Beager

2011/03-01 Motion by Adee, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-02 Motion by Ecklund, seconded by Adee to approve the minutes from the February 22, 2011 regular meeting. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-03 Motion by Adee, seconded by Hanson to approve payment of the monthly County Board expense claims in the amount of \$6,801.17. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2010/03-04 Motion by Ecklund, seconded by Adee accepting the recommendation of the Rural Fire Protection Association to set the 2011 annual service charge for the Rural Fire Subordinate Service Taxing District at no increase over 2010: \$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: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-05 Motion by Adee, seconded by Hanson authorizing the Board Chair to send a letter to State and Federal legislators requesting they oppose the elimination of the federal Community Services Block Grant which provides funding for Community Action Agencies to deliver essential locally-designed services to communities with Kootasca and AEOA Community Action Agencies serving Koochiching County's needs. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Coordinator for the County DUI/Substance Abuse and Family Dependency Treatment Courts reported on the functions and outcome of the courts which directs offenders to productive, law-abiding citizens and at the same time, providing incarceration cost savings. The courts are currently funded but they are now in the process of seeking funding for the next annual budget cycle. In doing so, they are looking to combine the Lake of the Woods and Koochiching County Courts since they are currently sharing the Coordinator position and the Judge serves in both counties. The proposed \$260,000 Budget has \$100,000 of funding secured and \$100,000 in grant funds with a local match of \$30,000 each from LOW and Koochiching Counties is being sought, noting that a local funding match helps in the grant seeking process. The County Board members stated that they have always been in support of the program and what it can do to help turn people's lives around but availability of funding at this time is unknown. A Board member stated that any contribution they consider may have to be split in two budget cycles. The Administration Director recommended the issue be deferred to a county budget review session on April 5<sup>th</sup> so the Coordinator has information for the grant applications to be submitted in April.

000 The Environmental Service Director reported that he would be providing an Island View Sewer Project summary and map to the two County Commissioners for their trip to Washington DC for the VNP Day Event but would not be making the trip himself.

000 The Environmental Service Director would recommend a \$5 coupon for brush tipping fee and that the plan would not charge for leaves and grass as this material is composted. He would further establish the brush tipping fee at all the county yard waste disposal sites (Littlefork, Big Falls and Mizpah). The Board concurred with the plan.

000 The Environmental Service Director reported that a recent meeting with BWSR and Army Corps for the three proposed White Cedar Wetland Bank sites resulted in the Corps wanting to review management plans on two sites and supported the third site less Scientific and Natural Area (SNA) lands (320 acres of the 640 acre site). However, as of late the Army Corps changed its position and feels the third site is not a wetland threatened area so they want to look at the other two sites again. In addition, the City of International Falls application for a 240 acre site purchased from Forest Capital is being fast tracked due to the need to get wetland credits for the new hospital/clinic campus project. 15 credits are needed for this project (120 acres needed based on an 8:1 ratio). With regards to Dunnick Lake Wetland Bank credits, the conservation easement was

submitted and approved by BWSR but the Army Corps didn't approve it so a revised draft was sent out today.

000 The Board Chair called for public comment at 10:35 a.m. No comment was presented.

2011/03-06 Motion by Adee, seconded by Ecklund to adjourn the meeting at 10:45 a.m. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

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Brian McBride, Board Vice Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, March 15, 2011; 9:55 a.m.

MEMBERS PRESENT: Commissioners McBride, Hanson, Ecklund, Adee

MEMBERS ABSENT: Commissioner Pavleck (Medical Absence)

OTHERS IN ATTENDANCE: Pam Rooney, Len Peterson, Terry Murray, Doug Grindall, Deb Bowman, Arden Barnes, Chrystal Clance; Reporter Laurel Beager

000 Due to the medical absence of the Board Chair, Commissioner McBride will serve as interim Chair with Commissioner Hanson to serve as interim Vice Chair.

2011/03-07 Motion by Hanson, seconded by Adee to approve the agenda with additions and deletions. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-08 Motion by Hanson, seconded by Adee to approve the minutes from the March 1, 2011 regular meeting. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-09 Motion by Hanson, seconded by Adee to accept the results of the County Job Study as recommended by the Consultant and Personnel Committee to include position description changes and revised rating for the GIS/Network Specialist and Appraiser I job descriptions as a result of the appeal process. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2010/03-10 Motion by Hanson, seconded by Ecklund approving the following 2011 County Budget adjustments: add \$142,118 for the Island View Sewer Project Budget as unspent project funding from 2010; add \$30,000 for the Courthouse /Memorial Parking Lot Overlay Project as unspent project funding from 2010; to reduce both expenditures and revenues of \$10,963 in the 2011 Environmental Service Budget to reflect the actual 2011 BWSR Grant received; reallocate \$13,000 from the Budget Project Contingency to Budget Legal Contingency to cover a billing from the Office of Administrative Hearing

for the Contested Ranier Annexation case. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-11 Motion by Adee, seconded by Ecklund authorizing the Board Chair's signature to the February Vendor Payment List verifying its review; to approve payment of the Highway claims in the amount of \$65,435.52; to approve payment of the Courthouse claims in the amount of \$60,951.48; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented, and to approve the following Burial Cases: #974350 in the amount of \$2,163.50, #1401606 in the amount of \$2,091.66, #842917 in the amount of \$1,657.43. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-12 Motion by Hanson, seconded by Adee to sponsor the Ridgerunner Snowmobile Club in the FY 2011 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 \$14,000 for the Blue Ox ATV Trail and authorizing the Board Chair and Auditor/Treasurer signatures to the Agreement. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-13 Motion by Ecklund, seconded by Hanson to set a public hearing for the purpose of presenting a revised Koochiching County Tobacco Ordinance due to 2010 Mn Law changes for tobacco product definition, law clarification and prohibiting sale by vending machines to further regulate tobacco and tobacco products to protect minors against the serious effects of tobacco and of which is required in County Ordinance for the selling of tobacco licenses. Further, the Administration Director will set the hearing at a regularly scheduled County Board meeting following the required public notice for an ordinance change. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 At the request of a Board member after attending the LOW Water Quality Forum, the Board Chair requested the Administration Director to schedule a committee of the whole session where a representative of the IJC International Lake of the Woods and Rainy River Watershed Task Force would update the Board on their activities and initiative for bi-national management of this watershed.

000 The County Assessor informed the Board that a new building value schedule has been implemented for 2011 for property in the lake area (described as property on the water from the area commonly referred to as the 19<sup>th</sup> Hole to Sha Sha). The former building value schedule was at \$50 to \$60 per square foot and today it should be at a minimum \$100 per square foot, which the new schedule is based on. The Assessor stated that this change was made prior to the County BOE meetings so that property owners are afforded the opportunity to review the building assessment with Assessor staff and provide building information for further review under the building value schedule.

2011/03-14 Motion by Hanson, seconded by Adee to accept the recommendation of the Community Service Director to approve expenditure up to \$20,383 from the 2011 Community Service Budget for the County's share of the discovery phase for the development of the Regional 3 Income Maintenance Case Management EDoc System with the intent to offset the cost with a Blandin Foundation Grant of which \$5,000 would be Koochiching County's share and with 50% federal cost reimbursement, estimating the actual county dollar cost of \$7,500. Motion further authorizes an internal budget line item adjustment for said expenditure within the 2011 Community Service Budget. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-15 Motion by Hanson, seconded by Adee to add approval of an additional Rule 25 CD Assessment Contract to the agenda as requested by the Community Service Director. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-16 Motion by Hanson, seconded by Ecklund accepting the Community Service Director's recommendation to approve service contracts with Rational Alternatives and Sharon Frank for shared Rule 25 CD Assessment services. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-17 Motion by Hanson, seconded by Ecklund accepting the following Foster and Day Care Licensing recommendations: license Cindy Hell for family day care for ten children; relicense Judy Keeney for group family day care for fourteen children. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-18 Motion by Adee, seconded by Ecklund authorizing the Engineer to seek quotes for one vehicle replacement for the County Car Pool as recommended by the Committee and planned in the 2011 Car Pool Budget and to seek quotes for a Land and Forestry pickup replacement as recommended by the Land Commissioner and planned in the 2011 Department Budget. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-19 Motion by Ecklund, seconded by Hanson authorizing the Engineer to call for bids for culverts, hired truck, road striping and Nuisance Beaver Removal as recommended by the Engineer. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-20 Motion by Adee, seconded by Ecklund authorizing the Engineer to call for bids for road culvert replacement projects for CSAH 15, CSAH 8, CSAH 17, CSAH 36, CSAH 30, CSAH 31 as recommended by the Engineer. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-21 Motion by Hanson, seconded by Ecklund to award low bid to Bowman Asphalt Products in the amount of \$419,558 for SAP 36-633-02 (CSAH 33) with the understanding the contract timeline is understood by the contractor to complete the project prior to this summer's Littlefork Fair due to this project impacting the Littlefork Fair Grounds. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.



2011/03-22 Motion by Hanson, seconded by Ecklund to accept the recommendation of MnDot and the concurrence of the County Engineer to post the following bridges based on vehicle type due to law changes allowing certain hauling vehicles to have more axles and thus haul more weight on a shorter wheelbase: Bridge 93280 on County Road No. 119 at 30-40-40 ton; Bridge 36503 on County Road No. 145 at 40-40-40 ton; Bridge R0126 on Unorganized Township Road 383 at 24-40-40 ton. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 11:13 a.m. LeeAnn Meer informed the Board that the "Walk a Mile in Her Shoes" event is back and scheduled for April 28, 2011 as an international men's march to stop rape, sexual assault and gender violence and asked the Board to pose for a picture with high heel shoes for their Event Calendar, in which Board members agreed. Arden Barnes inquired on the road condition of State Highway 71 near Big Falls. Chrystal Clance inquired on the beaver removal services in which the Engineer stated it was for county land and road purposes.

2011/03-23 Motion by Adee, seconded by Ecklund to adjourn the meeting at 11:25 a.m. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

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Brian McBride, Board Vice Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, March 29, 2011; 11:00 a.m.

MEMBERS PRESENT: Commissioners McBride, Hanson, Ecklund, Adee

MEMBERS ABSENT: Commissioner Pavleck (Medical Absence)

OTHERS IN ATTENDANCE: Jaci Nagle, Brian Youso, Dennis Hummitzsch, Dan McCarthy, Terry Randolph, Arden Barnes

2011/03-24 Motion by Hanson, seconded by Adee to approve the agenda with additions and deletions. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-25 Motion by Ecklund, seconded by Adee to approve the minutes from the March 15, 2011 regular meeting. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-26 Motion by Adee, seconded by Ecklund to approve payment of the Courthouse claims in the amount of \$16,995.00; to approve payment of the Health claims in the amount of \$11,851.97; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented; to

approve payment of a County Board expense claim in the amount of \$2,544.42. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2010/03-27 Motion by Ecklund, seconded by Adee to approve the following 2011 licenses as recommended by the County License Committee: Opp Hagemeister Management Inc., DBA Island View Lodge, for On Sale, Off Sale and Sunday Intoxicating Liquor for the period of May 1, 2011 through November 1, 2011; International Falls Country Club Inc., DBA Falls Country Club, for On Sale and Sunday Intoxicating Liquor and a Tobacco License for the period of April 1, 2011 through October 31, 2011. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-28 Motion by Hanson, seconded by Ecklund to set a public hearing under the County Road Vacation Policy for the application of Donald Hull to vacate all that portion of Dorothy Avenue, Jamesons Second Addition of International Falls, according to the recorded plat thereof, which lies north of Trunk Highway No. 11 as located in 2011 and which lies south of the easterly prolongation of the north line of Lot 1, Block 3. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-29 Motion by Adee, seconded by Ecklund authorizing as a County Board activity attendance of County Board members to the April 28, 2011 "Walk a Mile in Her Shoes" event as an international march to stop rape, sexual assault and gender violence. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-30 Motion by Hanson, seconded by Ecklund authorizing as a County Board activity attendance of County Board members to the March 30, 2011 presentation on Government Redesign by Beltrami County at the AmericInn in International Falls. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-31 Motion by Hanson, seconded by Ecklund to approve capital outlay expenditure of \$4,137 for a new Acronis NAS and data backup system as recommended by the I.S. Manager and planned for in the 2011 IS Budget to update and consolidate the county's file server backups with the annual system cost offset by the ongoing cost to maintain the current system. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried

2011/03-32 Motion by Hanson, seconded by Ecklund to award low bid to Wherley Motors for two Sheriff vehicles as recommended by the Sheriff and as follows: 2011 Dodge Charger car at \$19,081 after trade in of the 2009 Ford Crown Victoria car; 2011 Ford F150 Super Crew XLT 4x4 Truck at \$13,792 after trade in of the 2009 Ford F150 XLT 4x4 Truck. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-33 Motion by Hanson, seconded by Ecklund authorizing the Sheriff to hire up to two additional part time deputies to add to the call roster at no additional cost to provide more flexibility for shift fill in or if additional patrol is needed. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-34 Motion by Hanson, seconded by Ecklund to set aside \$50,000 for timber and resource development reserves and \$40,000 for park development reserves from the 2010 Trust Fund income as approved in the 2011 Land and Forestry Budget and as recommended by the Land Commissioner and to set aside \$5.00 per capita from the 2010 Trust Fund income 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: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/03-35 Motion by Hanson, seconded by Adee that under Chapters 18.79, Subd. 13 State Agricultural Commissioner's Order for the listing and approval of Noxious Weeds to accept the Land Commissioner's recommendation to petition the Commissioner under Chapter 18.79, Subd. 14 to also designate the following noxious weeds which are a control problem specific to Koochiching County: Field Bindweed, Hemp, Perennial Sowthistle, Bull Thistle, Tall Buttercup, Orange Hawkweed; further to authorize the Board Chair's signature to the County's Annual Noxious Weed Notice as recommended by the Land Commissioner. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Land Commissioner provided a timber harvest seasonal comparison of 2009/2010 to 2010/2011 showing an increase in wood harvested in the latter season.

000 The Board Chair called for public comment at 11:52 a.m. Dan McCarthy inquired on the Tax Forfeited Land revenue apportionment process. Terry Randolph informed the Board that the dumping of animal carcasses continues along the Moonlight Rock Road as well as vehicles getting stuck in the winter on the portion of road past the railroad tracks which is not maintained but appears to be a road due to snowmobile trail grooming. He has reported the dumping of dead animals to the Sheriff and would request the road be posted November 1 of each year to advise motorist that the road is not maintained in the winter. Arden Barnes referenced water quality concerns in our watershed due to runoff created by logging activity in Canada.

2011/03-36 Motion by Ecklund, seconded by Adee to adjourn the meeting at 12:20 p.m. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

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Brian McBride, Board Vice Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, April 5, 2011; 12:30 p.m.

MEMBERS PRESENT: Commissioners McBride, Hanson, Ecklund, Adee  
MEMBERS ABSENT: Commissioner Pavleck (Medical Absence)

OTHERS IN ATTENDANCE: Doug Grindall, Deb Sletten, Einar Sundin, Dan McCarthy, Jeff Naglosky, Will Hoyt

2011/04-01 Motion by Ecklund, seconded by Adee to approve the agenda with additions and deletions. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-02 Motion by Hanson, seconded by Ecklund to approve the minutes from the March 29, 2011 regular meeting. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-03 Motion by Adee, seconded by Ecklund to approve payment of the monthly County Board expense claims in the amount of \$11,585.52; to authorize the Board Chair's signature to the March Vendor Payment Listing verifying its review. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2010/04-04 Motion by Adee, seconded by Ecklund to award low bid to Wherley Motors for a 2011 Ford Taurus SE 4 Door Car at \$15,708 after trade in of the 2004 Chevy Impala with bid price not including sales tax and license costs as recommended by the Highway Engineer on behalf of the Car Pool Committee. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-05 Motion by Hanson, seconded by Ecklund to award low bid to Waschke Family GM Center for a 2011 Chevy Silverado 4x4 Pickup at \$19,500 after trade in of a 2000 Chevy Silverado 4x4 Pickup with bid price not including sales tax and license costs as recommended by the Highway Engineer on behalf of the Land and Forestry Department. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 MCIT Loss Control Consultant provided the annual MCIT Report to include a review of claim activity for Koochiching County. She stated that OSHA has been at several cities and counties within the State and after discussion, it was agreed to have the Consultant meet with the County Safety Committee for review of policy and training requirements as well as scheduling site and equipment inspections.

000 The Board Chair called for public comment at 1:25 p.m. Einar Sundin asked that the County to follow up with the Fire Service Taxing District for removal of the old fire number signs as seen in the Loman, Littlefork and Big Falls areas now that the 911 signage is established in the County. Dan McCarthy inquired on county business items.

2011/04-06 Motion by Hanson, seconded by Adee to close session at 1:35 p.m. under attorney-client privilege to review potential road project contract litigation due to non-performance of Contractor Bowman Construction. Voting yes: McBride, Hanson,

Ecklund, Adee. Motion carried. (Attending: County Board, Administration Director, County Attorney, Highway Engineer, Assistant Highway Engineer.)

2011/04-07 Motion by Adee, seconded by Hanson to open session at 2:36 p.m. and adjourn the meeting. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried

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Brian McBride, Board Vice Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, April 12, 2011; 10:00 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Lisa Santee, Jaci Nagle, Len Peterson, Terry Murray, John Gearhart, Doug Grindall, Will Hoyt, Bob Anderson, Dan McCarthy; Reporter Laurel Beager

2011/04-08 Motion by Hanson, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-09 Motion by McBride, seconded by Ecklund to approve the minutes from the April 5, 2011 regular meeting with correction. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-10 Motion by Hanson, seconded by McBride to approve the employment separation of Assistant County Assessor Lorella Fulton effective May 2, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2010/04-11 Motion by Adee, seconded by Ecklund to approve payment of the Courthouse claims in the amount of \$50,547.26. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-12 Motion by Ecklund, seconded by McBride to approve a cash grant match of up to \$15,000 from Koochiching County for application of a \$100,000 grant for a combined Koochiching/Lake of the Woods Counties Drug Court System. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-13 Motion by Adee, seconded by Ecklund to schedule a County Board Committee of the Whole Meeting for Wednesday, April 20, 2011 at 1:00 p.m. in the Courthouse boardroom in which the County Board and other local officials and representatives will meet with U.S. Congressman Cravaack and his staff to review local issues involving the federal level of government. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-14 Motion by Hanson, seconded by McBride to approve a 60 month lease agreement (\$139.78 a month) for a Canon iR C2030 multifunction printer to be located in the Assessor's Office for a primary print device for the department as recommended by the Information Systems Manager and Assessor to replace the current printer which is inoperative and with a portion of the cost offset by supply cost budgeted for the replaced printer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The KCCS Director provided information to the Board that the process for establishing a regional Electronic Document Management System for Income Maintenance Divisions will now include a survey of companies to determine if there are options for competitive bidding. In addition, he informed the Board of the Agency's participation via a MOU for a grant to subsidize employment for a period of time to help get clients in the work force and thereby reducing assistance cost.

2011/04-15 Motion by McBride, seconded by Hanson to approve an amendment to the Family Freedom Corporation Service Agreement to add sign language services for clients as a waived paid service as recommended by the KCCS Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The KCCS Director provided a revised County Burial Policy after review with other counties and the local provider requiring a rate adjustment due to increased costs. In summary, the revisions require cremation unless there is a religious reason prohibiting it and change of service rates.

2011/04-16 Motion by Hanson, seconded by Ecklund to adopt the revised County Burial Rates and Policy as recommended by the KCCS Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

000 The KCCS Director provided the Board a Koochiching County Fraud Case Report showing the number of cases investigated and the amount of financial assistance funding recovered.

2011/04-17 Motion by Hanson, seconded by Adee to approve the employment separation of Heavy Equipment Operator Wayne Pelland effective May 2, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-18 Motion by Hanson, seconded by McBride to defer the Engineer's request to fill the vacant Heavy Equipment Operator position to the Personnel Committee for review due to the Hiring Freeze directive. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-19 Motion by McBride, seconded by Ecklund to award low bids for the seasonal bids for culverts, beaver removal, hired truck and road striping as recommended by the County Engineer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

000 At the request of the County Board Chair, the Boise Public Affairs Manager stated that the company's position for use of their property along the CSAH 155 corridor (connecting State Highway 11 to CSAH 332) is for wood and railcar storage and that the company has no intentions of developing the property to encourage businesses to locate there. The Board Chair further clarified the County's position that it has no intentions to promote businesses development along this corridor but that the corridor was supported by the County Board to provide an alternate public transportation artery and to help Boise by alleviating public traffic on the Burner Road which daily has trucks and heavy equipment moving their wood. The Board Chair stated that he wanted Boise and the County to clarify their positions due to phone calls received from Highway 53 business owners stating concern about a provision in a recently approved International Falls Economic Development Authority plan that discusses researching and identifying opportunities to attract and encourage industrial development along the CSAH 155 corridor.

2011/04-20 Motion by Adee, seconded by Hanson to award the contract for SP 036-755-001 (CSAH 155) to Wagner Construction as low responsible, responsive Bidder, in the amount of \$1,365,020.15 based upon the recommendation of the County Engineer and contingent upon MnDOT Office of Civil Rights/DBE approval. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

2011/04-21 Motion by McBride, seconded by Ecklund to adopt the following resolution requesting the transfer of a portion of Koochiching County's CSAH Regular Funding to the CSAH Municipal Fund:

WHEREAS, the County of Koochiching has obtained the Commissioner's approval of the plans for County State Aid Project SAP 36-633-02;

WHEREAS, said County is prepared to proceed with the construction of the said project by providing county regular funds to supplement the available funds in the County Municipal Account; and

WHEREAS, repayment of the funds so advanced by the County is desired in accordance with the provisions of Minnesota Statutes 162.08, subd. 5 and 7 and Minnesota Rules 8820.1500, Subd. 8.

NOW, THEREFORE BE IT RESOLVED that the Commissioner of Transportation be and is hereby requested to approve this basis for financing said construction project and to authorize repayments from subsequent accruals to said Account, in the amounts as herein indicated of \$75,000 from the 2012 Allotment, \$75,000 from the 2013 Allotment and the remaining amount from the 2014 Allotment. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair opened a public hearing at 11:12 a.m. for the purposes of receiving public comment on the intent to adopt a revised County Tobacco Ordinance to ensure that the issuance of Tobacco Licenses comply with State Law for protecting youths from the harmful use of tobacco and with the revisions to include law changes for definition of tobacco products, requiring tobacco products be sold behind the counter and clarify Ordinance language that prohibits sale of all tobacco and related products and devices to youth. The Administration Director stated that no written public comment was received. The Board Chair called for public comment on the subject and no comment was provided. The Board Chair closed the hearing at 11:16 a.m. following general comment from Board members in support of protecting youths from the harmful use of tobacco.

2011/04-22 Motion by Ecklund, seconded by McBride to approve a revised Koochiching County Tobacco Ordinance as required in State Law for the issuance of County Tobacco Licenses: Whereas the purpose of the Ordinance is to recognize that many persons under the age of 18 years purchase or otherwise obtain, possess, and use tobacco, tobacco products, and tobacco related devices, and such sales, possession, and use are violations of both State and Federal laws; and because smoking has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government, this ordinance shall be intended to regulate the sale, possession, and use of tobacco, tobacco products, and tobacco related devices for the purpose of enforcing and furthering existing law, to protect minors against the serious effects associated with the illegal use of tobacco, tobacco products, and tobacco related devices, and to further the official public policy of the State of Minnesota in regard to preventing young people from starting to smoke as stated in Minnesota Statute 144.391. Whereas any license issued under this ordinance may be revoked or suspended as provided in the Violations and Penalties section of this ordinance for any person to sell or offer to sell any tobacco, tobacco product, or tobacco related device to any person under the age of eighteen (18) years. Any licensee found to have violated this ordinance, or whose employee shall have violated this ordinance shall be charged administrative fines and may be subject to suspension of its license. Nothing shall prohibit Koochiching County from seeking prosecution as a misdemeanor for any violation of this ordinance. 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 4<sup>th</sup> 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: Pavleck, McBride, Hanson, Ecklund, Adee.

000 The Board Chair called for public comment at 11:18 a.m. Chrystal Clance inquired on the meeting with the U.S. Congressman next week and the need for federal funding to continue operation of our International airport. Dan McCarthy spoke to transportation and communication needs as a priority for economic development in the County.

2011/04-23 Motion by Adee, seconded by Ecklund to adjourn the meeting at 11:25 a.m. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.



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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, April 19, 2011; 10:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Susan Baratono, James Vilt, Steve Blair, Arden Barnes

2011/04-24 Motion by McBride, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-25 Motion by Ecklund, seconded by McBride to approve the minutes from the April 12, 2011 regular meeting with added commentary regarding the County and Boise positions that they have no plans to develop businesses along the CSAH 155 corridor as stated at the meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-26 Motion by Adee, seconded by Ecklund to approve payment of the Highway claims in the amount of \$92,335.23. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-27 Motion by Hanson, seconded by McBride accepting the recommendation of the County Assessor to grant the following abatements: for Lee Hervey, Parcel #50-034-14000 to abate the 2011 tax due to the property being sold to the State of Minnesota and thereby classified as tax exempt property; for Robert Peterson, Parcel #92-109-13060 to abate the 2005 tax and remove the parcel from forfeiture list due to a parcel division/combination processing error. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-28 Motion by Hanson, seconded by Ecklund to approve as joint owner of the International Falls/County Airport, an Agreement on the Terms and Conditions of Accepting FAA Airport Improvement Program Grants as required by the Federal Aviation Administration for the purpose of carrying out the provisions of Title 49, United States Code; and to authorize the County Board Chair's signature to the Agreement contingent on the County Administration Director and Airport Legal Counsel's review and recommendation on behalf of the County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-29 Motion by Hanson, seconded by Ecklund to set the Tentative June through August 2011 County Board Meeting Schedule canceling the June 28, July 12, July 26, August 9, August 16 and August 23 regular meetings subject to rescheduling by the

Board Chair if needed. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-30 Motion by McBride, seconded by Adee that based on the need in the 2<sup>nd</sup> Floor Courtroom for conducting telephone court hearings, to approve the purchase and installation of a telephone conference system from North Country Business Products at a cost not to exceed \$2,300 with the Complex Superintendent to oversee installation and connection to the County's Telephone System; and further to request the Law Library Board to assist with the cost of the system under the Law Library's purpose of providing the best possible use of legal resources for the citizens of Koochiching County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair opened a public hearing at 11:15 a.m. for the purpose of receiving public comment on the request by Don Hull to vacate the portion of Dorothy Avenue between State Highway 11 and County Road 21 in which the applicant is the adjoining land owner to this portion of road with exception of a small piece of tax forfeited land. The Administration Director stated that the County Departments review found no issues with the road vacation request and that no written public comment was received on the matter. The Board Chair called for public comment. A member of the audience stated that an adjacent property owner stated to her that he should have received a notice of the public hearing. The Administration Director stated that though the property owner is adjacent to Mr. Hull's property, he isn't adjacent to the public access under consideration for vacation and that the vacating of this portion of Dorothy Avenue does not impact public access to his property. With no other public comment, the Board Chair closed the hearing at 11:25 a.m.

2011/04-31 Motion by McBride, seconded by Ecklund that in accordance with the County Road Vacation Policy and upon holding of a public hearing to approve the vacation of all that portion of Dorothy Avenue, Jameson's Second Addition of International Falls, according to the recorded plat thereof, which lies north of Trunk Highway No. 11 as located in 2011 and which lies south of the easterly prolongation of the north line of Lot 1, Block 3. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 11:25 a.m. Arden Barnes inquired on the ownership of the Burner Road as it relates to Boise's intent to request its vacation as a public access. The Board Chair stated it is a road under the jurisdiction of the County and therefore the request would have to come to the County.

000 The Board Chair adjourned the meeting at 11:30 a.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, April 26, 2011; 9:45 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Bob Peterson, Dennis Hummitzsch, Cynthia Jaksa, Chrystal Clance, Mona Johnson, Dale Olson, Doug Grindall, Will Hoyt, Carl Bowman, Jamie Kirchner, James Ries, Jake Soper, Steve Blair, Arden Barnes, Dan McCarthy, Holly Blais, Dan Blais, Burgess Eberhardt, Einar Sundin, Mike Ward, Lonnie Glover; Reporter Laurel Beager

2011/04-32 Motion by McBride, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-33 Motion by Ecklund, seconded by Hanson to approve the minutes from the April 19, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-34 Motion by Adee, seconded by McBride to approve payment of the Courthouse claims in the amount of \$36,567.22; to approve payment of the Health claims in the amount of \$13,559.19; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-35 Motion by McBride, seconded by Ecklund accepting the recommendation of the County Assessor to grant abatement to David Tope, Parcel # 92-120-06110, for a change of property classification to homestead for 2011 taxes payable. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-36 Motion by Adee, seconded by Ecklund to authorize the County Attorney to sign the second amendment to Design Data Packaging Services Agreement between Westinghouse Plasma Corporation (WPC) and the Koochiching Development Authority (KDA) for the purpose of clarifying and confirming that Koochiching County has no right, title interest or obligations under said Contract as amended. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-37 Motion by Hanson, seconded by Ecklund to accept the invitation and authorize County Board members' to attend the annual Rainy River First Nation's Fish Fry on Friday May 20, 2011 in Fort Frances, Ontario. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The County Board reviewed with the Auditor-Treasurer the proposed Voter ID Card Legislation for the purpose of decreasing opportunities for voting fraud and modernize paper balloting to electronic voting systems. As reported by AMC the proposal is problematic to counties with increased cost in system upgrades, voter transportation and increased DMV locations to ensure accessibility of Voter ID Cards to

all citizens. Though changes are being proposed in the bill to allow counties to continue to use paper balloting, it raises the question of whether it is worth funding a bill that only half modernizes the election system, especially when looking at priorities for balancing the State's \$5 billion budget deficit. The County Auditor-Treasurer stated that this proposed legislation does not address many questions and one of most concern, is how Voter ID Cards will work with mail balloting. He further believes the legislation places additional burden on the voters which may in turn discourage some from voting.

2011/04-38 Motion by Ecklund, seconded by McBride to go on record opposing the proposed Voter ID Card Legislation (Bills HF210 and SF509 and as amended) due to the cost and programmatic implications for counties, especially in mail ballot counties, and implication that requiring people to obtain a Voter ID Card to vote may discourage voting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Commissioner Hanson stated that at a recent meeting with IRRRB Commissioner Sertich to review the IRRRB funding use in Koochiching County, the Commissioner stated his support to continue the funding to Koochiching County and requested copies of all correspondence the County sent to legislators requesting this funding not be cut.

2011/04-39 Motion by Hanson, seconded by Ecklund to approve the employment separation of Nick Ronning effective May 16, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/04-40 Motion by McBride, seconded by Ecklund authorizing the Land Commissioner to fill the vacant Forester position based on timber sale workload and the need to generate sales to continue flow of timber revenue to the County. Voting yes: McBride, Hanson, Ecklund, Adee; voting no: Pavleck (Hiring Freeze would require a review by Personnel Committee). Motion carried.

000 Members of the International Falls Cable Commission requested the County Board's support to apply a fee on cable subscribers' bills to assist with the cost of a local public TV channel. The County Board and the City of Ranier felt that a survey of the cable subscribers was needed to find out if those who have to pay for it want it. The survey was conducted for International Falls, Ranier and County subscribers and it was acknowledged that the survey didn't come in strong to support the local TV channel by subscriber fees. Commission members felt that once the public could see the benefits of what this public TV channel would provide in connecting them with community and local governmental units, they may be more willing to pay something to have it. In addition it also has an economic development benefit for businesses. Board members stated that it is not a matter of whether it is a good thing but how to pay for it. A motion was made but failed for a lack of a second to approve a new flat fee proposal. With no other actions by the County Board members, the Board Chair reiterated the Board's position a year ago that if those who have to pay for it, support it, the County as the Cable Franchise Authority would approve the fee on county cable subscriber bills. It is a great idea and the Commission is commended for its hard work but the survey did not support approval of the cable fee.

000 The Environmental Service Director informed the Board of the hire of Casey Kittelson to the Environmental Services Technician position with a start date of May 2, 2011.

2011/04-41 Motion by McBride, seconded by Adee to accept the recommendation of the Planning Commission to deny Ron Peterson's applications for Rezoning and a Conditional Use Permit (REZ1102 and CUP 1102) for a proposed quarry operation near the City of Ranier described as SE<sup>1</sup>/<sub>4</sub> of the SE<sup>1</sup>/<sub>4</sub>, Section 30, Township 71N, Range 23W. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Environmental Service Director presented the Planning Commission's recommendation to approve the County's Rezoning and Conditional Use Permit applications for a proposed quarry operation in the Birchdale/Indus area with a stipulation the aggregate produced will be used strictly for County road purposes and that the aggregate will not be sold to any private contractors. The stipulation was added due to the amount of opposition from local contractors having quarry/gravel operations in this area. The Director stated that even with this stipulation, there is still opposition from contractors. The County Engineer stated that the County having a pit operation for road projects is no different than contractors having a pit operation for their road project purposes. The Engineer was agreeable to the stipulation but felt it would hinder the County in the future. The area in which the resource will be used has very few blacktop roads so the need for gravel for construction purposes is not a major issue at this time. He understands the contractors' position of not wanting the County providing gravel for road construction and interfering with road construction bids but the County also needs to look out for the taxpayer. Carl Bowman in reference to Minnesota Statute and an Attorney General's opinion stated that a quarry operation of Tax Forfeited land is not an allowable use in which the Land Commissioner responded that he believes it is an allowable use as a public resource and stated that it is not unusual for counties and the state to develop quarry operations for public purposes. The Board Chair felt it was problematic to have the stipulation for the taxpayer and historically quarry operations were done by the County and this is no different. Commissioner Hanson stated that the Highway 11 Task Force identified that gravel source in this area is needed and that gravel roads in this area have inadequate base due to not having an adequate gravel resource. The quarry makes sense and supports it. If there are other less costly resources available, the County would use it. If not, the County will have the quarry resource. He too is concerned with the stipulation restricting use to road maintenance and not construction.

2011/04-42 Motion by Hanson, seconded by Ecklund to accept the recommendation of the Planning Commission to approve Koochiching County's applications for Rezoning and a Conditional Use Permit (REZ1101 and CUP1101) for a proposed quarry operation between Indus and Birchdale described as the E<sup>1</sup>/<sub>2</sub> of the SW<sup>1</sup>/<sub>4</sub> of the NE<sup>1</sup>/<sub>4</sub>, Section 15, Township 159N, Range 26W. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Environmental Service Director presented the Planning Commission's denial of AT&T's application for a Conditional Use Permit to construct a 350 foot tall tower near the end of County Road 109 (KOA Road) based on the lack of studies ruling out other potential locations such as the DNR Ranger Tower. This application has and continues to receive public opposition. As of late last week the Director received a request by AT&T to extend their application timeline which has now been presented to the County Board for consideration. At the request of the Board Chair, an AT&T representative stated that they updated their narrative to better clarify their facts and conclusion as to why this location is the viable location for their tower. The representative stated that AT&T feels it provided the data to prove locating on the DNR Tower is not adequate and stated that AT&T does co-locate where possible. AT&T is requesting an application timeline extension to give the Board more time to look at their data. The Board Chair stated that if AT&T feels they provided all the data, than why ask for an extension. The AT&T representative stated that the facts are the same but they better demonstrated their position in the narrative and now want to allow time for AT&T to review the data and address questions with the Board. The Board Chair stated that the Planning Commission is the fact finding body making recommendation to the County Board and questions why this review would occur with the County Board. The Board Chair asked if AT&T would be willing to work within a committee of sorts to look favorably at finding another site that everyone can live with and the AT&T representative stated that they don't have the authority to make this decision. Commissioner McBride stated that if there is no new information, than the 60 day extension doesn't do anything. An AT&T representative stated that during this extension AT&T would be willing to answer questions if they can and to make sure all options were vetted, to include anything they may have missed. AT&T does not agree with the Planning Commission that the Company has not vetted all their options and feel AT&T has provided the facts that it has. The Board Chair stated the County needs a commitment that AT&T will work with them to look at other sites, not review the same information and position. There is a lot of opposition to the proposed tower site. AT&T representative acknowledged the opposition and stated that selecting a site that everyone agrees with is hard to find. In response to a question from a Board member, AT&T representative stated that they are looking to pursue co-locating with Verizon on a tower in Birchdale but that is the only other area in the County that he is aware of that AT&T is planning another tower location. Board Chair opened public comment from the audience: It was stated that during this whole discussion, AT&T has not committed to looking at another site. Opposition was stated as it will affect the night skies in the Park. It was stated that placement of this tower is creating more enemies than customers for AT&T. It was stated that towers should be three miles away from residential areas for health purposes. It was stated that the extension request to review the same information doesn't make sense. It was stated that the stakeholders are not just those in the area of the proposed tower but the customers the company will serve by providing a utility service in this area and recognizing the future need for telecommunications. An inquiry was made on the areas in which AT&T disguised towers to fit into environments. AT&T representative stated that this is done in accordance with ordinances that have community designs that construction/development must adhere to. It was stated that the application extension should have been brought to the Planning Commission. It was stated that if the extension period is to just review the

same data, there is no point to it and agreed cell phone service is important but the company needs to work with the Community to get it done. It was stated that AT&T has done nothing to better the position during this entire lengthy process so why now do they feel the 60 day extension is necessary. Public comment closed. AT&T representative stated that they incorporated what the community asked and moved the tower over and lessened the height. AT&T representative felt like they looked at everything, not saying they didn't miss something. AT&T followed the process in the County Zoning Ordinance which is the County's public document for guiding development. The Board Chair stated that the County Board normally follows the Planning Commission recommendation and the Board is not hearing anything new to change things. A motion was made to accept the Planning Commission's recommendation to deny but rescinded under point of order to first address the extension request. Commissioner Hanson stated that he is against the tower as presented but felt that maybe we owe AT&T the opportunity to see if they can work out a new site. AT&T representative stated that yes if you grant an extension, they will evaluate alternate sites but if the answer comes back that there are no alternative solutions, than what? The Board Chair stated he would be looking for a commitment to find another site.

2011/04-43 Motion by Hanson, seconded by Ecklund to grant a 60 day extension at the request of AT&T on their application for a Conditional Use Permit (CUP 1103) to construct a 350 foot tall tower near the end of County Road 109 (KOA Road) with the Board Chair to select/appoint the Committee to conduct the review with AT&T. Voting yes: Hanson; voting no: Pavleck, McBride, Ecklund, Adee. Motion fails.

2011/04-44 Motion by McBride, seconded by Adee to accept the recommendation of the Planning Commission to deny AT&T's application for a Conditional Use Permit (CUP 1103) to construct a 350 foot tall tower near the end of County Road 109 (KOA Road) described as the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , and SW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 34, Township 71N, Range 23W based on the following findings: In or about September 2010, AT&T applied for a conditional use permit to construct a wireless communication tower in Section 34. The original proposal was for a tower 377 feet in height. Based on the original proposed location, an EAW would have been required. AT&T subsequently amended the application by moving the tower location 933 feet to the east (to avoid the EAW requirement), and by reducing the height of the tower to 350 feet. The current proposed location is in the vicinity of Voyageur's National Park, and the tower would be observable from the Park. In response to the application, the Park submitted a comment letter raising concerns the tower would have a negative impact on the Park, and the goal of the Park to preserve the pre-settlement environment of the area. Comments at the Planning Commission meeting on April 14 also expressed concern that a lighted tower would run contrary to the goals of Voyageur's National Park to promote a pre-settlement sky without light intrusion. In materials presented to the Planning Commission, AT&T suggested that the proposed tower location would provide AT&T with the "best" coverage. In the materials, AT&T suggested that it analyzed alternative locations for the tower. The proposed alternative locations are identified in the materials submitted by AT&T, and include the ARMER site, the County gravel pit site (the Ulland pit), the DNR Ranger tower site, the Van Lynn road site, and State and federal lands.

While AT&T included in its materials coverage maps that indicated coverage that could be obtained by locating a wireless device on the DNR Ranger tower, no information was provided that demonstrated the other alternative sites, including the County gravel pit site, provided for unacceptable coverage. While AT&T suggested the Van Lynn road tower site may be too close to other AT&T devices, which “can” cause interference, no data was presented to indicate such interference would occur if a tower was located at this site. AT&T provided no data analyzing how a combination of less intrusive towers at the alternative locations might or might not afford adequate wireless coverage. Thus, the Board concludes that AT&T failed to meet its burden of demonstrating that other less intrusive alternative locations for the tower are not feasible to serve its customers. With respect to development issues, AT&T again suggested that the County gravel pit site may require either the construction of an access road across wetlands, or construction on “rocky soil”. Generalized concerns or speculation that such concerns might exist are not adequate to support a conclusion that development issues make this site unfeasible for the location of the proposed tower. AT&T expressed concerns at the Planning Commission meeting on April 14 about the structural integrity of the DNR tower, but AT&T’s representative admitted that no structural analysis had been done. Sections 5.10-5.12 of the County Zoning Ordinance set forth the standards for conditional use permits. Section 5.10 of the Ordinance requires that the Board consider: a. “...the impact of [the proposed use] upon neighboring land or public facilities; and b. “...the public need for [the proposed use] at a particular location.” In addition to the above, Section 5.12 of the Ordinance requires consideration of the impact of the proposed conditional use on surrounding properties, and its consistency with the spirit and intent of the Ordinance. On April 14, 2011, the Planning Commission voted to recommend to the Board that AT&T’s CUP request be denied based on the lack of adequacy of studies ruling out alternative locations for the proposed tower. While AT&T has submitted a slightly-revised application narrative to the Board, it has not submitted new or supplemental information which demonstrates the infeasibility of the possible alternative sites for the proposed tower. After reviewing the Record, the Board also concludes that AT&T has not conducted the requisite analysis and demonstrated to the Board that there is a need for the proposed tower at the proposed location. Stated another way, while AT&T may believe the proposed location is the “best”, it has not demonstrated that other alternative sites, themselves or in combination, will not work to provide coverage in the desired coverage area(s). The Board is particularly concerned that the proposed location of the tower will directly impact the pre-settlement viewscape from the Voyageur’s National Park, one of the State’s greatest natural assets, and one of historic significance. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The County Board reviewed AMC’s proposed MN Accountable Government Innovation and Collaboration (MAGIC) Act granting a level of statutory flexibility and outcome based waiver process.

000 The Board Chair called for public comment at 12:25 p.m. Dan McCarthy spoke to the County’s IRRRB allotment and lack of results. With no other comment, the Board Chair adjourned the meeting at 12:32 p.m.



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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, May 3, 2011; 9:35 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Dale Olson, Mark Hawkinson, Paul Hawkinson, Fred Corrigan, Dawn Eve, Gerald Albrecht, Dick Ferguson, Derick Hawkinson, Lorraine Fanning, Kevin Knaeble, Aaron Tank, Steve Blair, Doug Grindall, Larry Stoltz, Rusty Blais; Reporters Laurel Beager and Sheldon Slaubaugh

2011/05-01 Motion by Adee, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-02 Motion by McBride, seconded by Ecklund to approve the minutes from the April 26, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-03 Motion by Ecklund, seconded by Adee to approve payment of the monthly County Board expense claims in the amount of \$10,458.35. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Commissioner Hanson informed the Board that the NE Service Cooperative's Fiber Optic Project covering Northeast Minnesota will be coming to Koochiching County in about 2012 which will enhance services for International Falls and Littlefork areas to include the schools. A representative will be attending an upcoming KEDA meeting to report on what it is and what it means for development and service in the County. The \$43 million project is mostly funded with grants and that which had to be borrowed will be recouped through use by private companies.

000 The Environmental Service Director presented the Planning Commission's recommendation to approve the Conditional Use Permit for Hawkinson Construction for a quarry operation near Margie. The Director stated that this CUP application was first presented in 2005 with the Planning Commission recommending it and the County Board denying it. The Director stated that like the prior application, the current application has received numerous public comments for and against the quarry. The property owners in Margie are concerned about the impact to their property and community as a whole due to the quarry being adjacent to their village. Public comment submitted most recently would ask the County Board that if they don't deny the application to obtain a timeline extension on the application. Hawkinson Construction owner, Mark Hawkinson, spoke to his project stating the reason it was back was because the need for the aggregate in this area did not go away and now there is a big state road project where a large amount of

aggregate is needed. He was supportive of adding conditions to the permit to mitigate the public concerns and stated that the company had its plan studied through an EAW process. He stated that the plan is not continuous blasting but looking at about 4 blasts which will provide the rock they are seeking. In addition, this quarry operation would be intermittent, (used once every several years) and they would haul the rock to another sand site for processing. Paul Hawkinson handed out an email from MnDot estimating the cost of aggregate by hauled mile, noting this data is two years old and today increased fuel prices have to be added in. He also submitted a petition of signatures supporting the project. Fred Corrigan submitted a letter of support from the Aggregate and Ready Mix Association of Minnesota stating that the aggregate source is scarce and needed in this area. In addition, he stated that MnDot is now requiring higher level aggregate to roads to expand their life as a result of not having sufficient highway funding to maintain current road systems in the State. That the availability of aggregate is a concern around the state and has resulted in quarry operations coming closer or into developed areas. Dawn Eve, resident of Margie, stated that six years ago the community was happy when the Board denied this quarry application and now it is back. Three years ago due to a quarry operation one mile from Margie, her house was damaged due to blasting and it took two years before anyone came to look at the damage and as long to get her claim settled. She submitted a petition of signatures in opposition of the project. She feels the company has no regard for the residents of Margie. She stated that their community is historic and serene and happens to be built on rock that is being pursued by developers. In plea to the Board, she asked they not be put through having to file claims to be made whole for damages. She has had the experience already in trying to fight a company for damages. Dick Ferguson stated that he went around to property owners with the petition to support the project and talked with them about the project and what it means for the area in jobs and roads, noting some property owners in Margie signed in support. He stated that Hawkinson Construction provides local jobs in the area, he being a County resident working for Hawkinson. Gerald Albrecht spoke to his quarry operation raised by Ms. Eve. In addition, he stated that Hawkinson is a credible company and provides local jobs. That there will always be opposition no matter where you look to establish a quarry operation. Derick Hawkinson stated that it is common today to have operations in close vicinity to residents, providing a picture of an operation in St. Cloud. Lorraine Fanning, property owner in Margie, stated her property is right next to the operation and is concerned. She needs reassurance they will follow the rules. Kevin Knaeble, owner of a small contracting business in Northome, stated that Hawkinson is a good Company and the resource and jobs are needed in the area. Aaron Tank, resident of Margie, stated that Margie is in the middle of this one rock outcropping and blasting anywhere in the rock will send tremors through the entire system. He stated that blasts from the Albrecht quarry operation were felt in Margie and this was one mile away. This operation is right in Margie and he doesn't know how the blasts won't impact the entire rock outcropping and property on it. Mark Hawkinson stated that blasting is a science and the company has insurance for damages, will do a professional pre-blast inspection and will take care of damages. He went around Margie to talk about the project and did not force support. He wanted to hear their concerns and address them by putting conditions in their plan. Aaron Tank stated that the company has everything to gain but those in Margie have everything to lose. What is the price of a lifetime change to historic Margie and is this an

absolute need? He asked the County Board to consider how it wants to shape its communities in the County. Steve Blair spoke to the DNR permit for the railroad crossing and that in his review, Albrecht has used about one half of the area approved for a quarry under his permit and the remaining portion does not allow for the supply Hawkinson is seeking. The Environmental Service Director spoke to the conditions put in the CUP recommended by the Planning Commission and stated that the permit requires review every five years as the use could be as long as 40 years. Commissioner McBride stated that this is tough issue but he believes things have changed in the last five years in that aggregate needs are greater, sources are scarce and fuel cost has greatly increased the cost of aggregate being hauled from distant sources. He has seen the operations in St. Cloud and the Iron Range and as supplies dwindle new sources are being found near or within developed areas. Roads are an essential public service and without the rock they can not be provided. Commissioner Ecklund stated that he grew up next to a rock quarry operation so understands the affects to properties but today the conditions placed on operations like these are much better to protect the interest of the property owner. Commissioner Adee stated that he too has seen operations within development areas and he feels that allowing the quarry in this area will provide competition and resulting lower prices for the taxpayer. He also noted that the petition opposing the project had the majority of signatures coming from out of county. Commissioner Hanson acknowledged the concerns raised by the people of Margie and that someone has to look out for their interest. In response to the question, Mr. Hawkinson stated that the site plan includes crushing and a portable asphalt plant if needed but generally the rock will be hauled to another pit and processed. They would only use the plant if the project was in that area. Commissioner Hanson acknowledged the good things said about Hawkinson Construction but has concern for the landowners. In response to the question, Mr.Hawkinson stated that the reclamation plan would envision the remaining hole being filled with water and left as a pond. Commissioner Pavleck stated that Margie is historic and unique, a gem of the County. He too has heard nothing bad about Hawkinson but doesn't feel anything has changed. The Community doesn't have the influence or power to fight companies and is relying on its local government to protect them. He feels the operation is too close and stated no one would want it next to their property, why should they. Nothing justifies doing this to the community; it is too close, too big and too long. He can't as their government representative force this on them. Lastly he stated that over the years he has seen issues occur with blasting, no matter the science and method used.

2011/05-04 Motion by McBride, seconded by Ecklund accepting the recommendation of the Planning Commission to approve Rezoning and a Conditional Use Permit (REZ1103 and CUP1104) for Hawkinson Construction for a quarry operation near Margie described as the NE<sup>1</sup>/<sub>4</sub> of the NW<sup>1</sup>/<sub>4</sub> lying South and East of the railroad and the SE<sup>1</sup>/<sub>4</sub> of the NW<sup>1</sup>/<sub>4</sub> of Section 11, Township 153N, Range 26W and within the conditions set in the Permit as recommended by the Planning Commission. Voting yes: McBride, Ecklund, Adee; voting no: Pavleck, Hanson. Motion carried.

2011/05-05 Motion by Adee, seconded by McBride authorizing the County Engineer to call for bids for SAP 036-645-008 (CSAH 45 Keenan Drive) for aggregate base,

bituminous surfacing, concrete curb and gutter and concrete sidewalk; and SAP 036-630-017 (CSAH 30 – Big Falls) for bituminous overlay and shouldering. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-06 Motion by Hanson, seconded by Ecklund to revise the resolution adopted in Board Motion 2011/04-21 requesting the transfer of a portion of Koochiching County's CSAH Regular Funding to the CSAH Municipal Fund:

WHEREAS, the County of Koochiching has obtained the Commissioner's approval of the plans for County State-Aid Project #SAP 036-633-002; and

WHEREAS, said County is prepared to proceed with the construction of said project by providing County State Aid Regular funds to supplement the available funds in the County Municipal Account; and

WHEREAS, repayment of the funds so advanced by the County is desired in accordance with the provisions of Minnesota Statutes 162.08, Subd.5 and 7 and Minnesota Rules 8820.1500, Subd. 8.

NOW, THEREFORE BE IT RESOLVED that the Commissioner of Transportation be and is hereby requested to approve this basis for financing said construction project and to authorize repayments from subsequent accruals to said Account, in the amounts as herein indicated: \$75,000 from the 2012 Allotment; \$61,189.89 from the 2013 Allotment for a Grand Total of \$136,189.89. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 11:00 a.m. Larry Stoltz presented the Board two references to review on what is referred to as "The Perfect Storm" which predicts the future of the nation based on trends of the economy, weather, government and military. As a normal course of business, governments plan for the future and he felt an obligation to share this information and perspective with the County leadership. Rusty Blais in speaking to the Perfect Storm ideology stated that some areas have given it serious thought and are making preparations. Board members thanked them for coming forth and sharing this information.

000 The County Engineer informed the Board that the crushed aggregate from Harbor Lane is almost depleted and provided two options for resupplying the aggregate: 1) call for bids to crush another portion of the blasted rock from Harbor Lane; 2) pursue the FTZ rock for county road purposes and in turn, prepare the FTZ site with the understanding that any rock/aggregate put into the FTZ site would be KEDA's responsibility and any resource wanted by the City would be at their expense.

2011/05-07 Motion by Hanson, seconded by Ecklund to authorize the County Engineer to seek bids for rock blasting at the FTZ with bids coming back to the Board for review within the set budget for this project and that bidding will follow securing a Conditional Use Permit under the County Zoning Ordinance and upon review and approval from the

City of Ranier as recommended by the County Engineer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair adjourned the meeting at 11:25 a.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, May 10, 2011; 10:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Doug Grindall, Deb Bowman, Dave Serrano, Dennis Jensen, Mary Matthews, Gus Peterson, Holly Kostrzewski, Andy Hubley, Joe Mckinnen

2011/05-08 Motion by Adee, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-09 Motion by McBride, seconded by Ecklund to approve the minutes from the May 3, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-10 Motion by Adee, seconded by McBride to approve payment of the Courthouse claims in the amount of \$29,741.62 and to authorize the Board Chair's signature to the April vendor payment listing verifying its review. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-11 Motion by Hanson, seconded by Ecklund to adopt the following resolution for the application of Budget FY 2012 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 2012 grant funds.

NOW, THEREFORE BE IT RESOLVED, that the Applicant's organization hereby authorizes and approves making application to the IRRRB for FY 2012 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: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-12 Motion by McBride, seconded by Ecklund to accept the County Assessor's recommendation to grant abatement to Chester and Diane Frenzel, Parcel #s 65-017-44000, 65-016-32000, 65-021-21000 to reinstate agricultural credit on three parcels due to qualifying relative farming property. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-13 Motion by Adee, seconded by Ecklund to ratify the purchase of a new County Telephone System Backup Unit from North Country Business at a cost of \$1,630 with funding from the 2011 Budget Contingency due to necessity for continued telephone system operation as recommended by the Administration Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-14 Motion by McBride, seconded by Ecklund that Koochiching County supports legislation to extend the timeline for adoption of SSTS Ordinances based on the new rule and further, supports that during this extension PCA works with counties to identify the remaining concerns with the SSTS rules. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The County Engineer submitted a request to cancel contracts for SAP 36-600-13 and SAP 36-600-14 through the recommendation of the County Attorney due to non-performance of the contractor. He informed the Board that a meeting did occur between Highway staff and the contractor to try to find a mutual resolution for continuing the work under the terms of the contract but no agreement was reached. A representative for the contractor submitted a letter on the contractor's behalf and stated that the contractor was not aware that canceling his contract would be before the County Board today of which he is not available and would like an opportunity to present his side. The County Engineer stated that he does not take canceling contracts lightly and was supportive of a delay so a meeting with the contractor could occur, however, a decision has to be made promptly on these projects so the work can get done and paid from the DNR Road funding approved for these projects. A motion to cancel the contract was withdrawn to allow consideration of a meeting.

2011/05-15 Motion by Hanson, seconded by Ecklund authorizing the Board Chair and an additional Board member if so appointed, along with the County Engineer and upon recommendation of the County Attorney, to schedule a meeting with the contractor to provide him the opportunity to present his position as to why work was not performed per the terms of the contract for SAP 36-600-13 and SAP 36-600-14 and allow an opportunity to find a resolution agreeable by both parties to continue the work within the terms of the contract. Further, that this matter will be rescheduled for the May 17 County Board meeting and at which time the Board will be informed as to whether an agreement

was reached or to proceed with the recommendation to cancel the contract and rebid the projects for lack of an agreement. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The County Engineer presented a request from Camping and Education Foundation for an agreement to lift the weight limits on County Road No. 137 so their contractor could get the materials hauled to the site to begin a new camp facility development June 1 (development in the millions). Because of current weight limits, the contractor can not haul full loads of materials which will delay their development plans. In lieu of lifting the weight limits, the Foundation would place a bituminous overlay on the section of road that they are impacting in addition to a leveling course. The County Engineer stated that this is a benefit in time as the plan to overlay this road will be tied to the plans for the installation of sewer if the Island View Sewer Project proceeds and a benefit in cost as it provides overlay of this road at a reduced cost to the County. In response, the Engineer stated that the road is now in tough shape and hauling in the spring causes more damage than in July due to the strength of road bases and is why limits are put on in the spring. The proposed agreement would restore the load limits if there are signs of failure in the road and require a review for adjustment of terms between the parties. In call for public comment: Dave Serrano, Surveyor for the Foundation's project, reiterated that this is a huge development project and appreciates the assistance of the County. Property owners on the road stated concerns with not being notified of the lifting of the weight limits and hauling plans as this is their only route in and out of their properties. That the road is not wide and if this development is going to increase traffic in the area long term, the size of the road should be reconsidered. That road signage needs to be improved due to the traffic coming in and out of the Camp property. That the road has already seen damage due to this development and that debris is being left on the road and needs to be cleaned up. Property owners also inquired on the bus parking area being developed along the road. Property owners stated concerns with other issues in the development plan, which were non-road related and the Surveyor hearing the concerns was asked by the Board to relay them to the Foundation and contractor. With regards to signing the road, the Engineer stated that there is signage on the road now and suggested the Foundation may want to consider signage on their access road to remind motorist to be cautious when entering County Road 137.

2011/05-16 Motion by McBride, seconded by Adee to approve an agreement between Koochiching County and Camping and Education Foundation for lifting road limits on County Road 137 to assist with the Foundation's Camp Development Plan in turn for the Foundation providing for road improvement per the terms of the agreement as recommended by the County Engineer and further, authorizing the Board Chair's signature to the Agreement as recommended by the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 MnDot representatives and the ARDC Transportation Planner met with the County Board to provide the annual MnDot Project Report to include the NE Minnesota Area Transportation Partnership Program. A representative spoke to the NE Minnesota Toward Zero Deaths Program which through enforcement, engineering, education and

emergency services studies ways to reduce traffic fatalities and serious injuries. The Board received a report on the road and enhancement projects approved for Koochiching County to include an overlay improvement project on TH 71 from the Junction to Big Falls funded through MN Better Roads money. Commissioner Hanson in response to the review of TH 11 construction plans asked that a meeting be scheduled to talk about detours and for signage identifying county roads off TH 11. Board members asked that the Project installing gates at the railroad crossing on CSAH 20 (Spruce Street) be considered for an earlier time due to public safety and should not wait until 2015. The Board thanked the representatives for the report and support.

000 The Board Chair called for public comment and upon receiving none recessed the meeting at 12:09 p.m.

000 The Board Chair reconvened the meeting at 3:50 p.m. to conclude County business which was the request by AMC to support the AMC sponsored MN Accountable Government Innovation and Collaboration (Magic) Act providing flexibility to counties.

2011/05-17 Motion by Adee, seconded by McBride that Koochiching County supports AMC's proposal for the MN Accountable Government Innovation and Collaboration (MAGIC) Act which is designed to eliminate two barriers that impede efficiency and innovation for county delivered services. Voting yes: Pavleck, McBride, Hanson, Adee; abstaining: Ecklund. Motion carried.

2011/05-18 Motion by Hanson, seconded by McBride to adjourn the meeting at 3: 55 p.m. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, May 17, 2011; 4:45 p.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Glowack, Dennis Hummitzsch, Deb Bowman,  
Arden Barnes

2011/05-19 Motion by McBride, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-20 Motion by Ecklund, seconded by McBride to approve the minutes from the May 10, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.



000 The Board received notice of the hire of Tracey Nelson to the Appraiser position in the County Assessor's Office effective May 10, 2011.

2011/05-21 Motion by Ecklund, seconded by Adee accepting the recommendation of the Management Committee to purchase new telephone system units for the Courthouse and Forestland at a cost of \$38,529 to replace the failing current system units with purchase cost allocated to the Land and Forestry, Highway, Community Services and 911 Budgets based on the number of phones. Further, to approve a new annual telephone system maintenance agreement of \$960 to be allocated to the Community Service Budget and \$1,440 to be allocated to the 2011 General Revenue Telephone Budget. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-22 Motion by McBride, seconded by Adee to approve payment of the Highway claims in the amount of \$27,632.23. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-23 Motion by Ecklund, seconded by Hanson accepting the recommendation of the Insurance Committee to renew the County Group Life Insurance and Optional Life Insurance Plan and the Voluntary Long Term Disability and Short Term Disability Plans with Hartford with no rate increase and the Voluntary Dental Plan with United Health Care with a trend rate increase of 6%. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Land Commissioner reported on the May 4 Timber Auction: all Intermediate and Regular tracts were sold at a sale value of \$751,194. The Land Commissioner also reported that at this point in the year timber sales are half of the annual target (sold 54,635 cords from 2,581.5 acres at an appraised value of \$1,393,961).

2011/05-24 Motion by McBride, seconded by Ecklund accepting the recommendation of the County Engineer to approve change orders for SAP 36-600-13 (Frontier Access) and SAP 36-600-14 (Vidas Access) with Bowman Construction in which the October 15, 2010 completion date will be extended to June 30, 2011 with any or all liquidated damages waived for the period of October 15, 2010 through June 30, 2011 and that all work shall be completed in accordance with contract unit prices with no fuel escalation nor other increases to the contract unit prices. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 5:25 p.m. Arden Barnes inquired on the Vidas and Frontier Access projects as it related to the change orders.

000 The Board Chair recessed the regular meeting at 5:25 p.m. and following a public hearing at 6:00 p.m. to receive public comment on the County's intent to assess Seasonal Recreation Property the Solid Waste Assessment Fee, adjourned the meeting at 7:15 p.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, May 24, 2011; 10:40 a.m.

MEMBERS PRESENT: Commissioners McBride, Hanson, Ecklund, Adee

MEMBERS ABSENT: Commissioner Pavleck (Family Medical)

OTHERS IN ATTENDANCE: Dennis Hummitzsch, Will Hoyt, Brian Jespersion, Terry Murray, Susan Congrave, Natalie Stone, Dale Olson: Reporter Laurel Beager

2011/05-25 Motion by Hanson, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-26 Motion by Ecklund, seconded by Adee to approve the minutes from the May 17, 2011 regular meeting. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-27 Motion by Hanson, seconded by Adee to rescind the employment separation and reinstate Nicholas Ronning to the position of Koochiching County Forester as recommended by the Land Commissioner and Administration Director. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-28 Motion by Hanson, seconded by Ecklund to accept the recommendation of the Personnel Committee that in consideration of the hiring freeze, to grant the request of the County Engineer to fill the vacant HEO position with a hire date no sooner than September 1, 2011 and to approve 4 summer temporary employees to assist engineering staff with the construction workload and maintenance employees when not assisting engineering staff. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-29 Motion by Adee, seconded by Ecklund to approve payment of the Courthouse claims in the amount of \$52,318.91; to approve payment of the Health claims in the amount of \$17,733.56; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-30 Motion by Hanson, seconded by Ecklund to accept the recommendation of the County Assessor to grant abatement to Lisa Bowes, Parcel #21-012-11000, for reduction of valuation due to a duplicated building value (assessed on another parcel). Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-31 Motion by Ecklund, seconded by Adee adopting the following resolution to approve a Bureau of Criminal Apprehension Joint Powers Agreement:

WHEREAS, the County of Koochiching on behalf of its County Attorney and Sheriff desires to enter into Joint Powers Agreement with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over

the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreement further provides the County with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Koochiching County, International Falls, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreement by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Koochiching on behalf of its County Attorney and Sheriff are hereby approved.
2. That the County Sheriff, Brian Youso, or his successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State. To assist the Authorized Representative with the administration of the agreement, the Undersheriff is appointed as the Authorized Representative's designee.
3. That the County Attorney, Jeffrey Naglosky, or his successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State. To assist the Authorized Representative with the administration of the agreement, the Assistant County Attorney is appointed as the Authorized Representative's designee.
4. That Wade Pavleck, the Chair of the County of Koochiching Board, and Teresa Jakska, the County Administration Director, is authorized to sign the State of Minnesota Joint Powers Agreement. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried

000 Commissioner Ecklund informed the Board that at the KEDA meeting yesterday it was reported that there is a potential 10 year commitment from a new client for the Cold Weather Testing Facility and KEDA asked its county and city members to inform their respective boards.

2011/05-32 Motion by Ecklund, seconded by Adee to approve an Operation Stonegarden 2010 Grant Agreement with Homeland Security Emergency Management in the amount of \$90,528.00 to involve operational support of border security by the county through funding under an operation period of 12/01/10 through 07/31/13 as recommended by the County Sheriff and further, to authorize the Sheriff and Board Chair's signatures to said Agreement. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-33 Motion by Ecklund, seconded by Adee accepting the recommendation of the Community Service Director to renew the following federal/state funded waiver service contracts for July 1, 2011 with no changes and with the understanding that the contracts are subject to revision with an adopted State budget for FY 2012/13: Decker's Family Care; Family Freedom Corporation, Sandra Harju SILS, Hasbargen's Foster Care; Koochiching County Public Health, Mattison's Foster Care; Rainy River Waivered Services, Segar's Foster Care. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-34 Motion by Adee, seconded by Ecklund to approve the following Burial Case payments as recommended by the Community Service Director: #911328 - \$1,142.58, #1615112 - \$2,117.50, #1682137 - \$850.00, #199791 - \$2,627.81, #845430 - \$3,828.57, #1434244 - \$2,467.50. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-35 Motion by Hanson, seconded by Ecklund to accept the following Foster Care and Day Care Licensing Recommendations: relicense Lynn Bruce for family day care for six children; relicense Jeri Ann Graves for group family day care of twelve children; license Erin Lundin for family day care for ten children; license Greg and Brenda Crow for family child foster care for two children; license Cheryl and Milton Shaw for family child foster care for one child; license Becky and Greg Davison for family child foster care for one child. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/05-36 Motion by Adee, seconded by Hanson acknowledging receipt of the Professional Advisory Committee Meeting minutes of May 17, 2011. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Health Director reported on child car seat requirements in which Health staff have been trained to assist the public in the proper installation and use. The Health Educator reported on the progress of the SHIP Program in the County and the status of the pilot projects for nutrition, active living and wellness. The Health Educator reviewed the 2011 Minnesota County Health Rankings as it relates to Koochiching County. The Health Director reviewed the Department's Quarter 1 Financial and Statistical Report.

2011/05-37 Motion by Ecklund, seconded by Hanson to accept the Planning Commission's recommendation to approve Conditional Use Permit #1105 for Randy and Shannon Arnold on property described as Lot 35, Auditor's Plat 28 (4314 County Road 91) to operate a home occupation type business consisting of selling bulk foods. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Environmental Service Director informed the Board that the Mar-Kit Landfill Annual Meeting is scheduled for June 8<sup>th</sup> at 11:30 a.m. in Hallock, Minnesota.

000 The Chair called for public comment at 11:45 a.m. No comment was presented.

2011/05-38 Motion by Adee, seconded by Hanson to adjourn the meeting at 11:45 a.m.  
Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, June 7, 2011; 9:30 a.m.

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

OTHERS IN ATTENDANCE: Dennis Hummitzsch, Justin Berg, Dale Olson, Doug  
Grindall, Arden Barnes, Dan McCarthy

2011/06-01 Motion by McBride, seconded by Ecklund to approve the agenda with  
additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion  
carried.

2011/06-02 Motion by Adee, seconded by Hanson to approve the minutes from the May  
24, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee.  
Motion carried.

2011/06-03 Motion by Ecklund, seconded by Adee to approve payment of the  
Courthouse claims in the amount of \$16,778.76 and to approve payment of the monthly  
County Board expense claims in the amount of \$8,843.56. Voting yes: Pavleck,  
McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-04 Motion by McBride, seconded by Adee to adopt the following resolution  
supporting continuation of the federal Essential Air Service Program and federal Airport  
Improvement Program:

WHEREAS reliable commercial air service is vital to maintaining the timber and tourism  
industries that help to sustain our community economically by creating jobs and revenue;

WHEREAS reliable commercial air service is vital to maintaining the cold weather test  
operations that bring jobs and revenue into our community;

WHEREAS reliable commercial air service is vital to the use of our airport by our  
Canadian neighbors;

WHEREAS reliable commercial air service is vital to the participation of our airport in  
the federal Airport Improvement Program, which provides locally matched grant funding  
for infrastructure maintenance and repair, as well as public safety enhancements, and

which grant funds also maintain the airport infrastructure for use by private aircraft, including business and international travelers, and use by commercial enterprises that transport cargo to and from our community;

WHEREAS reliable commercial air service is vital to provide long-range transportation for the approximately 40,000 fliers who come or go from our airport each year to include local business persons who need to travel to the Twin Cities and beyond to accomplish their work, or for business travelers from outside the area who need to come here to accomplish their work;

WHEREAS reliable commercial air service is vital as a component of any reasonable economic development package designed to attract new businesses to our community.

NOW THEREFORE BE IT RESOLVED that in recognition of the incalculable worth of commercial air service to Koochiching County and the necessity of retaining that service if we are to continue into the future as a viable entity, the Koochiching County Board of Commissioners support the continuation of the federal Essential Air Service Program and the federal Airport Improvement Program and urge our elected representatives in Congress to do the same. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-05 Motion by Adee, seconded by Ecklund to approve a Lease Agreement with the Minnesota Department of Public Safety, Driver and Vehicle Services to provide a paved area at the County Armory Building for motorcycle license testing as recommended by the Administration Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-06 Motion by Adee, seconded by McBride to reaffirm the County's Workplace Accident and Injury Reduction (AWAIR) Program and Policies for redistribution to County Departments and employees as recommended by the County Safety Committee. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-07 Motion by Hanson, seconded by Ecklund to approve the purchase of a Husqvarna Lawnmower for use at Land and Forestry Offices and County Park sites at the cost of \$1,800 plus tax as recommended by the Land Commissioner and within the set 2011 Department Budget. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Members of the County's White Cedar Wetland Bank Committee reported that upon public notice of the County's application, the Corps received correspondence from the U.S. Fish and Wildlife Service and U.S. Environmental Protection Agency stating that information in the application is insufficient to determine the suitability and necessity of the proposed wetland bank to offset wetland losses in the watershed. Both agencies referenced that harvest of the mature white cedar was attempted in 1999 but was unsuccessful because of the wet soil conditions on site and because of this, feel that the once considerable threat and high probability of degradation or impact to the White

Cedar is diminished. A Committee member stated that this in-depth response by these federal agencies is part of the process but that the Army Corps is the agency to make the decision on the County's application and to date the Corps has been supportive of the project. The Army Corps in their cover letter stated that the applicant has 10 days to provide proposed resolutions or rebuttal of these comments from the Federal agencies and committee members recommended a response.

2011/06-08 Motion by Ecklund, seconded by Hanson authorizing the Board Chair to sign a letter recommended by the County White Cedar Wetland Bank Committee for response to the U.S. EPA and Fish and Wildlife Service comment on the County's Wetland Bank application. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Land Commissioner informed the Board that as the County Agricultural Inspector, he organized a field meeting in May to primarily discuss Wild Parsnip habit and control which has become a widespread nuisance and that representatives from MnDot, Forest Capital Partners, Boise Mill and Lands, VNP, County Highway Department, Soil and Water District and a Herbicide Company attended the meeting.

2011/06-09 Motion by McBride, seconded by Ecklund to accept the recommendation of the County Engineer to award low bid for SAP 036-645-008 (CSAH 45, Keenan Drive) for aggregate base, bituminous surfacing, concrete curb and gutter and concrete sidewalk to Wagner Construction Inc. in the amount of \$1,235,837.15. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-10 Motion by Hanson, seconded by Adee accepting the recommendation of the County Engineer to authorize the following Highway Department work and cancel the billings for a total of \$36,150.56: Courthouse snowplowing and maintenance, Bio-mass Project; Northome fairgrounds, Northome Lake Access Project; boiler repair, Veterans Memorial work. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Chair called for public comment at 10:30 a.m. Arden Barnes inquired on the agency that oversees the Moonlight Rock Landfill and the number of County streetlights. Dan McCarthy suggested a change in the County Board meeting procedure to allow the public more notice.

2011/06-11 Motion by Adee, seconded by Hanson to adjourn the meeting at 10:40 a.m. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, June 14, 2011; 10:10 a.m.

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

OTHERS IN ATTENDANCE: Bob Peterson, Kathy Sikkila, Susan Congrave, Dale Olson, Casey Kittleson, Attorney Steve Shermoen, Jerry Jensen, Chrystal Clance; Reporter Laurel Beager

2011/06-12 Motion by Ecklund, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-13 Motion by McBride, seconded by Adee to approve the minutes from the June 7, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-14 Motion by Adee, seconded by Ecklund to ratify contract settlements with the Koochiching County Courthouse Unit and the Koochiching County Community Services and Public Health Unit represented by AFSCME 65 Local 510 for 2011 through 2012 as recommended by the Board's Negotiation Committee. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board received notice of the following summer temporary hires in the Highway Department: Michael Jaksa, William Bright, Dominic Casareto, Kalan Schneider.

2011/06-15 Motion by Adee, seconded by McBride authorizing the Board Chair's signature to the May Vendor Payment Listing verifying its review. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-16 Motion by Ecklund, seconded by McBride accepting the recommendation of the County Assessor to grant abatement to Thomas Anderson, Parcel #36-023-13000 for a duplicate building value assessment for assessment year 2010. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-17 Motion by McBride, seconded by Adee to approve the employment separation of Tax Coordinator Roberta Museta effective July 8, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-18 Motion by Ecklund, seconded by McBride that due to needing a trained staff in place by September to fulfill the tax process requirements for 2012 taxes, to waive the hiring freeze and authorize the Auditor-Treasurer to fill the vacant Tax Coordinator position as recommended by the Auditor-Treasurer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.



2011/06-19 Motion by Adee, seconded by Ecklund to amend Board Motion 2011/06-10 for a corrected total of cancelled Highway billings in the amount of \$42,313.18. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-20 Motion by McBride, seconded by Adee authorizing the Board Chair to send letters of thanks to four retiring MnDot Staff for their support and assistance to the transportation needs of Koochiching County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-21 Motion by McBride, seconded by Ecklund authorizing a temporary hire through the Work Force Center's Summer Youth Program for file maintenance work in the Veterans Service Office as recommended by the VSO and Administration Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The VSO reported that for FY 2010 \$5.2 million of veterans' benefits and compensation were received in Koochiching County with the majority being veterans' compensation and pension. The County's veteran population per the report is 1,183. In addition, the VSO reported that the State Solider Assistance Program for low income veterans in the County paid out \$9,000 in benefits in 2010 and to date in 2011, \$5,600.

2011/06-22 Motion by Adee, seconded by McBride to approve a home care waived services contract with Falls Good Samaritan as recommended by the Public Health Director and upon the County Attorney's approval of the contract. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-23 Motion by McBride, seconded by Ecklund to approve a service contract with Della Warren as the Koochiching Family Collaborative Coordinator as recommended by the Public Health Director and upon the County Attorney's approval of the contract. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Public Health Director reported that free well nitrate testing will be conducted this month which is being sponsored by the Public Health Department, Department of Agriculture and Environmental Services Department due to the health risks associated with high nitrate levels. The Director also reported that the Department's use of Evidence Based Practice was aired on You-Tube as an educational video by the University Of Minnesota School Of Public Health.

2011/06-24 Motion by McBride, seconded by Ecklund authorizing the purchase of a Xerox copier for the Environmental Service Department to replace the old copier at a lower cost as recommended by the Environmental Service Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-25 Motion by McBride, seconded by Adee accepting the recommendation of the Environmental Service Director to authorize expenditure up to \$46,000 from the 2011 Environmental Service Budget for purchase of a loader/grapple from Petersen Industries

(low quote) for the Transfer Station (2011 budgeted amount \$40,000) due to replacement need. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 City Attorney Shermoen updated the Board on the demolition of the former Ace Hardware building in that the asbestos inspection determined it was not just confined to the basement but throughout the entire building (basement having the most) and in review with MPCA, disposal of asbestos material in local demolition sites does not fit their permitted use. The City Fire Chief stated that the building is not stable and therefore not safe to let contractors in to remove the asbestos. The Environmental Service Director stated that options will continue to be explored with MPCA for demolition of the material. The City Attorney stated that the City is not asking the County to take liability for the building or shifting responsibility to the County but that the City intends on getting the building removed due to safety reasons and hopes the County can help where they can.

000 The Chair called for public comment at 11:20 a.m. Chyrstal Clance made an inquiry on the demolition of the former Ace Hardware building.

000 The Board Chair adjourned the meeting at 11:20 a.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, June 21, 2011; 5:30 p.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Dale Olson, Terry Murray, Doug Grindall; Reporter  
Katie Hall

2011/06-26 Motion by McBride, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-27 Motion by Hanson, seconded by Adee to approve the minutes from the June 14, 2011 regular meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board received notice on the hire of Riley Burnell as Part Time Sheriff Deputy effective April 15, 2011.

2011/06-28 Motion by Adee, seconded by McBride to approve payment of the Courthouse claims in the amount of \$48,674.94, to approve payment of the Highway claims in the amount of \$88,680.56, to approve payment of the Public Health claims in the amount of \$10,786.78, 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 #169984 in the amount of \$3,195.00. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-29 Motion by Hanson, seconded by Ecklund to approve a Club Trail Agreement with Border Trails Snowmobile Club which has maintained snowmobile trails within Koochiching County and authorizing the Board Chair and Auditor-Treasurer to sign said Agreement. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-30 Motion by Hanson, seconded by McBride authorizing the Board Chair to appoint a Board member to attend the Destination VNP Gateway Communities Conference as requested by the VNP Superintendent to have Koochiching County representation at the event. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried. (The Board Chair appointed Commissioner Ecklund.)

000 The Board discussed the draft "Waters of the U.S. Guidance" established by the EPA and Army Corps which broadens the scope of the waters subject to regulation under the Clean Water Act (CWA) and of which is published in the Federal Register for a 60 day comment period ending July 1, 2011. Its purpose is to clarify for agency field staff what waters are considered "jurisdictional" under the Clean Water Act based on Supreme Court cases, current statute and regulations and relevant science and that jurisdictional determinations will be made on a case-by-case basis. The document does concede that jurisdiction changes impact state, local and tribal governments, and private landowners and it will affect all CWA Programs. The draft guidance is not intended to be a rule and is non-binding and once finalized, it will supersede existing 2003 and 2008 guidance. The County Board was unanimous in its strong opposition to the proposed guidance as the definition of waterways as either being alone or in combination with similarly situated waters in the region that affect the integrity of traditional navigable or interstate waters will apply to all areas of the county with its abundance of wetlands, rivers, lakes, and ponds. Commissioner Pavleck stated that at the last NACO Environmental Conference, Koochiching County was noted for having the largest repository of wetlands of all counties within the nation (not including Alaska). This new guidance will further add to the cost of development in Koochiching County as well as add to the frustration of the public in obtaining permits.

2011/06-31 Motion by McBride, seconded by Ecklund that with the vast amount of waters in the County, the Koochiching County Board strongly opposes the draft "Waters of the U.S. Guidance" as this expansion of waters subject to regulation under the Clean Water Act will compound the problems already experienced in Koochiching County with obtaining permits from the Army Corps. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-32 Motion by Hanson, seconded by Ecklund to renew the Sentence to Serve Contract with the MN Department of Corrections effective July 1 for 1 crew leader at the same terms as the current contract and renewal subject to reconsideration with a State Government Shutdown as recommended by the Administration Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 County Board members reported that at the AMC District meeting representatives are stating that the house and senate majority is holding strong on its budget position and should the State Government Shutdown occur July 1, it is projected to be anywhere from two to seven weeks. Though the Governor has submitted a list of priority 1 and 2 services to the Court to order continued during a shutdown, the majority leaders have submitted their objection to the court stating the court does not have the authority to override the executive branch process. Also statements from state agencies indicate that there is no guarantee that local governmental agencies will receive funding for state services performed during the shutdown. At this time there is only one major funding bill approved for the State Budget (Agriculture), which means all other state departments are unfunded July 1, 2011. The Administration Director reported on all areas of county government and how each are impacted during a shutdown due to the connection of funding and processing with state agencies. All state grant agreements and federal grant agreements processed through the State will not be available and some departments have already made plans to stop work. Transportation projects are in jeopardy as MnDot will not be open to approve contracts and release funding. The County Engineer stated that there may be legal issues to deal with for not meeting contractual obligations and potential claims by contractors that have to remobilize because of non-performance of the State/County. Though there may be concern about the pay for service issue with Human Services, the real concern as stated by the KCCS Director is not providing the services needed of the vulnerable population and the legal and safety ramifications in not providing state mandated human services. It was agreed that the County Board would meet in committee next Tuesday with its department heads to review the impacts of a government shutdown on County operations and what immediate plan of action should be in place for July 1 should it occur and a secondary plan for a long term shutdown, should it occur. The Board Chair set a Committee of a Whole meeting for Tuesday, June 28 at 9:00 a.m. to meet with Department Heads to review impacts and plans for a potential State Government Shutdown.

2011/06-33 Motion by Ecklund, seconded as McBride to adopt the following resolution in support of the cooperative efforts of the Rainy Rapid River Board and International Joint Commission (IJC) in implementing local projects and keeping decisions local:

WHEREAS, the Rainy/Rapid Rivers Management Board was legally constituted under the Minnesota Interlocal Cooperation Act on December 17, 1991, when the counties of Koochiching and Lake of the Woods signed a joint powers agreement to undertake and implement a local river management plan; and

WHEREAS, subsequent to its original organization, the cities of Baudette and

International Falls became signatories to this agreement; and

WHEREAS, an eighteen member citizens advisory committee was appointed to develop a management plan; and

WHEREAS, the members of the citizens advisory committee represented a broad cross-section of public interests; and

WHEREAS, representatives from local, state, federal, Canadian and regulatory agencies served in an “ex officio” capacity of the advisory committee and provided technical assistance; and

WHEREAS, this management plan will protect the resources and guide the wise use of these two rivers for future generations; and

WHEREAS, the board strongly believes that local management is highly preferable to state or federal control and that decision making is most effective when done by local people; and

WHEREAS, this “grassroots” planning effort has resulted in a practical plan that is a solid foundation for the future of the Rainy/Rapid Rivers; and

WHEREAS, there has been a growing concern over the long-term ecological health of the Lake of the Woods and Rainy River watersheds; and

WHEREAS, to ensure the long-term ecological and economic vitality of the Lake of the Woods and Rainy River watershed, and noting existing trans-jurisdictional coordination and collaboration, the Governments of Canada and the United States asked the International Joint (IJC) Commission to review and make recommendations regarding the watershed’s bi-national water management and the IJC’s potential role in that management; and

WHEREAS, the IJC assigned this charge to an International Lake of the Woods and Rainy River Watershed Task Force, asking it to report by July 15, 2011; and

WHEREAS, the Task Force undertook a significant outreach campaign, with particular focus on current and planned activities that affect or can affect the boundary water in the watershed; and

WHEREAS, the Draft Final Report on Bi-national Management of Lake of the Woods and Rainy River Watershed is out for public comment which its observations and recommendations are founded on the outreach campaign, and

WHEREAS, the IJC will make its own recommendations to the U.S. and Canadian Governments by December 2011 for their consideration and potential action, based upon the Task Force’s work; and

WHEREAS, the IJC Task Force recognizes that much of the impetus for this review, as well as for many of the environmental success stories in the basin, was from “grassroots” organizations in the watershed; and

WHEREAS, this is consistent with the International Watershed Initiative philosophy of local people solving local problems; and

NOW, THEREFORE, BE IT RESOLVED, that the Rainy/Rapid Rivers Board appreciates the diligence of the IJC Task Force and Citizens Advisory Group on their findings and recommendations; and

FURTHER, BE IT RESOLVED, that the fundamental philosophies of the Rainy/Rapid Board and the IJC Task Force are to retain local decision making authority which can lead to outcome based partnerships, implement local projects and programs efficiently while being held accountable to the “grassroots” organizations, and will create a repository of best management practices so as to improve the policy decisions that will sustain the long-term ecological health of the Lake of the Woods and Rainy River watersheds. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-34 Motion by McBride, seconded by Adee to adopt the following resolution in support of continued funding for the Voyageurs National Park Clean Water Project:

WHEREAS, Koochiching County along with St. Louis County, Kabetogama Township, Crane Lake Township, and Ash River are members of the Voyageur’s National Park Clean Water Joint Powers Board ; and

WHEREAS, The Voyageur’s National Park Clean Water Joint Powers Board’s mission is to develop projects to address the wastewater treatment issues in the Voyageur’s National Park region; and

WHEREAS, Koochiching County is currently undertaking their Island View wastewater treatment project as a part of this collaboration; and

WHEREAS, Koochiching County has completed project design and is currently in the finance phase of this project; and

WHEREAS, Koochiching County is prioritizing this project as it’s number one priority.

NOW, THEREFORE, BE IT RESOLVED, that Koochiching County hereby supports the Island View Project and Bonding Bill Request to help fund said project.

BE IT FURTHER RESOLVED, that the Koochiching County authorizes the proper County Officials to submit an application to the Office of the Minnesota Management and Budget for the 2012 Capital Budget Bonding Bill Request. Voting yes: Pavleck,

McBride, Ecklund, Adee; voting no: Hanson (due to resolution prioritizing Koochiching Projects at this time for 2012 Bonding consideration). Motion carried.

2011/06-35 Motion by Adee, seconded by Hanson accepting the recommendation of the Community Service Director to approve the following service agreements effective July 1, 2011 and contingent on the County Attorney's approval: Renew Big Fork Valley Hospital and Homecare Contract; Renew Crabtree Senior Home Contract; Approve Addendum to Sharon Frank Rule 25 Assessment Contract; Renew Healthline Home Care Contract; Renew Ita-Bel-Koo DAC Contract; Renew Littlefork Jackpine Chateau Contract; Renew LSS SLS Contract; Renew Northland Counseling Adult Foster Care Contract; Renew Northome SLS Contract; Renew ODC Waiver Contract; Renew Olsen's Foster Care Contract; Renew PJ's Foster and Waivered Service Contract; Approve Rainy River Recovery Rule 25 CD Assessment Contract; Approve Rainy River Recovery Treatment Contract; Approve Addendum to Rational Alternatives Rule 25 Assessment Contract; Renew REM SILS Contract; Renew REM SLS Contract; Renew Silver Bahr Ranch Contract. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-36 Motion by Hanson, seconded by McBride to authorize the purchase of a laptop for the Community Service's MnCHOICES Assessment Application Program with cost to be reimbursed through program grant funds as recommended by the Community Service Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-37 Motion by McBride, seconded by Ecklund to authorize the Board Chair to sign a letter of support for Wagner Construction, as low bid for the CSAH 155 Road Project, in their appeal of the percent applied for the Disadvantage Business Enterprise factor (affirmative action standard for minority and female subcontractors) applied to the CSAH 155 Road Project Contract by the MnDot Office of Civil Rights with support based on the higher cost to the taxpayers if the County has to take a higher bid or if having to rebid the project. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/06-38 Motion by McBride, seconded by Ecklund to authorize County Board members to attendance to the July 1, 2011 Jim Oberstar appreciation dinner to provide the County's recognition for his years of dedication and support to Koochiching County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 6:50 p.m. No comment was submitted.

2011/06-39 Motion by Hanson, seconded by Ecklund to adjourn the meeting at 6:50 p.m. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

KOOCHICHING COUNTY BOARD OF EQUALIZATION  
Opening Session 2011 – Tuesday, June 14, 2011; 1:30 p.m.

MEMBERS PRESENT: Commissioners Pavleck, Hanson, Ecklund, Adee,  
Auditor/Treasurer Bob Peterson

MEMBERS ABSENT: Commissioner McBride (Family Medical)

COUNTY STAFF ATTENDING: County Assessor, Administration Director, Appraiser

OTHERS ATTENDING: Gerald Struss, Mark Presler, Terry Murray, Lloyd and Karen Kavan

Oaths of Office were conducted for members of the County Board of Equalization. The County Board Chairman opened the Board of Equalization (BOE) session to review 2011 property valuation and classification for taxes payable in 2012. The duties of the County Board of Equalization were reviewed. No written appeals were received. The Board Chair called for appointments:

1. Gerald Struss: He was not at the meeting to discuss his property value but to discuss the high taxes in the City of Northome as a City Council member. Recognizing this is not an issue for the BOE for reviewing 2011 property assessment and classification, the Board listened to the concern. In reviewing his handout, Mr. Struss stated that some counties levy a tax in unorganized areas (Koochiching County has no townships) for roads and felt that the County Board as the representative of the unorganized areas should assess a tax in the unorganized area for this purpose and reduce the overall county levy to reduce the County taxes in cities. The City of Northome has a high tax rate due to not having the tax capacity to spread the \$48,000 city levy and looking for ways to reduce the high taxes in the City. The representative asked the Board to consider this option to help out the small cities of Big Falls and Northome.
2. Mark Presler: Parcel # 06-085-00100 and 06-085-00090. He owns lots on Lynx Island and attended the BOE last year with the same concern that the lots are over valued. As he stated last year the valuation applied to these lots was based on one sale of \$75,000 in this specific area. Now the sale market is going down yet the valuation is not decreasing. The Assessor stated that the property was valued three years ago and that regardless of the market property is still selling on the lake. He can't base values on what one says the economy is at but what sales tell him. In response to the question, the Assessor stated that there are no recent sales in this area. In response to the question, the Assessor stated that he can not speculate what one can sell property for in determining property valuation. Mr. Presler stated that there is a cabin on one lot but the four other lots are vacant with canal access only. Per the Assessor the average lake land value is \$700 to \$900 per foot (some areas even higher) and Mr. Presler's lots are at \$300 and \$100 per foot so the canal access and lake front was taken into consideration. The Board



stated that they heard no facts to contradict the Assessor's valuation of this property.

3. Terry Murray Parcel #12-023-31000 He owns a 40 acre parcel with a new cabin and concerned that his valuation jumped from \$18,000 to \$50,800, recognizing some had to do with the new cabin construction. His property does not have public access (private road owned by Forest Capital) and is located in the middle of nowhere so questioned the value of land on a maintained public road to that of limited road use. In review, the land value went from \$8,500 to \$29,500. The County Appraiser for this area stated that it was valued at \$700 per acre based on sales and that their land schedule for this type of property, after reviewing sales of property with good access and without, found property was selling at more than \$700 per acre regardless of the access. However, they did scale the per acre amount 80 to 90% depending on how far back the property was. In response to the question as to whether timber is taken into consideration, the Assessor stated that they treat property as clear cut because some retain the timber, others cut for revenue. In response to how they consider low land, the Appraiser stated that there are three classes based on view of large areas – decent land, low land and bog and this determination is made by aerial photo. If the property owner feels the Assessor has overlooked low or bog land on their property, they should contact the Office for further review. The Assessor stated that the valuation was in line with sales and the Board concurred that they heard no facts to contradict the Assessor's valuation of this property.
4. Lloyd Kavan Parcel 07-067-01161 He owns condo property with Lake Front and stated that the \$265,600 valuation by the Assessor is too high based on a private appraisal he had done last fall (\$240,000) and the condo next door selling last fall at \$255,000. He stated that his condo has less square footage than the one that sold and feels the valuation should be more in line with the appraisal value. In review, Mr. Kavan's valuation is \$54,900 in land and \$210,700 on the condo. And in review of the sale in question, the Assessor is within the required 90 to 105% of sales (off \$15,000 from appraisal and \$10,600 from sale). The Assessor stated that private appraisals are not used as they are mostly done for bank financing and come in lower and private appraisals can differ greatly. In addition, the appraisal includes inside conditions in which the Assessor's assessment does not. Mrs. Kavan stated that the condo that sold has an attached garage, which they do not, and feels an attached garage is added value to a home. The Assessor stated that garages are rated the same but a detached garage would be valued more in application of building schedules than an attached garage which shares a wall with the home.

In review of the sold condo used for comparison, the land value is \$54,000 and the building value is \$180,500 for a total of \$234,500 (sold at \$255,000). This condo was built in 1989 and Kavan's built in 1994. Both condos are classed D7 in the building schedule so difference is in square footage and age. Mr. Kavan stated that the property that sold had more square footage than his condo. The

Board concurred that they heard no facts to contradict the Assessor's valuation of this property but before they make a final determination, requested the Assessor to compare the square footage of the two condos based on the Property Owner's statement that they are not the same and review it with the Board at next week's session.

The Board Chair recessed the BOE meeting at 3:00 p.m. and will reconvene the session on June 21, 2011, evening meeting, to continue appointments with intent to conclude the 2011 BOE business.

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Wade Pavleck, Board Chair

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Teresa Jaksa, Administration Director

### KOOCHICHING COUNTY BOARD OF EQUALIZATION

Session 2011 – Tuesday, June 21, 2011; 6:55 p.m.

MEMBERS PRESENT: Commissioners Pavleck, McBride, Hanson, Ecklund, Adee, Auditor/Treasurer Bob Peterson

MEMBERS ABSENT: Commissioner McBride (Family Medical)

COUNTY STAFF ATTENDING: County Assessor, Administration Director

OTHERS ATTENDING: None

Oath of Office was conducted for Board member McBride who was absent for the last meeting. The Auditor-Treasurer reported that there were no appointments made for tonight's meeting and submitted one written appeal for review.

The Assessor provided an overview of the 2011 property valuation and classification process to include the new building schedule for the lake area. The Board also received information pertaining to the Kavan appeal for the comparison of his property to the property sold, to include a mapping of the square footage of both condo units. The main units are comparable in square footage but with the added decking, Kavan has more square footage.

The Board reviewed a written appeal by Rose Marie Jonson for a 1.25 acre parcel and an 18.50 acre parcel with river frontage in Sections 31 and 32, Township 70, Range 26. The appeal stated that the 18.5 acre parcel went from \$13,800 in value to \$16,300 and the 1.25 acre parcel from \$600 to \$2,400 and that these parcels are joined together in a narrow line along the river with the section line dividing the parcels. She stated that her taxes increase from \$110 to \$154.46 (correct tax amount per the Auditor is \$128) on the 18.5 acre parcel and \$4 to \$21.38 (correct tax amount per the Auditor \$18) on the 1.25 acre parcel. The Assessor stated that the property has 3,400 feet of Big Fork River frontage, recognizing some of the area was not good frontage. But in applying the land

value schedule to this property, a reduction of 60% was applied and the property is valued correctly. The Assessor stated that this land assessment was done last year, not 2011. The Board concurred that they found no facts to contradict the Assessor's valuation of this property.

With no walk ins the Board concluded its business. In reviewing the appeals presented to the County Board of Equalization from Mark Presler, Terry Murray, Lloyd Kavan, Rose Marie Johnson, the County Board of Equalization unanimously concurred with the County Assessor and approved the Local Board of Appeal and Equalization Record for 2011 with no change in valuation and classification as recommended by the Assessor. With no further business, the Board Chair closed the 2011 County Board of Equalization and adjourned the meeting at 7:15 p.m.

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Wade Pavleck, Board Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, July 5, 2011; 9:45 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Brian Youso, Pam Rooney, Doug Grindall, Will Hoyt, Dennis Wagner

2011/07-01 Motion by McBride, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-02 Motion by Hanson, seconded by Ecklund to approve the minutes from the June 21, 2011 Regular County Board meeting with corrections and the 2011 County Board of Equalization meetings. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board received notice on the hire of Shelley Johnson to the County Tax Coordinator position effective July 11, 2011.

2011/07-03 Motion by Hanson, seconded by Ecklund authorizing the Administration Director to fill the vacant Accounting Specialist position in the I.S. Unit and further, to authorize the filling of an additional office position if the hiring of the Accounting Specialist results in an internal Courthouse staff move as recommended by the Administration Director so that the hiring process isn't delayed by the County Board's

summer meeting schedule. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-04 Motion by Hanson, seconded by McBride to approve the employment separation of Correctional Officer Gary Loop effective July 1, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-05 Motion by Hanson, seconded by Ecklund authorizing the Sheriff to fill the vacant full time Correctional Officer position and two vacant part time Correctional Officer positions as recommended by the County Sheriff to fill shifts. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-06 Motion by Adee, seconded by Ecklund to approve payment of the Courthouse claims in the amount of \$51,715.77, to approve payment of the monthly County Board expense claims in the amount of \$9,447.07 and to authorize the Board Chair's signature to the June Vendor Payment Listing verifying its review. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-07 Motion by McBride, seconded by Adee authorizing TruStar Federal Credit Union to use the southeastern portion of the Courthouse property (non-memorial area) for their annual Member Appreciation Picnic on August 11, 2011 from 5 to 7 p.m. with TruStar to provide a Certificate of Insurance and a Hold Harmless Agreement holding the County harmless for their use of county property as recommended by the Administration Director and Complex Superintendent. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-08 Motion by McBride, seconded by Ecklund to amend Board Motion 2011/06-32 in which the approval to renew the Sentence to Serve Contract for 1 crew leader at the same terms as the current contract includes an exception of a \$1,692 cost increase over its two-year period as recommended by the Administration Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-09 Motion by McBride, seconded by Adee authorizing County Board members' attendance to the July 2, 2011 Oberstar Dedication at the Voyageurs National Park Headquarters as a County Board activity. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Commissioner McBride attended a court hearing last Thursday at the request of local loggers to present county representation in their request to file an injunction against the DNR to allow them to cut their timber permits during the State shutdown. The Judge ordered the injunction which allowed the loggers to cut the state wood under open state timber permits.

2011/07-10 Motion by Hanson, seconded by Ecklund to cancel the UCC Satellite Office Agreement with the Minnesota Office of the Secretary of State due to the drop in customers and the Secretary of State's intent to bill the county for UCC software and

equipment upgrades as recommended by the County Recorder. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-11 Motion by Hanson, seconded by Ecklund to award low bid to Knife River Materials in the amount of \$163,168.36 for paving of 3 foot wide gravel shoulders on CSAH 30 west of Big Falls as recommended by the County Engineer with award contingent upon the State shutdown being resolved so the project can be processed through MnDot. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-12 Motion by Hanson, seconded by McBride authorizing the County Engineer to call for bids for bituminous overlay of CSAH 31 from TH 71 to approximately 4 miles east as recommended by the County Engineer with bid results to come before the County Board on August 2, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The County Engineer reported that the contractor awarded the low bid on the CSAH 155 Project did not prevail in his appeal of meeting the federal 7% DBE requirement for minority and female subcontractors. The County Board reviewed their options to award the project to the contractor and lose the federal funding for the project, award the bid to the next lowest bidder who meets the 7% DBE goal or reject all bids and rebid the project. The County Engineer stated that with MnDot shut down, projects needing funding or processing by MnDot are at a standstill, to include CSAH 155, so the opportunity to rebid CSAH 155 exists. To award to the next lowest bidder meeting the DBE requirement will cost another \$62,000. Representatives from Wager Construction stated that with lower gas prices, increased competition with more contractors working in the area and the State Shutdown holding up the project anyway, rebidding CSAH 155 may be beneficial to the County.

2011/07-13 Motion by Ecklund, seconded by McBride that due to the low bid for the CSAH 155 Project not meeting the federal DBE compliance standard and due to the cost increase to the County in awarding the next lowest bid meeting federal DBE compliance standard (reference Board Motion 2011/04-20 and 2011/06-37), to reject all bids submitted for SP 036-755-001 (CSAH 155) and to re-bid the project with bid results to come before the County Board on August 2, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The County Board members asked for an update on the State Shutdown to determine if the meeting this afternoon was needed. The Administration Director stated that things really haven't changed from what was known last week when we discussed the immediate affects and needs to the County should the state shutdown. The two main issues that came from last week's review is whether to continue County road construction projects even if MnDot was not operating and whether there was anything in Human Services that wasn't court ordered leaving the County providing services without certainty of reimbursement by the state. In the court ordered services, the majority of human services programs were ordered to continue. In addition, AMC is submitting

positions to the Special Master on behalf of the counties to protect them in the time of State shutdown. The Administration Director did not feel there was a need to meet this afternoon but to keep to the plan agreed to last week that the immediate County plan for the shutdown is to continue operations but discontinue any non-essential work under funding agreements (to include grants) where reimbursement is not certain. That on July 19<sup>th</sup> if the State is still in shutdown, the County will need to review its plan for where it will continue operations/services based on what is known at that time and to include a recommendation from the Community Services Director on County Human Service programs. The County Engineer however, needs direction whether to proceed with County road projects which are ready to go and the funding is with the County but subject to consideration of MnDot stating not to work in their right of ways. Board members agreed to cancel the afternoon State Shutdown session.

2011/07-14 Motion by Ecklund, seconded by Hanson to authorize the County Engineer to proceed with road construction projects that are ready to go or are in progress in which the funding is with the county (county funded or projects in which 95% of CSAH dollars are with the County) and projects limited to the list provided by the County Engineer to the County Board at the June 28, 2011 State Shutdown Session. Further, the County Engineer is directed to perform any work that is necessary within the state right-of-way which overlaps the county right-of-way for these authorized county road projects. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair recessed the meeting at 10:45 a.m. for a committee session and reconvened the regular meeting at 12:00 p.m.

2011/07-15 Motion by Ecklund, seconded by Hanson authorizing the County Board Chair to sign letters of support of the satellite cell and broadband internet technology to send to the Federal delegates and copied to the FCC as a potential low cost option for providers to service rural areas (currently determinations are made based on tower infrastructure cost to customer revenue in an area) and reduce the number of towers needed in the county. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair adjourned the meeting at 12:02 p.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, July 19, 2011; 10:30 a.m.

MEMBERS PRESENT: Commissioners McBride (Vice Chair), Hanson, Ecklund, Adee

MEMBERS ABSENT: Commissioner Pavleck (County Business – NACO  
Conference)

OTHERS IN ATTENDANCE: Terry Murray, Dennis Hummitzsch, Dale Olson, Steve Blair, Doug Grindall, Bob Anderson, Thor Einarson, Susan Baratono, Dan McCarthy, Arden Barnes, Chrystal Clance, Doug Franchot, Kathleen Przybylski, Jody Tableporter; Reporter Laurel Beager

2011/07-16 Motion by Ecklund, seconded by Adee to approve the agenda with additions and deletions. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-17 Motion by Hanson, seconded by Ecklund to approve the minutes from the July 5, 2011 Regular County Board meeting. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-18 Motion by Ecklund, seconded by Adee accepting the recommendation of the Personnel Committee to ratify 2011 and 2012 wage and benefit settlements for the Salary Employee Group and Non-Union Hourly Group which are consistent with the other group wage and benefit settlements. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-19 Motion by Adee, seconded by Ecklund to set the salary for the elected County Sheriff, County Attorney, County Recorder and County Auditor/Treasurer for 2011 with a 1% COLA increase effective July 1, 2011 and to provide paid health and life insurance at the same level as 2010. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board received notice that Mark Pelowski was hired to the full time Correctional Officer position effective July 5, 2011.

2011/07-20 Motion by Adee, seconded by Ecklund to approve payment of the Courthouse claims in the amount of \$52,514.71; to approve payment of the Highway claims in the amount of \$227,379.75; to approve payment of the Health claims in the amount of \$22,124.60; 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 #151739 in the amount of \$1,385.80 and #228849 in the amount of \$563.14. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-21 Motion by Hanson, seconded by Ecklund to adjust the 2011 County Mileage Reimbursement Rate Policy due to the change in the IRS rate: that under the County Vehicle Policy to approve the 2011 County Mileage Reimbursement Rate at the IRS rate for personal vehicle mileage when county vehicles are not available at the worksite and 85% of the 2011 IRS rate for car pool usage charge to departments and for use of a personal vehicle when county vehicles are available at the employee's worksite. The current 2011 IRS rate of 55.5 cents is in effect July 19, 2011. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-22 Motion by Ecklund, seconded by Adee to approve a Licensing Agreement for Pole Attachment Rental with Minnesota Power for the County's fiber optic cable connection between the Courthouse and Forestland Annex and to authorize the Board Chair's signature to said Agreement as recommended by the Administration Director. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-23 Motion by Hanson, seconded by Adee to defer a LELS Union Step 3 Grievance on adjustment of leave balances and an AFSCME Union Step 3 Grievance on Seniority Hiring to the Personnel Committee as the employer's representative in the Contractual Grievance Procedure. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-24 Motion by Hanson, seconded by Ecklund to release the 2011 second half funding allocation for the Airport due to cash flow concerns as requested by the Airport Commission. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-25 Motion by Adee, seconded by Ecklund to renew the Ridgeview LLC Contract with no changes as recommended by the Community Services Director. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-26 Motion by Hanson, seconded by Ecklund accepting the recommendation to relicense Donna Fairhurst for group family day care for twelve children. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Land Commissioner informed the Board that the Department received a \$1,000 donation from the MN DeerHunters Association which they used to establish and maintain trail and field openings for wildlife habitat. The Land Commissioner provided pictures of the completed Frontier and Vidas Access landings project which was a cooperative effort of County Land and Forestry, County Highway and State staff and State Park Road funding. The Land Commissioner reported that a two year grant application was submitted by the Soil and Water District for a Koochiching County Cooperative Weed Management Program with focus on Wild Parsnip control and with the in-kind match coming from the spraying and mowing done annually by the County Land and Forestry and Highway Departments. The Land Commissioner reported that the Forest Certification Audit was completed and that he will provide a summary of the findings at an upcoming meeting.

2011/07-27 Motion by Ecklund, seconded by Adee to accept the recommendation of the Planning Commission to approve a Conditional Use Permit (CUP1106) to blast, crush and stockpile aggregate at the Foreign Trade Zone to the Koochiching County Highway Department for property described as parts of Govt. Lot 6 and the SE ¼ of the SW ¼ in Section 30 and parts of Govt. Lot 1 and the NE ¼ of the NW ¼ less Railroad RW in Section 31, all in T71N, Range 23W (PID 15-031-00100 and #15-030-00620). Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.



000 The Environmental Service Director stated that as a result of discussions regarding fencing for the County Point O Pines Beach, the issue regarding fencing in the County Zoning Ordinance came to light which the Board Chair asked be reviewed with the County Board for direction. The Zoning Ordinance has fence defined as a structure and therefore application of the Ordinance would require a setback of 10 feet or more from the property line. However, this issue was addressed back in 1974 where the Planning Commission passed a motion to administer fences through policy rather than amending the Ordinance with the intent that policy would supersede the language in the Ordinance. Through this policy practice, there is a one foot setback from the property line unless there is an agreement between property owners to have the fence placed on the property line. In addition, this policy restricts fences to a maximum height. The issue brought up by the Board Chair is whether the County should regulate fences at all. The Director also informed the Board that the Planning Commission would like direction on proceeding with the new Planning Ordinance and the Director stated he would schedule a Committee session with the County Board to get their direction and report back to the Planning Commission.

2011/07-28 Motion by Hanson, seconded by Adee to defer review of the County Zoning Ordinance regarding the regulation of fencing to the Planning Commission for review and recommendation. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-29 Motion by Hanson, seconded by Ecklund authorizing the County Engineer to call for bids for blasting and crushing at the Foreign Trade Zone with bid results to come before the County Board on August 30<sup>th</sup>. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

2011/07-30 Motion by Hanson, seconded by Ecklund to accept the recommendation of the County Engineer to allow work to start for the CSAH 30 shoulder widening project as let and awarded to allow competitive bidding for the August 2<sup>nd</sup> bituminous overlay on the west end of CSAH 31 bid letting with County Highway Funds to back up the guaranteed CSAH revenue source for these projects which will be available when the State Shutdown ends and Mn/DOT returns to work. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 11:27 a.m. Representatives of the Airport informed the Board that they received a 90 Day Notice of Termination of Service from Pinnacle Airlines, Inc. and Mesaba Airlines, Inc. for the International Falls Airport due to notification from Delta that high fuel costs and low passenger demand necessitates the termination of service. The Airport Commission has already begun work through Federal delegates and agencies to secure service. The Notice further states that service will continue until another service is found and that another provider intends to submit a bid in the DOT's request for proposals to select an Essential Air Service carrier. Representatives stated that Delta Airlines is changing to a hub service only so is pulling from all regional service due to profit margins. In Minnesota, regional airline service is about 1% of Delta's service. Representatives stated that our industry, logging, cold weather testing, tourism and distance demands essential air service to the area. The

Commission is very hopeful there will be another service in place. Commissioner McBride stated that one concern may be the cost in flights as currently it is a Delta to Delta connection in St. Paul/Minneapolis so is at a lower cost. If the new regional provider is not affiliated with a larger airline, will the price of the commuter flight be more? Airport Commission representatives stated that they are actively pursuing a resolution to continue affordable and needed service for the Intl Falls Airport. Dan McCarthy stated that airport service is essential to our area and marketing strategy is key to its success. Arden Barnes inquired on the Littlefork Fairgrounds road work and the zoning change for the FTZ buffer zone. Chrystal Clance inquired on cooperative efforts to control the wild parsnip evasion. A representative from the Voyageurs National Park Association introduced a candidate for their Director's position and discussed the Association's mission and work in support of VNP. Board members accepted the invitation to join them for lunch.

2011/07-31 Motion by Ecklund, seconded by Adee to adjourn the meeting at 12:10 p.m. Voting yes: McBride, Hanson, Ecklund, Adee. Motion carried.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, August 2, 2011; 10:00 a.m.

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

OTHERS IN ATTENDANCE: Jaci Nagle, Dennis Hummitzsch, Jose Sanchez, Steve Blair, John and Dixie Kalstad, Jay Schultz, Stacy Fredrickson, Joe Prettyman, Jeff Klow, Gene Andrusco, Dan Griffith, Raymond Wright, Dale Olson, Doug Grindall, Will Hoyt Reporter Laurel Beager

2011/08-01 Motion by McBride, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-02 Motion by Ecklund, seconded by Adee to approve the minutes from the July 19, 2011 Regular County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-03 Motion by Adee, seconded by McBride to approve payment of the monthly County Board expense claims in the amount of \$8,094.85, to authorize the Board Chair's signature to the July Vendor Payment Listing verifying its review, and designating the Auditor-Treasurer to approve claim payments for the month of August with the County

Board to review and ratify the payments at the August 30, 2011 County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-04 Motion by Hanson, seconded by Ecklund accepting the recommendation of the County License Committee to approve a two-day On Sale 3.2% Malt Liquor License for Brady Hasbargen for the August 20 and 21, 2011 Birchdale Softball Club Tournament. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-05 Motion by Hanson, seconded by Ecklund adopting the following resolution as sponsor for the Polar Polers Ski Club to support the 2011 grant application made to the MN Department of Natural Resources for the Federal Recreational Trail Grant Program:

WHEREAS, Koochiching County supported the Grant in Aid application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Grant Program in the amount of \$2,550 for the purchase of new ski trail grooming equipment; and

WHEREAS, Koochiching County recognizes the fifty (50) percent match requirement for the Federal Recreational grant program, which has been secured through the State Grant in Aid Program.

NOW, THEREFORE, BE IT RESOLVED, Koochiching County agrees as sponsor to accept the grant awards for said project through an agreement with the State of Minnesota DNR and through the executed County/Club Trail Agreement with the Polar Polers Ski Club for compliance with all applicable laws and requirements and for maintenance of the equipment for no less than 20 years or until such time as appropriate disposition actions are approved by the MN Department of Natural Resources.

BE IT FURTHER RESOLVED, that the Koochiching County Board names County Auditor-Treasurer Robert Peterson as fiscal agent for Koochiching County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-06 Motion by Hanson, seconded by McBride to authorize County Board members to attend the August 18, 2011 International Rainy Lake Board of Control and International Rainy River Water Pollution Board annual meeting to discuss resource management issues affecting Canada/U.S. waters. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-07 Motion by Hanson, seconded by McBride to authorize County Board members to attend the public hearing being hosted by the International Joint Commission on the final Binational Management of Lake of the Woods and Rainy River Watershed Report and Recommendations. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair reported on his attendance to the National Association of Counties Conference and specific to federal legislation for non-point discharge on logging roads

and will provide the Board the written information on the legislation and regulatory concerns.

2011/08-08 Motion by Hanson, seconded by Ecklund authorizing the purchase of department and replacement PCs for unplanned system failures as set in the 2011 Information System Budget in the amount of \$17,200 and in the 2011 Community Services Budget in the amount of \$9,700 as recommended by the Information Systems Manager. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-09 Motion by McBride, seconded by Hanson accepting the recommendation of the Land Commissioner to approve an Exclusive Easement Agreement for railroad purposes with DWP Railroad at a cost of \$3,100 and described as a parcel of tax forfeited county administered land along existing RR south of Ranier, approximate area of 3.1 acres parallel to existing ROW, part of Blocks 1, 12, 13, 14 of Bedell's Second Addition to International Falls. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 A number of property owners addressed the County Board with concerns and questions on the County's plan to establish the Point Of Pines Beach as a County Park, specific to fencing, maintenance and amenities and questioned why it is needed. A petition was submitted to County Board members stating opposition to the County's intended plan to fence the entire public beach area. Adjoining property owners stated their reasons for opposing fencing the entire beach area as it affects their property and felt as adjoining property owners they should have input on the fencing. Property owners did not oppose signing the beach access or defining the beach access by a fence.

2011/08-10 Motion by Adee, seconded by Ecklund to name and designate the Koochiching County Point of Pines Beach as a County Park to maintain and fund under the County Park Ordinance as recommended by the Land Commissioner. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-11 Motion by Adee, seconded by McBride that due to the concerns and questions by property owners on the plan to improve and/or make modifications to the County Point of Pines Beach Park, to direct that plans for improvement/modifications come to the County Board for approval prior to implementation. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 A representative for Gene Andrusco presented the Board an easement agreement offered by Mr. Andrusco to adjoining property owners as a condition of vacating that portion of Silver Avenue, Plat of Goldville, as described in the authorizing Road Vacation Board Motion 2011/01-23. As stated, Mr. Andrusco requested the road vacation to allow for a building set back but the remaining portion he is willing to leave as a road easement for the three adjoining properties. To date one of the three adjoining property owners signed the easement agreement which now provides access from North Street through their land to the remaining two properties in question. A property owner present at the meeting explained his position in wanting road access to his property which

in discussion could be met by an easement agreement if the road is vacated and it was clarified by the County Board that if the road was not vacated, the County would not improve or maintain the road. The representative requested the County Board to consider the signed easement by Mr. Andrusco and Mr Bradburn as meeting the County's condition for allowing the road vacation since it provides access from the developed North Street Road to the two other properties. (After the County Board meeting concluded it was reported to the Administration Director from the representative that the two remaining property owners signed Easement Agreements and copies of the recorded Easement Agreements will be provided to the County as documentation for the road vacation.)

2011/08-12 Motion by Ecklund, seconded by Adee that the County Board approves the recorded Easement Agreement between Gene Andrusco and John Bradburn providing road access from North Street through their property as satisfactory documentation in providing the other adjoining property owners access to North Street and thereby allowing the road vacation of that portion of Silver Avenue, Plat of Goldville, according to the recorded plat thereof, lying northerly of the easterly extension of the north line of Lot 37 and lying southerly of the easterly extension of the north line of Lot 33, effective October 1, 2011 (2011/01-23). Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Environmental Service Director and Commissioner Ecklund provided information to the Board regarding the request by property owners in the West Kooch area for water and sewer service. At the request of the property owners the City of International Falls did conduct a feasibility study for service to this area but the City's position was clear that for the City to provide the service the area would have to be annexed into the City. Property owners in the area voiced opposition to being annexed to the City and further requested the County to initiate sewer service under the legislation creating the North Koochiching Sanitary Sewer District in which Papermakers is named as an area to be served by sewer if a district is set up by the County Board. The Director and District Commissioner requested support from the County Board to study and recommend the sewer service to the area through an established committee. Board members acknowledged that the time to study a service issue is when property owners want it.

2011/08-13 Motion by Hanson, seconded by McBride to authorize a West Kooch Area Sewer Committee to study and recommend sewer service to the area and to authorize appointment of up to 2 County Board members to serve on the committee (Commissioner Ecklund as District Commissioner will serve on the committee). Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-14 Motion by Adee, seconded by McBride accepting the Planning Commission's recommendation to approve a Conditional Use Permit (CUP 1107) for Falls Kart Club, LLC to operate a go-kart race track for youths located at the corner of the Van Lynn Road (County Road 24) and the Truck Route (County Highway 332) described as part of the NE ¼ of the SE ¼, Section 11, Township 70N, Range 24W and

further, that Falls Kart Club, LLC will make application for vacation of the old road right of way through the County Road Vacation Policy as recommended by the Environmental Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-15 Motion by Ecklund, seconded by McBride that after review by the Solid Waste Advisory Committee and further review by the County Board through hearings and committee meetings, to approve the assessment of the Solid Waste Service Fee on Seasonal Recreation Property at 40% of the residential fee with the assessment to begin in 2012. Voting yes: Pavleck, Hanson, Ecklund, Adee; voting no: McBride. Motion carried.

2011/08-16 Motion by McBride, seconded by Ecklund to approve the Duininck Lake Conservation Easement and Mitigation Banking Agreement and authorizing the required County Officials signatures to said Agreements as recommended by the Environmental Service Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-17 Motion by Ecklund, seconded by Hanson to award low bid for SAP 036-631-107 (Bituminous overlay on west end of CSAH 31 near Big Falls) to Knife Rivers Materials in the amount of \$679,944.50 as recommended by the County Engineer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-18 Motion by Adee, seconded by Ecklund to recommend to the Mn/DOT Commissioner of Transportation that award be made for low bid for SP 036-755-001(CSAH 155 Project) to Wagner Construction, Inc. in the amount of \$1,344,925.15 as recommended by the County Engineer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-19 Motion by Hanson, seconded by McBride to adopt the following resolution requesting the transfer of a portion of Koochiching County's CSAH Regular Funding to the CSAH Municipal Fund:

WHEREAS, the County of Koochiching has obtained the Commissioner's approval of the plans for County State Aid Project SAP 036-630-017;

WHEREAS, said County is prepared to proceed with the construction of the said project by providing County State Aid Regular funds to supplement the available funds in the County Municipal Account; and

WHEREAS, repayment of the funds so advanced by the County is desired in accordance with the provisions of Minnesota Statutes 162.08, subd. 5 and 7 and Minnesota Rules 8820.1500, Subd. 8.

NOW, THEREFORE BE IT RESOLVED that the Commissioner of Transportation be and is hereby requested to approve this basis for financing said construction project and to authorize repayments from subsequent accruals to said Account, in the amounts as

herein indicated of \$75,000 from the 2014 Allotment, \$75,000 from the 2015 Allotment and \$50,000 from the 2016 Allotment for a Grand Total of \$200,000. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 12:25 p.m. No comment was presented. The Board Chair adjourned the meeting at 12:25 p.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, August 30, 2011; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Bob Anderson, Lori Lyman, John Mastin, Brian Youso, Susan Congrave, Terry Murray, Will Hoyt, Delbert and Connie Hickey, Stewart and Sharon Kennedy, Oral Howland, LeeAnn Meer, Dennis Hummitzsch, Lisa Santee

2011/08-20 Motion by McBride, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-21 Motion by Ecklund, seconded by McBride to approve the minutes from the August 2, 2011 Regular County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board received notice of the hire of Betsy Zaren to the Accounting Specialist position effective August 23, 2011.

2011/08-22 Motion by Adee, seconded by McBride to approve the employment separation of part time Sheriff Deputy Mike Bjorkquist effective August 5, 2011 and full time Sheriff Deputy John Mastin effective November 1, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-23 Motion by Adee, seconded by Hanson to ratify payment approval of the August Courthouse claims in the amount of \$88,124.57 and Highway claims in the amount of \$262,584.19 as recommended by the Auditor-Treasurer under Board Motion 2011/08-03; to approve payment of Courthouse claims in the amount of \$26,084.32, to approve payment of Health claims in the amount of \$15,173.08, to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented and to release the second half 2011 County Budget allocations as recommended by the Administration Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-24 Motion by McBride, seconded by Ecklund accepting the County Assessor's recommendation to approve abatement for the City of International Falls, Parcel #92-060-00100 for tax exempt status as government-owned property (2010 assessment year).  
Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-25 Motion by Hanson, seconded by Adee that the County enter into a County VSO Operational Improvement Grant Contract with the MN Department of Veterans Affairs in the amount of \$2,800 for enhancement of operations for the County Veterans Service Office and that the Koochiching County Board authorizes the County Board Chair and County Veteran Service Officer to execute the Grant Contract on behalf of the County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-26 Motion by Ecklund, seconded by McBride to approve a 2011 State of Minnesota Federal Boating Safety Equipment Grant Agreement in the amount of \$1,548.00 for navigational buoys and to authorize the County Board Chair, County Sheriff and County Administration Director to execute the Grant Contract on behalf of the County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-27 Motion by McBride, seconded by Ecklund that it be resolved Koochiching County shall accept 2011 Federal Grant #AIP 3-27-0043-25-10, along with the concomitant state agreement attached to that grant, when those grants are generated by their respective agencies for runway pavement rehabilitation and the completion of an updated Airport Master Plan; and that Koochiching County authorizes the Minnesota Commissioner of Transportation to act as liaison for the purpose of administering any federal grants issued to the airport; and that Koochiching County authorizes the Board Chair and County Attorney to execute the above grant documents and any amendments on behalf of the International Falls-Koochiching County Airport Commission and Koochiching County as specified by the issuing agency. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-28 Motion by Hanson, seconded by Adee adopting the following resolution naming the Airport terminal and field in honor of the Einarson Family: WHEREAS, Francis and Jim Einarson purchased the International Falls airport operations in 1948, the year after the airport opened; and WHEREAS, for the next 63 years the Einarson family has operated the airport; and WHEREAS, during this period, Francis oversaw runway, terminal, equipment and service improvements to the benefit of the entire Borderland community; and WHEREAS, Francis pioneered air ambulance service in 1968 resulting in improved medical outcomes for many sick and injured persons in Borderland; and WHEREAS, Francis taught hundreds of students to fly or improve their flying skills including float plane refresher training for noted aviator Charles Lindberg; and WHEREAS, Francis was the innovator who first discovered how to use Airport Surface Observation System (ASOS) instrumentation on each end of a run-way without electronic interference which innovation has since become a common airport system; and WHEREAS, the airport never suffered an accident or fatality in 63 years of airport operations; and WHEREAS, Francis pioneered air rescue service in Borderland, bringing



home many lost hunters and others to safety; and WHEREAS, Francis first learned to fly in 1948 and is still “airworthy” today, inspiring many with this commitment, dedication, and enthusiasm for aviation in Borderland; and WHEREAS, Francis was inducted into the Minnesota Aviation Hall of Fame in 1998. NOW THEREFORE BE IT RESOLVED, in recognition of the many contributions to aviation by Francis Einarson and the Einarson family, the County of Koochiching does hereby support the naming of the terminal the “Francis Einarson Terminal” and the naming of the airfield the “Einarson Field”. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Boise representatives reviewed information pertaining to the EPA’s rules to set emission limits for industrial boilers, referred to as Boiler MACT. EPA published the final rules, knowing that flaws were included, to meet a court-ordered deadline due to a claim brought by the Sierra Club. EPA has agreed to a stay and reconsider part of the rules, however, to do so requires legislation. Reconsideration of the rules is needed to allow EPA the time needed to rewrite the rules for certainty, provide additional time for facilities to comply once the rules are finalized, and direct the rules are reissued in a manner that ensures achievability across a range of fuels and operating conditions and clearly define fuels that are traditionally used in boilers. It is estimated the rules as written will cost the forest industry alone \$5 billion and at least \$14 billion for general manufacturing (chemicals, agricultural products, refineries, furniture, food processors) as well as universities, small municipal power plants, biomass power plants, hospitals and government facilities. Legislative bills have been introduced in both the House and Senate but some federal legislators have yet to endorse it. Representatives submitted their request to the County Board to contact their federal legislators to have them support the legislative effort to stay and reconsider the current EPA Boiler MACT rules.

2011/08-29 Motion by Ecklund, seconded by McBride authorizing the Board Chair to submit a letter to federal legislators and copied to state legislators of the Koochiching County Board’s unanimous support for legislation to stay the EPA Boiler MACT rules for at least 15 months to give EPA the time they were denied by the court to rewrite the rules to ensure certainty, provide additional time for facilities to comply once the rules are finalized and to reissue the rules in a manner that ensures achievability across the range of fuels and operating conditions and using the least burdensome approach to protect jobs, health and the environment. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-30 Motion by McBride, seconded by Ecklund authorizing the Sheriff to fill the full time Big Falls Sheriff Deputy position in that the deputy is required to reside in the Big Falls area in order to provide the response time needed for public safety and enforcement in this area as well as serving as backup to the Northome Sheriff Deputy. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Health Director provided the Department’s Quarter Two Financial and Statistical Report, the Director’s Report updating on water testing, flu clinics and home care services and information on the benefits of Public Health Accreditation.

2011/08-31 Motion by Hanson, seconded by Adee to acknowledge receipt of the minutes from the August 10, 2011 Public Health Professional Advisory Committee meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-32 Motion by McBride, seconded by Ecklund to change the employment status of RN Staci Bannert from full time to part time (.60FTE) effective September 1, 2011 due to funding reductions as recommended by the Public Health Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-33 Motion by Hanson, seconded by Adee to renew the AEOA Supported Work Grant Agreement as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-34 Motion by Hanson, seconded by McBride to renew the School District 363 Social Service Contract as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/08-35 Motion by Adee, seconded by Ecklund to renew the School District 361 Social Service Contract as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Community Service Director informed the Board that School District 362 due to funding issues declined to renew the Social Service Contract resulting in a loss of revenue of \$5,000 to the Agency.

2011/08-36 Motion by Hanson, seconded by Ecklund accepting the recommendation to relicense Margaret Winkle for group family day care for ten children. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Community Service Director reported on the Arrowhead Regional Suicide Prevention Program which rethinks the program to target today's teens and young adults. The program will increase access and utilization of information and resources by updating infrastructure to include text-messaging and Facebook. The Minnesota Department of Health statistics from 2000 to 2005 indicated that 7 northern counties within Minnesota, known as the Arrowhead region, had the highest suicide rates.

000 The Assistant Engineer reviewed the bid results for the rock blasting and crushing for the Foreign Trade Zone (FTZ) site in which the lowest bid came in 35% higher than the Engineer's estimate. It was determined that the difference in the estimate to bid was due to the higher cost in blasting rock in shallow areas. Though the Department recognizes the many interests in seeing this rock utilized and the FTZ site developed, the Engineer is recommending the bids be rejected due to the high cost to the benefit received for the material.

2011/08-37 Motion by Hanson, seconded by Ecklund accepting the recommendation of the County Engineer to reject all bids for the CP 2010-05 letting (blasting and crushing of rock at the Foreign Trade Zone) due to high cost and further, that the KEDA Board is notified so the Agency can look at other options for development of the FTZ site. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 10:45 a.m. A petition representing 17 property owners living on County Road 136 was presented to the Board requesting improvement of the road due to its poor condition with deterioration of overlay, shoulders, ditching and culverts and to include a request for enforcement to maintain road right of way for public use as the shoulders are necessary to allow safe passage when two vehicles meet. Representatives of the petition stated that Board members and Highway Department staff did review the road condition this month and residents want to know what the County intends to do to improve the road. The Assistant Engineer stated that patching and culvert work will be completed this year to include cleaning up the dirt pile from the culvert work. But any major repair work will require a plan from the Engineer to the County Board for funding in the Highway Budget. The Board Chair stated that the road is a mess and was not restored correctly after the installation of the sewer and agreed that any private use of road right of way needs to be stopped. It was agreed that the Assistant Engineer would follow up on the complaint that extension cords run across the road and that the road right of way is being used for private use and to take corrective measures to retain the road and right of way for public use. Additionally, the Assistant Engineer will inform the Engineer to submit a road restoration plan to the County Board for review and funding consideration and that the Representative for the petition will be informed as to when the issue will come back to the Board for consideration.

000 The Land Commissioner reviewed pictures with the Board of the completed Loman Park boat ramp and river bank erosion control project. The Land Commissioner reviewed the results of the August 3, 2011 Timber auction in which 76,041 cords were sold for a total sale value of \$565,540. The Commissioner further reported that the Department is at 75% of its 2011 annual timber harvest target and indications at this time report the 2011 apportionment revenue will improve over the 2010 apportionment levels.

000 The Drug Court Coordinator updated the Board on the County's program reporting that 4 participants have graduated from the program and 7 have been added, with a total of 18 active participants. The Court has received the \$100,000 grant for a combined Koochiching/Lake of the Woods Counties Drug Court System in which Lake of the Woods County has committed a \$15,000 cash match and Koochiching County has approved a cash match up to \$15,000. The Coordinator asked the Board to consider appointing a member to the Drug Court Steering Committee which will meet quarterly and provide oversight for guiding the Drug Court. The first meeting will be September 30<sup>th</sup>. In agreement by the County Board, the Board Chair appointed Commissioner Ecklund to the Steering Committee. The Board agreed it would review its final number for the grant cash match in the afternoon budget session.

000 The Board Chair reopened public comment and no further comment was presented. The Board Chair adjourned the meeting at 11:45 a.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, September 6, 2011; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Jaci Nagle, Dale Olson

2011/09-01 Motion by Hanson, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-02 Motion by McBride, seconded by Ecklund to approve the minutes from the August 30, 2011 Regular County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board received notice of the hire of Shelley Krause as part time E911/Correctional Officer on August 24, 2011.

2011/09-03 Motion by Adee, seconded by Ecklund to approve payment of the monthly County Board expense claims in the amount of \$9,006.15. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-04 Motion by Hanson, seconded by Adee to set a public hearing for Tuesday, September 27, 2011 at 11:00 a.m. to review and receive public comment on cable services in the non-municipal area for the renewal of the County's Cable TV Franchise Agreement with Midcontinent. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-05 Motion by McBride, seconded by Hanson authorizing County Board Members' attendance to a September 10, 2011 Board of Voyageurs National Park Association gathering as requested by invitation by the VNP Superintendent. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-06 Motion by Ecklund, seconded by Adee to approve expenditure up to \$2,600 from the 2011 Highway Budget for PC replacement for the Engineer and Assistant Engineer as recommended by the Information Systems Manager. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-07 Motion by Hanson, seconded by McBride authorizing KEDA to name the County's Duinick Lake Wetland Credit Bank as the source of credits for the Foreign Trade Zone Wetland Mitigation Application for .278 acres with the County Board to make a determination at a future date on designating the Bank's credits for this purpose. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair adjourned the meeting at 9:55 a.m.

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Wade Pavleck, Chair

Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, September 13, 2011; 9:50 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Lee Grim, Brian Youso, Doug Grindall; Reporters Laurel Beager and Sheldon Slaubaugh

2011/09-08 Motion by McBride, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-09 Motion by Ecklund, seconded by McBride to approve the minutes from the September 6, 2011 Regular County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-10 Motion by Adee, seconded by Hanson to approve payment of the Courthouse claims in the amount of \$60,170.14 and authorizing the Board Chair's signature to the August Vendor Payment Listing verifying its review. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-11 Motion by McBride, seconded by Ecklund approving the proposed 2012 County Budget's gross tax levy at \$3,901,261 (0% increase from 2011 levy). The 2012 proposed levy breakdown is as follows: General Revenue - \$1,859,232; Community Service - \$1,227,325; Public Health - \$73,000; Highway - \$699,539; Environmental Services - \$42,165. Further, to set the required public hearing for the proposed 2012 County Levy and Budget for Tuesday, December 13, 2011 at 6:15 p.m. in the Courthouse Boardroom. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-12 Motion by Hanson, seconded by McBride to approve the 2012 tax levies for the following approved subordinate service taxing districts and to pay the respective 2012 service contract amounts: Littlefork Ambulance Service District levy of \$55,000, Northome First Responders Service District levy of \$6,000, and Rainy River First

Responders Service District levy of \$6,000. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-13 Motion by Hanson, seconded by McBride to approve the 2012 tax levies for the following approved fire service taxing districts and to pay the respective 2012 service contract amounts: Fire District 1 (Northome) levy of \$12,633, Fire District 2 (Littlefork) levy of \$76,860, Fire District 2 (Loman) levy of \$14,550, Fire District 3 (Birchdale) levy of \$9,900, Fire District 4 (Williams) levy of \$3,000, and Fire District 5 (Big Falls) levy of \$20,120. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

A representative of the International Lake of the Woods and Rainy River Watershed Task Force met with the County Board at their request to explain the work and recommendations of the Task Force in its Bi-national Management Watershed Report. County Board members expressed concern with the erosion of local government authority in the recommendation to develop a new International Multi-Agency Watershed Board and expand the geographic scope of the International Joint Commission's authority in the watershed. That there are already multi layers of federal and state government agencies that get involved in local government land and water issues and to create yet another layer is not needed. The representative stated that this concern was heard from other local units of government that another layer of higher government is not needed and will supersede local planning and impact economic development. On the other hand, many areas in Canada that are in the same watershed do not have local government representation and felt a government mechanism as recommended by the Task Force would provide them a venue to address their concerns and needs to improve water quality. Lake of the Woods County is concerned about their lake quality and they understand that everyone in the watershed, including Canada, has to be part of the planning to improve and maintain water quality in the watershed. The Task Force did not look at what governments would play a role, but what government mechanism was needed to make sure the entire watershed was represented. The other option for the Task Force was do nothing, leave things status quo, but the future of the watershed is important to everyone. It is the International Joint Commission that will make the decisions on the Task Force's report and recommendations. The County Board members expressed their thanks and appreciation of the Task Force in doing this needed review, but the concern exists for the County in losing local control if this recommendation to form a new government mechanism is approved. The representative supported the County Board in forwarding the concern to the IJC and federal and state legislators that local government authority needs to be retained in management of the watershed.

2011/09-14 Motion by Hanson, seconded by Ecklund authorizing the County Board Chair to send a letter to Federal and State Delegates and the International Joint Commission expressing Koochiching County's concern of losing local government control with creating a higher government International Watershed Board for Lake of the Woods, Rainy Lake and Rainy River Watershed, though recognizing that the recommendation in finding a mechanism to have rural areas in Canada represented in the shared watershed has merit. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-15 Motion by McBride, seconded by Adee to approve a revised State/County Collaboration Program Telecommunications Agreement for wide area data and video network connectivity through the State Office of Enterprise Technology for bandwidth increase with equitable cost share by the County as recommended by the Information Systems Manager. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-16 Motion by McBride, seconded by Ecklund that due to an order by the Judge to have an armed bailiff in the courtroom for public safety, authorizing the Sheriff's request to hire 3 part time deputies for patrol and courtroom duty and to authorize the Sheriff to expend excess budget funding if needed in 2011 to provide the bailiff service to the courtroom with the understanding that the deputies time in the courtroom will be logged and cost tracked until year end with the intent to meet with the Judge and Sheriff the first part of 2012 for review with the County Board. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-17 Motion by McBride, seconded by Adee to approve a Joint Powers Agreement with the State of Minnesota for having the Sheriff's Department conduct criminal history on name changes for the Court as recommended by the Sheriff. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-18 Motion by McBride, seconded by Ecklund to change the Civil Process Deputy Time Charge to \$60 per hour as recommended by the Sheriff. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/09-19 Motion by Hanson, seconded by Adee accepting the County Engineer's recommendation to certify the following final road project contract work and value: CP 2011-01 AAA Striping in the amount of \$117,548.20; CP 2010-04 KGM Contractors in the amount of \$34,325.00; CP 2010-03 KGM Contractors in the amount of \$930,534.84; SAP 36-677-07 KGM Contractors in the amount of \$694,234.28. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

000 The Board received a notice on the hire of Casey Kittelson to the Heavy Equipment Operator position with the date of hire to be determined.

000 The Board Chair adjourned the meeting at 11:07 a.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, September 20, 2011; 10:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Susan Congrave, Terry Glowack, Will Hoyt; KGHS Reporter Josh Svendsen

2011/09-20 Motion by Ecklund, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Ade. Motion carried.

2011/09-21 Motion by McBride, seconded by Ade to approve the minutes from the September 13, 2011 Regular County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Ade. Motion carried.

2011/09-22 Motion by McBride, seconded by Ecklund to ratify contract settlement with the Koochiching County Law Enforcement Unit represented by LELS Local 102 for 2011 through 2012 as recommended by the Board's Negotiation Committee. Voting yes: Pavleck, McBride, Hanson, Ecklund, Ade. Motion carried.

2011/09-23 Motion by Ade, seconded by Ecklund to approve payment of the Highway claims in the amount of \$332,683.22. Voting yes: Pavleck, McBride, Hanson, Ecklund, Ade. Motion carried.

2011/09-24 Motion by Ade, seconded by Ecklund to change the employment status of Health Educator Natalie Stone from full time to part time (.60FTE) effective October 1, 2011 due to the State SHIP funding reduction, pending re-evaluated when the 2012-13 State Budget SHIP funding details are known. Voting yes: Pavleck, McBride, Hanson, Ecklund, Ade. Motion carried.

2011/09-25 Motion by Hanson, seconded by Ecklund authorizing the Complex Superintendent to replace the Forestland Annex roof as an immediate need to prevent building damage with the Superintendent to obtain a minimum of two quotes for selecting low price and at a cost not to exceed \$42,500 with funding from the 2011 Budget Contingency and Sinking Building Account as recommended by the Administration Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Ade. Motion carried.

2011/09-26 Motion by McBride, seconded by Ecklund authorizing the County Engineer to obtain quotes for crushing \$100,000 worth of the Gold Shores rock for road needs with funding to come for the FTZ Rock Budget as recommended by the County Engineer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Ade. Motion carried.

2011/09-27 Motion by Hanson, seconded by Ecklund authorizing the County Engineer to obtain bids for a Front End Loader with new equipment estimated to be over the 2011 budgeted amount of \$230,000 and to include review of used and lease options. Voting yes: Pavleck, McBride, Hanson, Ecklund, Ade. Motion carried.



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

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, September 27, 2011; 10:40 a.m.

MEMBERS PRESENT: Commissioners Pavleck, McBride, Hanson, Ecklund

MEMBERS ABSENT: Commissioner Adee (Medical Appointment)

OTHERS IN ATTENDANCE: Terry Murray, Dale Olson, Cory Rintala , Steve Blair, Ron Peterson, Doug Grindall, Dan Nelson, Chrystal Clance, Kathy Sikkila, Hugh Kirkpatrick, Walt Buller, Will Hoyt, Delbert Hickey, Oral Howland, Stuart Kennedy, Katherine Fluke, KGHS Reporter Josh Svendsen

2011/09-28 Motion by McBride, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

2011/09-29 Motion by Hanson, seconded by McBride to approve the minutes from the September 20, 2011 Regular County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

2011/09-30 Motion by Ecklund, seconded by McBride to approve payment of the Courthouse claims in the amount of \$49,527.99; to approve payment of the Health claims in the amount of \$23,313.60; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

2011/09-31 Motion by Ecklund, seconded by Hanson authorizing Board members' attendance to the Governor's October 25, 2011 Job Summit in St. Paul, MN as a County Board activity. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

000 The Board approved the tentative October, November and December County Board meeting schedule for distribution.

2011/09-32 Motion by McBride, seconded by Ecklund to approve the publication of the 2010 County Financial Statement in summary form as recommended by Administration. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

000 Commissioner Pavleck reported on the ARC Budget and changes as a result of funding cuts and reviewed statistics on prison populations and the high cost of incarceration to release and treatment options.

2011/09-33 Motion by Hanson, seconded by Ecklund to renew the NEMOJT Supported Work Grant Agreement as recommended by the Community Service Director and upon approval by the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

2011/09-34 Motion by Hanson, seconded by McBride to set a public hearing for a change in the County Zoning Ordinance as required for the proposed fence regulation language as recommended by the Planning Commission and upon a legal review of the proposed language. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

000 Ron Peterson asked the Board for reconsideration of the timeline to resubmit his CUP Permit application for blasting and crushing rock due to an upcoming project requiring rock material which he wants to bid on. The Board deferred the request for review under the Zoning Ordinance and Planning Commission.

2011/09-35 Motion by McBride, seconded by Hanson to approve a Work Order Maintenance Agreement with Mn/Dot for the portion of former TH 332 from TH 11/71 to TH 11 east (turned over to the County in 2011) and now designated as CSAH 332 for winter road maintenance; and further, to authorize the County Board Chair's signature to said Agreement. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

000 The Board Chair opened a public hearing at 11:30 a.m. to review the renewal of the County Cable TV Franchise Agreement with Midcontinent Communications which allows the company to use the county public right of ways for cable service. Dan Nelson was in attendance for Midcontinent along with technical staff. Administration Director stated that no written comment was received. The purpose of the hearing is to allow the public within the County Franchise area to speak to the quality and quantity of services provided. A member of the public asked about the quality of the local broadcast channels. The representative stated that geography impacts signal transmission so the company is looking at fiber optic for television service as they are doing now for phone and internet service. The Company representative in response to a question stated that they currently do not provide HD capacity but with fiber connectivity, the potential is there. The representative provided a service map of the County's Cable Franchise area as well as Cable Franchise areas of the City of International Falls, City of Ranier and City of Littlefork. The Highway Engineer stated that the County would want a work permit submitted for their review before any work is done in the right of way and the Company representative agreed that this is normal procedure. The representative stated that the County, Public library and accredited schools within the franchise areas receive 1 free basic video connection and in response to the inquiry, St. Thomas School is receiving the free connection. With no other comment from the public and Board members, the Board Chair closed the hearing.

2011/09-36 Motion by McBride, seconded by Ecklund to renew the Franchise Agreement for the construction and operation of a cable system in the county public right of way with Midcontinent Communications and to authorize the County Board's

signature to the Agreement. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

000 The Board Chair called for public comment at 11:45 a.m. The VSO introduced a Veteran who told his story of service connected disability and the improvements that were made to his life with his service dog Toby from the America's Vet Dogs Program through the GuideDog Foundation. Because of the positive changes Toby has made in his life, he would like to see the community sponsor a service dog for another veteran. The Board asked the Veterans Service Officer to provide them information on the program. Residents from County Road 136 asked the status of the restoration plan for improving their road as was discussed at the August 30, 2011 Board meeting and thanked the County staff for taking care of the issue of extension cords being run across the road. The Engineer reviewed the maintenance work that will be done on the road. Property owners asked when the holes would be filled and the Highway Foreman stated he was waiting until October for hot mix. Property owners also asked why the snowplows put the wings all the way down as they are taking the shoulder material with them. Property owners feel their road, due to safety and condition concerns, should be made a priority project in the budget. Inquiry was made as to what qualifies a road for CSAH designation and the Engineer explained the requirements, stating this road does not qualify. Property owners as before stated that the road was not put back the way it was after the sewer was installed. The Engineer stated that maintenance work will be done to improve the road and they could look at a bituminous overlay but reconstruction is not an option due to its high cost. A property owner stated not to do another overlay as the road is too high now. The road needs restoration with drainage.

000 With no further comment, the Board Chair closed public comment period and adjourned the meeting at 12:30 p.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, October 11, 2011; 9:47 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Mike Ward, Ed Oerichbauer, Kathleen Crawford, Dale Olson, Dennis Hummitzsch, Chuck Whitcomb, Terry Murray; Reporter Laurel Beager

2011/10-01 Motion by Adee, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-02 Motion by McBride, seconded by Ecklund to approve the minutes from the September 27, 2011 Regular County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-03 Motion by McBride, seconded by Adee to approve the September, 2011 employment separation of part time Correctional Officer Jenna Wood. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-04 Motion by Adee, seconded by McBride authorizing the Board Chair's signature to the September Vendor Payment Listing verifying its review and ratifying the payment of the monthly County Board expense claims in the amount of \$8,553.69. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-05 Motion by McBride, seconded by Ecklund to approve the 2012 County Fee Schedule as recommended by County Administration. Voting yes: Pavleck, McBride, Hanson, Ecklund. Motion carried.

000 Commissioner Pavleck reported on behalf of the Highway 53 Four-Lane Task Force that within two years the extension of the four-lane to Cook will begin and that due to the uncertain economic climate, the Task Force will be looking at turn and passing lanes from Cook to International Falls as an alternate to a four-lane highway.

2011/10-06 Motion by Ecklund, seconded by McBride 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 2012 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: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-07 Motion by McBride, seconded by Ecklund that it be resolved Koochiching County shall accept the State of Minnesota Grant Agreement #99246 for Airport maintenance and operation which reimburses the Airport up to \$69,661 per year for eligible expenses for State Fiscal Years 2012 and 2013 and that Koochiching County authorizes the Board Chair to execute the above grant documents and any amendments on behalf of the International Falls-Koochiching County Airport Commission and Koochiching County as specified by the issuing agency. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-08 Motion by Hanson, seconded by Adee to set a public hearing for Tuesday, November 1, 2011 at 11:00 a.m. on a road vacation request by Larry Keep and Richard Roche (to include the Falls Kart Club) described as all that part of the Highway Easement described in Koochiching County Book of Deeds R of Miscellaneous, Page 481 and Book 42 of Deeds, Page 638, within the Northeast Quarter of the Southeast Quarter, Section 11, Township 70 North, Range 24 West, Koochiching County, Minnesota which lies southerly of the north 75 feet thereof and westerly of the east line of the west 908 feet

of said Northeast Quarter of the Southeast Quarter. Also, all that portion of said easement within said Northeast Quarter of the Southeast Quarter, which lies southerly of the north 113.41 feet thereof, westerly of the east 135 feet thereof and easterly of the east line of the west 908 feet of said Northeast Quarter of the Southeast Quarter. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 VNP Superintendent reported on proposed federal legislation that would waive several federal environmental laws for Homeland Security operations on federal lands within 100 miles of the U.S. Borders. The Superintendent stated that an EIS has been going on for the last year and one-half on Homeland Security activities on the borders to look at the pros and cons of their activities as it relates to the environment in which they work. The EIS is a public process. At some point Federal Bill H.R.1505 has been introduced allowing the Secretary of Homeland Security jurisdiction over federal land within 100 miles of the U.S. Borders to waive 36 federal environmental protection laws to allow for activities such as maintaining and constructing roads, constructing fences, use of vehicles to patrol and setting up monitoring equipment. Opponents of the Bill say it would give Homeland Security unchecked authority to disregard major environmental laws covering wilderness areas, national parks and wildlife refuges. Supporters of the Bill feel that national security and public safety should supersede environmental protection. The Superintendent stated that one of the federal laws authorized for waiving in this Bill is the National Park Act, which causes concern for the protection of National Park lands and the Secretary of the Interior testified against the Bill. The Superintendent stated that the local border patrol and park officials have worked well together but no one agency should be able to override federal requirements put in place for everyone else and for the purposes intended. Representatives from the Historical Society stated comment was submitted in the EIS process on the historical and cultural importance of the Indian burial grounds in this area but the EIS document does not mention this. Representatives stated that the proposed legislation to waive federal environmental laws could jeopardize the historical and cultural resources of this area. Board members agreed that to propose this bill is an abuse of federal authority and the public process.

2011/10-09 Motion by Ecklund, seconded by Adee that Koochiching County strongly opposes any consideration of federal legislation to allow the Secretary of Homeland Security jurisdiction and ability to waive federal environmental protection laws on federal lands within 100 miles of the U.S. Border under the premise it is needed for better border patrol on public lands as a blatant abuse of federal authority and the public process. Motion further directs that the County's federal and state legislators be informed of the County's opposition to this proposed legislation in principal and as an area impacted by such legislation. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-10 Motion by McBride, seconded by Adee to approve temporary hire in the County Recorder's Office under the Temporary Hire Policy to index scanned documents for automation of their record system with funding from the Recorder Technology/Land Records Project Account. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-11 Motion by Hanson, seconded by Ecklund certifying special assessments on commercial properties for their delinquent 2010 solid waste service fee plus a ten percent penalty to the Auditor/Treasurer for collection on the 2012 tax statements. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-12 Motion by McBride, seconded by Adee to approve a Ray Canister Site Attendant Contract with Jim Jessop for the remainder of the current contract term and terminating the previous canister site attendant contract with Bryce Westerlund at his request as recommended by the Environmental Service Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Environmental Service Director and Land Commissioner presented a proposed plan for the County's Wetland Credit Bank which consist of 6.06 acres of State only approved Duinick Lake credits and 22.8 acres of federal and state approved credits (10 credits pending approval from the White Cedar Bank Project). The proposal would immediately sell the 6.06 acres out of county since the credits are not usable in Koochiching County due to not having approval of the Army Corps. Proceeds from the sale of credits are recommended to go to an environmental trust fund to support wetland bank restoration and/or future bank work. A Wetland Committee made up of County representatives to include Board members would be formed to manage the County's Wetland Credit Bank through Policy and make recommendations to the Board.

2011/10-13 Motion by McBride, seconded by Ecklund to support the plan recommended by the Environmental Service Director and Land Commissioner for management of the County's Wetland Credit Bank as presented to be followed by a recommended Policy and Committee membership to the County Board for approval. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 A representative from the Plat of Raven Wood consisting of 13 properties submitted a request to the County Board to acquire an easement from the DNR for State School Trust Land to allow their community development access road to be straightened out due to unsafe conditions. The access road is off County Road 137 (Rainy Lake Lodge Road) and has a steep hill with a corner that has caused many of accidents in winter seasons and there are residents living in the development that have medical needs and there is concern that medical care will not be able to access them due to the road condition. The Property owners have pooled their money to re-route the road to make it safer but it was found that to do so would require an easement on school trust land and that the County as the road authority, has to be the applicant for the easement. The representative stated that County staff, the District Commissioner and DNR staff have reviewed the road situation and plan and agree the road provides unsafe conditions and the proposed re-route would make the road safer. There is an application fee and an easement purchase price but the representative hoped that there could be an exchange of land to mitigate the easement purchase price and would ask the County to consider covering the \$2,000 application fee. The Board Chair read a letter from the property owners requesting the County consider covering the \$2,000 application fee. The Administration Director stated that the County

Engineer has the State Easement Application already and to submit the application requires a resolution of support from the County Board as the Road Authority.

2011/10-14 Motion by McBride, seconded by Ecklund to authorize application to the State of Minnesota for an easement across State School Trust lands for a re-route of the Raven Wood Plat access road off County Road #137 located within Section 36, Township 71N, and Range 23W due to public safety concerns with the County to pay the \$2,000 application fee. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-15 Motion by Hanson, seconded by Adee to approve the Vulnerable Children and Adults Act Service Plan for 2012 and 2013 as recommended by the Community Service Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-16 Motion by Adee, seconded by Ecklund to approve the MFIP Biennial Service Agreement for 2012 and 2013 as recommended by the Community Service Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 With no further business, the Board Chair adjourned the meeting at 11:00 a.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, October 18, 2011; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Murray, Dennis Hummitzsch, Dale Olson, Jenell Feller, Doug Grindall; KGHS Reporter Josh Svendsen

2011/10-17 Motion by McBride, seconded by Ecklund to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-18 Motion by Ecklund, seconded by McBride to approve the minutes from the October 11, 2011 Regular County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-19 Motion by Adee, seconded by McBride to approve payment of the Courthouse claims in the amount of \$86,509.15; to approve payment of the Highway claims in the amount of \$63,473.53; to approve payment of the Health claims in the

amount of \$14,980.90; to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-20 Motion by Hanson, seconded by McBride to approve a one-day 3.2% Malt Liquor License for Anton Imhof for the November 5, 2011 Annual Deer Hunters Dance as recommended by the License Committee. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-21 Motion by Ecklund, seconded by Adee to approve an amendment to the Rainy River Waivered Service Contract and the Family Freedom Corporation Contract for supported living services to reflect the mandated state legislative rate reduction of 1.5% effective September 1, 2011 and to approve a Family Freedom Corporation Contract for adult foster care as recommended by the Community Service Director and upon approval of the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-22 Motion by Ecklund, seconded by Adee to accept the recommendation of the County Insurance Committee for the 2012 County Group Health Plan: to renew the Major Medical Northeast Service Cooperative's Common Plan #16 Health Insurance Plan with the monthly premium rate of \$476.00 single and \$1,274.50 family with the employer's monthly premium contribution set at 2012 levels of 100% single premium contribution and \$1,211 family premium contribution and to renew the Northeast Service Cooperative's optional VEBA Health Plan #823 at the monthly premium rate of \$416.50 single and \$1,115.00 family with the employer's monthly premium contribution set at 2012 levels of 100% single CMM plan premium contribution and \$1,211 family premium contribution. Further, to accept the Insurance Committee recommendation to draw a \$10 a month contribution from the County Group Health Account for family contracts to reduce the employee's monthly premium contribution from \$63.50 to \$53.50 in the Common Plan with the employee's contribution being a pre-tax payment through the County's Flexible Spending Plan (\$10 contribution also applies to the family contracts in the VEBA Plan to reduce premium cost); Further, to accept the Insurance Committee's recommendation to renew the County's Flexible Spending Plan with Select Account with no change in rates and plan. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-23 Motion by McBride, seconded by Hanson to ratify contract settlement with the Koochiching County Highway Unit represented by IUOE Local 49 for 2011 through 2012 as recommended by the Board's Negotiation Committee. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-24 Motion by Hanson, seconded by Adee to set a public hearing for Tuesday, November 15, 2011 at 11:00 a.m. on a road vacation request from George Hartmann and Ruth Ritchie for that part of former State Road Highway No. 24 (former temporary location of Trunk Highway 11 labeled as release No. 5) as shown on New S.P. 3604 (Old S.P. 11=11-29) right of way map; Beginning 33 feet north of the south line of Section 3, Township 158 North, Range 25 West, Koochiching County, Minnesota; thence along the



approximate west line of Government Lots 6 and 7, along the approximate north line of Government Lot 6 and across a southerly portion of Government Lot 5, said Section 3, to the intersection with the westerly right of way line of Trunk Highway No. 11 as located in 2011 and as shown on said New S.P. 3604 (old S.P. 11=11-29) right of way map. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-25 Motion by McBride, seconded by Adee to approve the employment separation of Forester Gary Saunders effective November 1, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-26 Motion by Ecklund, seconded by McBride authorizing the Land Commissioner to fill the vacant Forester position. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-27 Motion by Adee, seconded by Ecklund to set the following dates for the 2012 Timber Auctions: January 18, May 2, August 1 and November 14. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2011/10-28 Motion by Adee, seconded by McBride accepting the recommendation of the Planning Commission to approve Conditional Use Permit #1108 to Jackie Briggs for a home photography business at 2970 Town Road 224, Parcel ID #15-053-00070. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Environmental Service Director informed the Board that a public hearing was held last week by the Planning Commission on a Conditional Use Permit Application by Leinum Farms LLC for a temporary rock quarry operation including blasting, crushing and processing aggregate which is located along County Road 148 approximately 5 miles east of Birchdale and approximately 2 miles south of State Highway 11. There was no opposition presented at the hearing and the Planning Commission's recommendation to approve the CUP will be presented to the County Board at the November 1, 2011 meeting.

000 Occupational Development Center Coordinator provided an update on their activities. They have renovated the building purchased from the County (previous NDAC building) which now meets their needs and an open house is planned for October 27 in the facility in which the Agency will be saying goodbye to the current President/CEO and welcoming the new President/CEO. The Coordinator stated that Koochiching County is a big supporter of their work product. The Board members thanked her and those providing the service for their good work.

2011/10-29 Motion by Hanson, seconded by Ecklund to approve Board members' attendance to the Occupational Development Center's Open House on October 27, 2011 at 11:00 a.m. as a Board activity. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-30 Motion by McBride, seconded by Ecklund to accept low bid for a 2011 John Deere 644K Loader in the amount of \$258,850 less a \$30,000 trade in for the 1990 Case 821 Loader (County Unit #908) as recommended by the County Engineer. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/10-31 Motion by McBride, seconded by Ecklund to reject all bids for the \$100,000 Gold Shores Rock Crushing Project and to rebid for different size rock as recommended by the County Engineer due to cost for material obtained. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 With no further business, the Board Chair adjourned the meeting at 10:40 a.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, November 1, 2011; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Terry Murray, Dale Olson, Jim Leinum, Dan Hoskin, Steve Arnesen and other representatives of North Start Electric, Mike Ward, Arden Barnes; Reporters Josh Svendsen and Laurel Beager

2011/11-01 Motion by McBride, seconded by Hanson to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-02 Motion by Hanson, seconded by Ecklund to approve the minutes from the October 18, 2011 Regular County Board meeting with correction. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-03 Motion by McBride, seconded by Adee to approve the employment separation of Sr. Engineering Technician David Kunath effective November 1, 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board received notice on the hire of Chad Nelson to the FT Big Falls Sheriff Deputy position effective November 1, 2011 and the hire of Josh Mastin as a PT Sheriff Deputy effective October 24, 2011.

2011/11-04 Motion by Ecklund, seconded by McBride to approve a B23 Child Support/Collections Enforcement Officer position description for the Community Services Department as recommended by the KCCS Director for debt collection and revenue recapture as part of solution for balancing the 2012 KCCS Budget deficit and

that the position is subject to a one year review as recommended by the Personnel Committee. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-05 Motion by McBride, seconded by Ecklund authorizing the KCCS Director to internally fill the Child Support/Collections Enforcement Officer position. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-06 Motion by Adee, seconded by McBride adopting the following resolution for enrollment of part-time deputies in the PERA Police and Fire Plan:

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes Section 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire Plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the Board of Commissioners of Koochiching County hereby declares that the position of part time Sheriff deputy meets all of the following Police and Fire membership requirements: (1) said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and that the employee hired in the position is so licensed; (2) said position's primary (over 50%) duty is to enforce the general criminal laws of the state; (3) said position charges this employee with the prevention and detection of crime; (4) said position gives this employee the full power of arrest; (5) said position is assigned to the Koochiching County Sheriff's Department.

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

2011/11-07 Motion by Adee, seconded by Ecklund to approve payment of the monthly County Board expense claims in the amount of \$8,933.69. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-08 Motion by Hanson, seconded by McBride accepting the recommendation of the County Assessor to grant abatement to Ronald and Kathleen Sather, Parcel #92-121-10010 for a duplicate building assessment for taxes payable 2011, 2010 and 2009. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-09 Motion by Adee, seconded by McBride to discontinuation the Northome

Resource Center Coordinator Contract effective December 2, 2011 as recommended by the Health Director due to loss of funding. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-10 Motion by McBride, seconded by Ecklund to approve a revised 2011 Lakeland Pathology Contract for medical examiner services correcting the termination date to December 31, 2011 as recommended by the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-11 Motion by McBride, seconded by Ecklund to approve a 2012 – 2013 Contract with Lakeland Pathology, P.A. for medical examiner services pursuant to M.S. 390.31-35 with a one percent rate increase for each year; further that upon approval of the contract by the County Attorney to authorize the Board Chair and Sheriff to execute the contract on behalf of the County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-12 Motion by McBride, seconded by Ecklund to approve a two-year DNR Off Highway Grant Agreement (2012 and 2013) in the amount of \$43,028 for off-highway vehicle law enforcement activities and further, to authorize the Board Chair and Sheriff to execute the agreement on behalf of the County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Commissioner Ecklund stated that the organizers of the International Falls Bass Tournament are looking for legislative support to allow the continuation of the weigh in at Smokey Bear Park as under current Invasive Species Regulations boats will no longer be able to leave the landings with the fish in the live well to come to the weigh in site in International Falls. The regulation would require the fish be weighed and released at the landings. Because Rainy Lake and Rainy River are connected waters, Tournament organizers are looking for a waiver from the regulation to allow the continuation of the weigh in at Smokey Bear Park. Commissioner Ecklund stated they are looking for letters of support and he suggested a meeting with the DNR Commissioner and staff during the AMC Conference. Board members agreed that a discussion with the DNR is important to understand if there are risks to the water quality if this waiver was granted

2011/11-13 Motion by Ecklund, seconded by Adee authorizing the Board Chair to send a letter of support to our State legislators and DNR Commissioner supporting a waiver of the Invasive Species Regulation for the International Falls Bass Tournament with the understanding that Tournament Organizers would work with the DNR to ensure the protection of waters from invasive species during this event. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-14 Motion by Hanson, seconded by Ecklund accepting the recommendation of the Planning Commission to grant Conditional Use Permit #1109 to Leinum Farms, LLC for a onetime rock quarry operation on property described as the SW ¼ of the NE ¼ and SE ¼ of the NE ¼, Section 17, Township 159N, Range 26W, Parcel # 56-017-13000 and to add that damage to the County's road by this operation is to be repaired by the permit

holder as a condition of the permit approval. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-15 Motion by McBride, seconded by Ecklund to approve a conveyance of the 20 acre county-owned former International Falls Landfill property to the MPCA Closed Landfill Program described as Lot 33, Auditor's Plat No. 11, transferring and granting all of the County's right, title and interest to the Landfill in fee simple without restrictions or reservations as recommended by the MPCA for management of the closed landfill. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 North Star Electric Cooperative Manager and Board Chair informed the Board on the EPA's Regional Haze Regulation being imposed on the Minnkota Power Plant (coal operation) in North Dakota. Minnkota Power provides power to 11 electric distribution cooperatives to include North Star Electric that services Koochiching County. The Regional Haze Rule falls under the Clean Air Act. The State of North Dakota was responsible under the Clean Air Act to implement a plan to address regional haze and the State plan has determined that the Minnkota Plant's emissions are in compliance. However, the EPA overruled the State stating the Plant is in violation of the Act's Regional Haze Regulation, requiring Minnkota Power to invest up to \$500 million dollars in the plant with no guarantee the technology will work. The direct cost to its members is a 20 percent rate increase plus it would jeopardize the Company's equity. This EPA order is unwarranted and has serious consequences to the availability and affordability of electricity to rural areas. North Star Electric Manager stated that members have already seen a high increase in rates due to having to comply with past EPA orders and another large cost increase due to over regulation will bring us to the point where affordability is questioned. North Star Electric has made all the reductions in cost it can to help offset past regulation cost increases but there is no where left to trim. Other members voiced concern on losing this needed service because of unnecessary regulations and political and environmental pushes to end coal use. Members are looking to the County Board to be their voice to stress to federal regulators and legislators the service is critical to the safety and well being of its citizens and that over regulation will drive the cost up to the point where consumers will not be able to afford it.

2011/11-16 Motion by McBride, seconded by Adee adopting the following resolution requesting that the EPA accept the State of North Dakota's Plan in its entirety, including the State of North Dakota's plan for regulating NOx emissions from the Milton R. Young Station, on behalf of Koochiching County and its need for affordable and available power for its citizens:

WHEREAS, North Star Electric Cooperative ("North Star") is an electric distribution cooperative serving approximately 6,364 members, including citizens of this County; and

WHEREAS, North Star purchases power from Minnkota Power Cooperative, Inc. ("Minnkota") which generates and transmits power from various sources including its Milton R. Young Station power plants fired by North Dakota lignite coal; and

WHEREAS, the State of North Dakota is charged under the Clean Air Act with developing a State Implementation Plan (SIP) to address regional haze that impairs visibility in the Theodore Roosevelt National Park and Lostwood National Wildlife Refuge Wilderness Area; and

WHEREAS, the State of North Dakota developed a thorough and well-reasoned SIP for regional haze that, among other things, required Selective Non-Catalytic Reduction (SNCR) technologies be installed on Milton R. Young Station to reduce nitrous oxides (NO<sub>x</sub>); and

WHEREAS, the State of North Dakota submitted its SIP to the U.S. Environmental Protection Agency (EPA) for approval and, in response, the EPA is proposing to disapprove portions of the SIP that require SNCR technologies for Milton R. Young Station, and instead impose a federal implementation plan (FIP) that would, among other things, require Milton R. Young Station to install Selective Catalytic Reduction (SCR) technologies; and

WHEREAS, the SCR technology required by the EPA's plan would not result in humanly perceptible visibility improvements over the State of North Dakota's plan, and has not been shown to work on power plants like the Milton R. Young Station; and

WHEREAS, the SCR technology required by the EPA's plan would cost Minnkota an estimated \$500 million to install; and

WHEREAS, Minnkota has recently incurred significant cost increases after installing emission reduction technologies including SNCRs and upon contracting for renewable resources, resulting in rate increases to North Star members of approximately 20 percent; and

WHEREAS, the EPA's plan requiring SCRs would increase Minnkota's costs an estimated 30 percent, resulting in estimated rate increases of 20 percent to North Star members, for technology that will not perceptibly improve visibility and that has not been shown to work on the plants.

THEREFORE BE IT RESOLVED Koochiching County in the State of Minnesota requests that the EPA accept the State of North Dakota's SIP in its entirety, including the State of North Dakota's plan for regulating NO<sub>x</sub> emissions from the Milton R. Young Station;

BE IT FURTHER RESOLVED that the County submits this resolution as a public comment for Docket ID No. EPA-R08-OAR-2010-0406 and to send a copy of the resolution to State and Federal legislators requesting their support of the State of North Dakota's Implementation Plan. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair opened a public hearing at 11:35 a.m. to receive public comment on the road vacation request of Larry Keep and Richard Roche (to include the Falls Kart Club). The Administration Director stated that the application was submitted and processed under the County's Road Vacation Policy with no issues reported from the County review and that the road vacation was part of the County's support for the CUP for the Falls Kart Club since the track was on old road right of way. The Director reported that no written comment was received on the matter. In calling for oral comment, no comment was provided and the Board Chair closed the hearing.

2011/11-17 Motion by Adee, seconded by Ecklund that in accordance with the County Road Vacation Policy and upon holding of a public hearing to approve the vacation of all that part of the Highway Easement described in Koochiching County Book of Deeds R of Miscellaneous, Page 481 and Book 42 of Deeds, Page 638, within the Northeast Quarter of the Southeast Quarter, Section 11, Township 70 North, Range 24 West, Koochiching County, Minnesota which lies southerly of the north 75 feet thereof and westerly of the east line of the west 908 feet of said Northeast Quarter of the Southeast Quarter. Also, all that portion of said easement within said Northeast Quarter of the Southeast Quarter, which lies southerly of the north 113.41 feet thereof, westerly of the east 135 feet thereof and easterly of the east line of the west 908 feet of said Northeast Quarter of the Southeast Quarter. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair called for public comment at 11:38 am. Arden Barnes commented on the length of the trains. With no further comment or business, the Board Chair adjourned the meeting.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, November 15, 2011; 10:00 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Susan Congrave, Ann Scholler, Terry Glowack, Dale Olson, Len Peterson, Bob Peterson, Dennis Hummitzsch, Dale Aukee, Will Hoyt, Debra Bowman, Patty Petite, Cynthia Jaksa, LeeAnn Meer; Reporters Josh Svendsen and Laurel Beager

2011/11-18 Motion by McBride, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-19 Motion by Ecklund, seconded by McBride to approve the minutes from the November 1, 2011 Regular County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-20 Motion by Hanson, seconded by Ecklund to approve the employment separation of Home Health Aide Mary Fults effective December 1, 2011 with a letter of service recognition as recommended by the Health Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-21 Motion by Hanson, seconded by Adee to set the County Board 2012 Salary at \$13,714 (\$399 increase and last increase done in 1997) and the Daily Per Diem Rate at \$125 (with no change from 2011) and to approve the 2012 County Board Per Diem and Expense Policy as recommended by the Administration Director. Voting yes: McBride, Hanson, Adee; voting no: Pavleck, Ecklund. Motion carried.

2011/11-22 Motion by McBride, seconded by Ecklund to set the salary for the elected County Sheriff, County Attorney, County Recorder and County Auditor/Treasurer for 2012 with a 2% COLA increase and to provide paid health and life insurance at the same level as 2011. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-23 Motion by Adee, seconded by McBride to approve payment of the Highway claims in the amount of \$54,652.14 and authorize the Board Chair's signature to the October Vendor Payment Listing verifying its review. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-24 Motion by Ecklund, seconded by Adee authorizing the Administration Office to request bids for the County's 2012 publications as required under MN Statute. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Due to concerns raised by Board members on the reduction of Kootasca services and jobs in Koochiching County and the need to review CAP Agency services to identify the low income needs in the County to what CAP Agencies can deliver in today's budget constraints, Board members agreed there was a need to form a committee to review CAP Agency services for the low income population of Koochiching County.

2011/11-25 Motion by McBride, seconded by Adee to establish a CAP Agency Service Review Committee to look at best service options for the low income population of Koochiching County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried. (Board Chair appointed Commissioners Ecklund and Adee and the KCCS Director as the County representatives on the Committee.)

2011/11-26 Motion by Ecklund, seconded by McBride to seek quotes for replacement of Car Pool Vehicle #8 (Assessor Vehicle) as planned in the 2011 Car Pool Budget with the current #8 vehicle offered for trade in or sold at auction as recommended by the Car Pool Committee. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.



2011/11-27 Motion by McBride, seconded by Ecklund to accept the low quote of \$26,202 (plus tax and license) from Waschke Family GM Center for a new Complex 4x4 Short Box Pickup and plow as planned in the 2012 Car Pool Budget with the current Complex pickup to be transferred at no cost to the Transfer Station and the Transfer Station pickup used as trade in for the new vehicle or sold at auction as recommended by the Car Pool Committee. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Great River Energy, power supplier to North Itasca Electric Cooperative, presented its proposed electric transmission project for Koochiching and Itasca Counties to include approximately 20 miles of transmission line from the City of Bigfork to a new substation in Koochiching County. This project will improve power supply to this area which currently does not have an alternate power source. This project requests the purchase of 20 acres of Tax Forfeited land located in Koochiching County for the substation which will benefit the County by putting the land and structure on the tax base and establish development infrastructure for the County. Commissioner Hanson stated his support for this project as it has been a long time coming to improve power supply to this part of the county in which he represents.

2011/11-28 Motion by Ecklund, seconded by Adee to approve the Tax Forfeited land sale request of 20 acres described as the South ½ of the SE ¼ of the SW ¼ of Section 6, Township 63N, Range 25W to Great River Energy for the purpose of power line substation development with all purchase and associated costs to include land survey, wetland mitigation, appraisal, State deed and recording costs to be borne by Great River Energy and further, to support special legislation which is necessary to make this private sale of tax forfeited land for the public's benefit and to request the County's State legislative representatives to introduce special legislation in the 2012 State legislative session to support this Tax Forfeit Land Sale to Great River Energy. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Land Commissioner presented a recommendation for the purchase of the 20 acre tax forfeited land site for the County Birchdale Rock Quarry after reviewing options with staff and the County Attorney. In public comment, Deb Bowman questioned the cost of the rock to the County over local contractors' prices, referencing what the county bids found in pricing the cost of the FTZ rock. Commissioner Hanson stated that staff recommends this quarry due to the on-going need of material to this area which the majority of roads are gravel based.

2011/11-29 Motion by Hanson, seconded by Ecklund to approve the County's purchase of approximately 20 acres of tax forfeited land to develop a rock quarry operation under Koochiching County Highway Department's Conditional Use Permit #1101 with land described as the East ½ of the SW ¼ of the NE ¼, Section 15, Township 159N, Range 26W. Further, that the County Assessor has valued the land at \$144,000 and determined it to be the market value purchase price by which the County Highway Funds will pay to the Trust Fund for the public purpose of quarry development and authorized County acquisition and development per M.S. 160.11. Further, to approve reclassification of this

parcel as nonconservation land and find the land suitable for sale under M.S. 282.01. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-30 Motion by McBride, seconded by Ecklund to approve the Certification of Performance and Final Contract Value as recommended by the County Engineer for the following Road Project Work: SAP 36-618-09 (CSAH 18) with Davidson Construction for grading and aggregate base with the final contract value of \$1,112,649.05; SAP 36-631-17 (CSAH 31) with Knife River Materials for bituminous surface with the final contract value of \$751,713.99; SAP 36-633-02 (CSAH 33) with Bowman Asphalt Products for grading, aggregate base and bituminous surface with the final contract value of \$426,769.25; SAP 36-600-13 (Frontier Landing) with Bowman Asphalt Products for grading, aggregate base and bituminous surface with the final contract value of \$118,956.53; SAP 36-600-14 (Vidas Landing) with Bowman Asphalt Products for grading, aggregate base and bituminous surface with the final contract value of \$99,610.00; SAP 36-645-08 (CSAH 45) with Wagner Construction for grading, aggregate base and bituminous surface, curb and gutter with the final contract value of \$1,241,824.74. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board Chair opened a public hearing at 11:00 a.m. to receive public comment on the road vacation request of George Hartmann and Ruth Richie for that part of former State Road Highway No. 24 (former temporary location of T.H. 11 labeled as release No. 5). The application was submitted and processed under the County's Road Vacation Policy with no issues reported from the County review and that no written comment was received on the matter. The Board Chair called for public comment and none was presented. With no comment from the Applicant or Board members, the hearing was closed.

2011/11-31 Motion by Hanson, seconded by Ecklund that in accordance with the County Road Vacation Policy and upon holding of a public hearing, to approve the vacation of that part of former State Road Highway No. 24 (former temporary location of Trunk Highway 11 labeled as release No. 5) as shown on New S.P. 3604 (Old S.P. 11=11-29) right of way map; Beginning 33 feet north of the south line of Section 3, Township 158 North, Range 25 West, Koochiching County, Minnesota; thence along the approximate west line of Government Lots 6 and 7, along the approximate north line of Government Lot 6 and across a southerly portion of Government Lot 5, said Section 3, to the intersection with the westerly right of way line of Trunk Highway No. 11 as located in 2011 and as shown on said New S.P. 3604 (old S.P. 11=11-29) right of way map. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Kootasca Executive Director provided the County Board a report on the Kootasca program status in the County, stating that there has been a loss of \$3 million in funding which required a change in programming and downsizing of staff. Kootasca intentionally is going to leave programs in Koochiching County, especially Head Start, low income housing, energy and weatherization assistance. However, there is no longer the luxury of funding all positions. The Board Chair informed the Director of the earlier action by the County Board to form a committee to review Community Action Programs

serving the County, reiterating current and past concerns that on a per capita basis, Kootasca is not providing the same level of service and jobs to Koochiching County as it does for Itasca County. In addition, the County Board holds the same concern as in the past with the governance of Kootasca under the John Carver Model of Governance where the Director has the authority, not the Board of Directors which represents the interests of each county's needs and services. The Director acknowledged the Board's concerns, stating that the governance models, salary structure and service delivery are under review. In public comment, it was stated the Blandin Grants are supporting Itasca services but not Koochiching and Kootasca needs to expand its grant writing to provide the funding here and/or allocate more of the other funding to Koochiching. The Director explained the use of funding for programs and the administration cost. The Director stated that the Agency is doing a strategic plan to incorporate ways to increase funding, build partnerships and market their services. In review of the material provided, Kootasca's budget in 2007 was \$7.7 million compared to today's \$5 million Budget. In response to the question, the Director stated that with the retirement of head start coordinator employee, the decision has been made to now house this position in Grand Rapids but that the position will also serve Koochiching County. This position was a shared position and housed in Koochiching County. The decision to change its location was based on the larger percent of service being in Itasca County and thereby reducing the travel cost in the budget. In public comment, it was stated that contracting our portion of the service in Koochiching County would keep the job here and eliminate the travel cost concern for the budget. In response to the question, the Director stated that Kootasca does own a low income apartment building with 10 units and it would be their intent to sell it but that option is not there with today's market conditions. The Director stated that even if the building sells, it has to remain a low income housing unit due to the terms of the federal funding supporting the facility. The Board members thanked the Director for providing an update on the Community Action Program services being provided by Kootasca to Koochiching County.

000 The Board Chair called for public comment and none was presented. The meeting was adjourned at 11:57 a.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, November 22, 2011; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Bob Peterson, Walter Buller, Jaci Nagle, Susan Congrave, Terry Murray, Kathy Sikkila, Terry Randolph, Arden Barnes,; Reporter Laurel Beager

2011/11-32 Motion by McBride, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-33 Motion by Hanson, seconded by Ecklund to approve the minutes from the November 15, 2011 Regular County Board meeting with corrections. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-34 Motion by Adee, seconded by McBride to approve payment of the Courthouse claims in the amount of \$101,138.70, to approve payment of the Health claims in the amount of \$14,822.36 and to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-35 Motion by Ecklund, seconded by Adee to accept the recommendation of the County Car Pool Committee to award low bid to Wherley Motors in the amount of \$15,526 after trade in of a 1998 Taurus for replacement of County Car Pool Vehicle #8 as planned and funded in the 2011 County Car Pool Budget. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-36 Motion by McBride, seconded by Adee to set a public hearing for Tuesday, December 20, 2011 at 11:00 a.m. under the County Road Vacation Policy to receive public comment on a road vacation request by John Roosen and Mahlon Moore for a portion of Gold Shores Boulevard. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The County Board reviewed a letter from the Birchdale Rural Fire Association requesting a committee meeting with the County Board to discuss their Fire Hall improvement plan. The Board agreed to the Administration Director's recommendation to schedule time at one of the January Regular County Board meetings.

2011/11-37 Motion by Hanson, seconded by Ecklund authorizing the purchase of 5 PCs and upgraded GeoLynx software at a cost of up to \$21,200 for the County E911 System as recommended by the Jail Administrator and I.S. Manager and further, to adjust the 2011 E911 Budget by \$8,500 to cover the purchase with funding from the Dedicated E911 Account. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Health Director provided the Department's Quarter 3 Financial and Statistical Report and the Director's report to the Board.

2011/11-38 Motion by McBride, seconded by Adee acknowledging receipt of the minutes from the November 17, 2011 Professional Health Advisory Committee meeting as recommended by the Health Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Health Director reported that under federal mandate, health facilities are required to have electronic health records by 2015. The Health Department is currently

using the CHAMPS Program which will convert to a web based system in 2013 for meeting this federal record keeping requirement. The Director in reviewing the three program options at this time stated she would stay with CHAMPS and estimates an upgrade cost of \$15,000 plus ongoing maintenance cost. There is no federal funding allocated with this mandate but she is hoping through state and other collaborative efforts a source of funding will become available.

2011/11-39 Motion by Adee, seconded by McBride to approve amendments to the following service contracts as recommended by the KCCS Director due to a state mandated service rate reduction (ranging from 1 to 10% rate reduction of state and federal funding): Ita Bel Koo DAC, Lutheran Social Services SLS, ODC Waiver Services, REM SILS services, REM SLS services. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/11-40 Motion by Hanson, seconded by Ecklund that upon the recommendation of the regional counties to test whether each county's information lines can handle the proposed Region 3 Electronic Case and Document Management System (proposed for Income Maintenance Divisions) to approve a service agreement with Ron Michaels Consulting, Inc. to test the System in the respective counties as the next phase of the project with cost up to \$11,000 and the County's share covered by grant funds as recommended by the KCCS Director. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Veteran Service Officer and VFW Commander met with the Board to update on the progress of fundraising for the America's Vet Dog Program for naming and sponsoring two puppies. The Program raises and trains guide dogs to assist veterans and a County veteran recently was provided one of the Organization's guide dogs. Representatives stated they are about one third of the way to their goal and requested contribution from the County for the cause. Board members though understanding limitations under state statute were supportive of some level of contribution in support of County veterans and as a token of appreciation to the organization for providing for one of the County's veteran. It was agreed after further review, to have the Administration Director bring the matter back to the Board for consideration.

000 The Board Chair called for public comment at 10:45 a.m. Arden Barnes commented on the money due KEDA from the Long Case. Terry Randolph informed the Board that deer carcasses are again being dumped in the ditches of the Moonlight Rock Road. With no other comment, the Board Chair adjourned the meeting at 11:00 a.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, December 13, 2011; 3:30 p.m.

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

OTHERS IN ATTENDANCE: Dennis Hummitzsch, Dale Olson, Steve Blair, Doug Grindall, Terry Randolph, Terry Murray, Alysa Ruelle, Della Warren, Arden Barnes

2011/12-01 Motion by McBride, seconded by Adee to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-02 Motion by Ecklund, seconded by McBride to approve the minutes from the November 22, 2011 Regular County Board meeting with correction. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-03 Motion by Adee, seconded by McBride to approve payment of the monthly County Board expense claims in the amount of \$12,740.95, to approve payment of the Courthouse claims in the amount of \$48,215.35, to authorize the Board Chair's signature to the November Vendor Payment Listing verifying its review, to designate the Administrative Assistant to approve year end claims requiring County Board approval with all Board claims approved under this authority to come before the County Board at the January 3, 2012 meeting for ratification. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-04 Motion by McBride, seconded by Hanson to approve the following Tobacco Licenses for 2012 as recommended by the Administrative Assistant: 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, The Junction, Road House Night Club; and further to accept the recommendation of the County's License Committee granting the following 2012 Liquor Licenses: 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 Liquor; Nelson, Ralph D & Joy M DBA Nelson's Store - Off Sale Intoxicating Liquor; McAuley, Malcolm & Becky DBA Woodland Inn - On/Off/Sunday Intoxicating Liquor; Sha Sha LLC DBA Sha Sha Resort - On/Off/Sunday Intoxicating Liquor; LBC Enterprises Inc DBA Lu's - On/Off/Sunday Intoxicating Liquor; Almost Lindy's Inc - On Sale and Sunday Intoxicating Liquor; Little, Terrance & Sharon DBA Y Knot Quick Stop - Off Sale Intoxicating Liquor; KD Enterprises of Int'l Falls LLC DBA The Junction - On Sale and Sunday Intoxicating Liquor; R& L LLC DBA Road House - On and Sunday Intoxicating Liquor for the period beginning December 30, 2011 to December 31, 2012. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-05 Motion by Hanson, seconded by Adee to approve the 2012 Forestland Lease Agreements with Community Services, Public Health, Falls Hunger Coalition, and

AEOA with no changes in the Lease terms from 2011 as recommended by Administration. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-06 Motion by Hanson, seconded by Ecklund to sponsor the Ridge Runner Snowmobile Club in the MN Trail Assistance Program for Off Highway Vehicles and approving a FY 2012 Supplemental Grant-In-Aid Agreement covering the Blue Ox ATV Trail for an additional \$8,150 for trail repair and authorizing the Board Chair and Auditor-Treasurer signatures to said Agreement. Sponsorship by the County requires that a Club/County Agreement be in effect (Agreement on file in the Auditor-Treasurer's Office). As sponsor, the County is accountable to the State for expenditures charged to the program; sponsorship does not require financial support or liability for cost from the County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-07 Motion by Hanson, seconded by Adee to approve the 2012-2013 DNR Snowmobile Safety Enforcement Grant in the amount of \$4,644 per year for snowmobile law enforcement activities as recommended by the County Sheriff and authorizing the County Sheriff and Board Chair signatures to said Agreement. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-08 Motion by McBride, seconded by Ecklund to approve the 2011 Emergency Management Performance Grant in the amount of \$14,750 with a 50% County match as budgeted and as recommended by the County Sheriff and further, authorizing the County Sheriff and Board Chair signatures to said Agreement. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-09 Motion by Hanson, seconded by Adee to renew the Emergency Preparedness Management Contract with Robert M. Byman for assisting the Sheriff with the County Emergency Management Plan under federal and state requirements as recommended by the Sheriff and upon approval of the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-10 Motion by Adee, seconded by Ecklund accepting the recommendation of the Administration Director for the following 2011 Budget revisions: increase the 2011 TV Budget by \$10,000 for payment of services to move the system into the new frequency core as required by the FCC and \$5,000 to the County Safety Account with funding from the 2011 Budget Contingency. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-11 Motion by Ecklund, seconded by McBride authorizing out of state travel for Commissioner Adee to Washington D.C. from February 29 through March 2, 2012 to attend the National Community Action Foundation Legislative Conference on behalf of AEOA with AEOA to cover the expenses. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Land Commissioner reported the grand total value sold at the November 16 Timber Auction of \$756,404 and provided an update on the amount of wood sold under

the County's Harvest Plan and the current and projected year end 2011 Trust Fund revenues.

2011/12-12 Motion by Hanson, seconded by Ecklund authorizing the Land Commissioner to seek quotes and purchase two snowmobiles with one purchased from the 2011 Land and Forestry Resource Development Budget and one purchased from the 2012 Land and Forestry Resource Development Budget (funded by PILT funds). Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-13 Motion by McBride, seconded by Hanson to authorize the Board Chair's signature to the FY 2012 BWSR Natural Resources Block Grant Agreement in the amount of \$65,601 to assist with the management of the County's Water, Shoreland, SSTS and Wetland Management Plans and with the local levy share of \$2,717; further, that no expenditures occur until the grant funds are received by the County. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2011/12-14 Motion by Hanson, seconded by Adee authorizing the Environmental Service Director to pay the annual maintenance fee to BWSR as required during each year that credits are withdrawn from the County Duininck Lake Wetland Bank and with the determination of the payment of the 6.5% credit value fee to BWSR and funding source to cover the payments left to the discretion of the Director until such time as a County Wetland Bank Management Policy makes the determination. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2011/12-15 Motion by Ecklund, seconded by McBride authorizing the Environmental Service Director to pay the fee to BWSR for depositing the credits for the County Nett Lake Wetland Bank in the amount of \$1,000 with determination of the funding source left to the discretion of the Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair reported that due to the position of the Army Corps of Engineers for wetland delineation on the Highway 53 Four-Lane Project from Rice River to the City of Cook, the bid opening is now delayed until spring of 2012. As reported, a piece of information referred to as the wetland delineation report, was needed by the Corps in the wetland permitting process before they would conduct the field review. Because this information was not submitted to the Army Corps in time, they rescheduled the field review to the spring of 2012. Board members expressed their continued frustration with the delay and halting of development projects in this area due to the Army Corps hard stance on wetland delineation. It is ridiculous that development projects are reviewed and permitted through the State's wetland rules but have to wait for the long drawn out process of the federal wetland permitting through the Army Corps. Board members agreed a meeting with the federal delegates representing northern Minnesota is needed to bring this matter to light.

2011/12-16 Motion by McBride, seconded by Ecklund authorizing the Board Chair to send a letter to the County's Federal legislative representatives requesting a review of



federal wetland permitting and the Army Corps process for wetland delineation which is halting and at times, stopping development projects in northern Minnesota and to include a review with State representatives to find a way to streamline the authority and process for wetland permitting in Minnesota (copy to be sent to the County's State legislative representatives). Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Terry Randolph presented pictures of the deer carcasses along the Moonlight Rock Road for review with the Board, County Engineer and Environmental Service Director. It was agreed staff would contact STS to remove the carcasses and contact the DNR for assistance.

2011/12-17 Motion by Hanson, seconded by McBride accepting the recommendation of the County Engineer certifying the Performance and Final Contract Value for SAP 036-630-017 (CSAH 30) with Knife River Materials for bituminous surfacing and bituminous shouldering with a final contract value of \$174,990.07. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-18 Motion by Hanson, seconded by Adee to authorize the County Engineer to call for bids for two pickups for the Highway Department and one pickup for the Forestry Department contingent on approval of the 2012 County Budget in which the vehicles are funded. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-19 Motion by Hanson, seconded by Adee authorizing the County Engineer to purchase a motor grader through the State Cooperative Purchasing Venture at a cost of \$230,000 after trade in contingent on approval of the 2012 County Budget in which the vehicle is funded. Voting yes: Hanson, Adee; voting no: Pavleck, McBride, Ecklund. Motion failed. (Board members asked the Engineer to report on the condition and use of the motor grader in storage and used as a backup unit before considering this purchase.)

2011/12-20 Motion by Ecklund, seconded by Hanson approving an Agency Agreement with Mn/DOT to act as the County's agent in accepting federal aid:

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Koochiching County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Koochiching County Board Chair and the County Engineer are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 00036" a copy of which said agreement was before the County Board and which is made a part hereof by reference. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-21 Motion by Hanson, seconded by Ecklund to approve an amended agreement with Mn/DOT for winter maintenance of CSAH 332 and 155 as recommended by the

County Engineer with a cost of \$23,550 and further, authorizing the Board Chair's signature to said Agreement. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Board and County Engineer reviewed a letter from the City of Northome requesting assistance from the County for snowplowing the Northome Airport due to the City not being able to obtain a quote for service. The County Engineer in review of this request found that the City is plowing the CSAH roads in the City and that the County could be reimbursing the City for this cost. Commissioner Hanson stated that City representatives asked that the request be delayed to allow them some time to look at contracting options in the area. The County Engineer stated that he would pursue the CSAH maintenance agreement with the City.

000 The Community Service Director presented a request to seek a proposal for contracting the Department's Children's Mental Health Services which is currently being serviced by County staff. The Director explained that the State Budget deal to end the Government Shutdown hit Health and Human Services the hardest by cutting funding, but not service, and shifting more cost to the County in placement costs. The result for the 2012 Department Budget was a funding deficit of \$170,000 of which the County Board directed a plan to balance the budget. Because out of home placement is the largest cost in the Department Budget and the highest percent of placements is children, he is seeking service from a mental health agency where a team of health professionals deal with each case. He stated that it is not a reflection on staff but a means to expand services for achieving a best outcome for the child. The Director stated that his request is to obtain the proposal for further review with the Board and will include the meet and confer with the Union as required under the Bargaining Unit contract. He stated that this is not an easy decision but is the right decision to get the best outcome for the child and redirection of out of home placement. Two County Social Services staff spoke to the issue, providing their reasons why the better service is to keep it in house and why contracting the service would not provide the outcome being sought.

2011/12-22 Motion by Hanson, seconded by Adee authorizing the Community Services Director to request proposals for provision of the Department's Children's Mental Health services for further review with the County Board and to include the meet and confer with the Bargaining Unit per the terms of the Contract (meeting to be scheduled in January). Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-23 Motion by Hanson, seconded by McBride to approve the employment separation of Pamela Bechik effective January 14, 2012. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-24 Motion by Hanson, seconded by Ecklund to defer the Community Services Director's request to fill the Social Services Supervisor position to the Personnel Committee for review and recommendation under the County Hiring Freeze directive. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Board Chair called for public comment at 5:55 p.m. Terry Randolph reported that they will hit their target by year end to sponsor two dogs under the VetDogs of America Program and stated that another County veteran's application for a guide dog is under review by the Organization. The Board Chair stated that because there is no statutory authorization to donate public funds for this purpose, he submitted a personal donation from the County Board members, emphasizing their appreciation of the Organization's contribution to the veteran(s) of Koochiching County. With no further comment, the Board Chair adjourned the meeting at 6:15 p.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF  
COMMISSIONERS

Held on Tuesday, December 20, 2011; 9:30 a.m.

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

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Richard Peterson via telephone, Craig Halla, Dennis Hummitzsch, Beverly Renke, Jaci Nagle, Dale Olson, Susan Congrave, Natalie Stone, Terry Murray, Doug Grindall, Deb Bowman, Arden Barnes; Reporter Laurel Beager

2011/12-25 Motion by Ecklund, seconded by McBride to approve the agenda with additions and deletions. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-26 Motion by McBride, seconded by Ecklund to approve the minutes from the December 13, 2011 Regular County Board meeting. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-27 Motion by Adee, seconded by McBride to defer a Community Service AFSCME Union Step 3 Grievance for overtime hours to the Personnel Committee as the employer's representative in the Contractual Grievance Procedure. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-28 Motion by Hanson, seconded by Adee approving the 2012 County Budget gross levy at \$3,901,261 (no increase from 2011). The 2012 proposed levy breakdown is as follows: General Revenue - \$1,791,244; Community Service - \$1,227,325; Public Health - \$73,000; Highway - \$719,027; Environmental Services - \$90,665. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

2011/12-29 Motion by McBride, seconded by Ecklund authorizing the following County Fund designation for the 2012 County Budget: \$269,850 for the 2012 General Revenue Fund Budget; \$1,470,000 for the 2012 Highway Budget; \$327,629 for the 2012 KCCS Budget; \$63,309 for the 2012 Health Budget; \$50,000 for the 2012 E.S. Budget;

\$0 for the 2012 County Development Budget; \$55,886 for the 2012 Land and Forestry Budget; \$17,840 for the 2012 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: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried

2011/12-30 Motion by Hanson, seconded by McBride to adopt the 2012 Budget and Budget Plan in the amount of \$21,698,394 plus the 2012 Fund 02 and 13 Supplement Budget in the amount of \$407,436 for a grand total of \$22,105,830. 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 Government aid or service cuts to the County:

- a. 2012 Budget remains open and subject to adjustments at any time to respond to funding cuts or other changes as a result of actions to balance the Federal and State Budget deficits.
- b. First half allocations paid to outside entities will be accompanied with a memo stating that should the County Budget face cuts in revenue or other situations that would cause a need to readjust the County Budget, second half allocations will be subject to further consideration.
- c. Department Heads are expected to manage a tight budget to allow for further reduction of expenditures in the 2012 Budget to respond to revenue 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 2012 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.
- d. Hiring Freeze: 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 Federal and/or State Budget deficit requires adjustments at the County level. That as one means to control cost until the full impact of the Federal and State Budget Deficits to the County are known for both Calendar Years 2012 and 2013, 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: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-31 Motion by McBride, seconded by Ecklund 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 2012 County Budget with approval contingent of

availability of funding by either party to the Agreement as a result of the State's financial deficit. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-32 Motion by Adee, seconded by Hanson to approve payment of the Highway claims in the amount of \$125,798.54, to approve payment of the Health claims in the amount of \$16,045.28, and to approve payment of the Community Service Department financial and social service program claims and administrative claims as presented. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-33 Motion by Ecklund, seconded by McBride to renew the Lease Agreement with the Loman Fire Association for a period of 2012 through 2015 for use of the old Highway Garage property for a Fire Station with no changes in the terms of the contract from the previous lease agreement to include the level of liability insurance. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-34 Motion by Adee, seconded by Hanson to approve 2012 service contracts with the Occupational Development Center as follows: Environmental Services for MSW Highway Cleanup at a 1% rate increase; Community Services for paper shredding with no increase; janitorial services for Courthouse and its annexes at a 1% rate increase. Further, to authorize the Board Chair's signature to the contracts. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-35 Motion by Hanson, seconded by Adee acknowledging the annual Koochiching County Joint Powers Agreements Report and the removal of the MinnesotaCare Applications Joint Powers Agreement which expired on its own terms and the removal of a Housing and Redevelopment Authority Agreement which was determined not to be a Joint Powers Agreement. Further, to accept the recommendation of the Administration Director to terminate the 1996 Koochiching Economic Development Partnership Joint Powers Agreement which has been replaced by the 2009 KCDA Joint Powers Agreement (establishes a County Economic Development Partnership organization). Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 DNR Representative and Forest Capital Partners representatives reviewed a pending working forest conservation easement for approximately 6,966.2 acres of Forest Capital Partners land. This would be the third easement the State would enter into with Forest Capital Partners for lands in Koochiching County. The Land Commissioner stated that like the others, this is a benefit to the public as it maintains open public access and keeps the land as working forests for timber harvest for supporting the timber industry. The representatives stated that the easement does not allow development on the land but the existing cabin leases will remain and can be transferred (no new leases will be allowed). The easement is in perpetuity and it will allow for one split of the land for sale but the easement restrictions go with the land. Funding for the easement comes from 95% private funding from the Nature Conservancy and 5% from the LSOHC (Lessard-Sams Outdoor Heritage Council) Funds. Until the purchase agreement is executed, the cost of the easement is not known but will be based on appraised value. The County has supported

the previous easements as it supports the public forest and land management plan of the County, as well as the State.

2011/12-36 Motion by McBride, seconded by Ecklund supporting the State of Minnesota Forest Legacy Conservation Easement with Forest Capital Partners for a working forest easement of approximately 6,966.2 acres located in Koochiching County. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-37 Motion by Ecklund, seconded by Adee authorizing expenditure up to \$29,550 from the 2012 Information Systems Budget to purchase the iSeries for replacement of the County Property Tax and Financial Systems server as planned in the 2012 Budget and recommended by the I.S. Manager. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-38 Motion by McBride, seconded by Adee to adopt the following resolution in support of the Joint Powers Agreement between St. Louis County and Koochiching County for the conservation and management of clean water within and adjacent to Voyageurs National Park.

WHEREAS, this AGREEMENT is made and entered into this 20<sup>th</sup> day of December, 2011, by and between St. Louis County (hereinafter referred to as “the County”) and Koochiching County (together referred to as “the Counties”), each party being a political subdivision of the State of Minnesota.

WHEREAS, Minnesota Statutes 471.59, Joint Exercise of Powers, authorizes the Counties to enter into this Agreement with each other for the purpose set forth herein; and

WHEREAS, there is a need to seek federal, state and other available funding and financial assistance to plan, develop, manage, and construct a comprehensive waste water treatment system for property within and adjacent to Voyageurs National park, (located within the “Project Area”); and

WHEREAS, the Project Area is defined as the property located within and adjacent to Voyageurs National Park, including the Island View Area of Rainy Lake and the Ash River, Crane Lake and Kabetogama areas of the Namakan Basin; and

WHEREAS, the Counties entered into a Joint Powers Agreement (hereinafter referred to as “the Original Agreement”) in December 2009 for the same purpose; and

WHEREAS, according to the Original Agreement the Counties were to affirm their continued participation by resolution, by September 1, 2011, and every two years thereafter, or the Original Agreement would terminate without further action by either party.

NOW THEREFORE, the Counties agree as follows: RENEWAL The Counties agree to waive Section 8 of the Original Agreement and reaffirm their participation in, and renew the Original Agreement, subject to the amendment of the Termination clause, as modified by this resolution. PARTICIPATION The Counties agree to continue participating under the rules of the Original Agreement subject to the amendment of the Termination clause. TERMINATION The Counties agree that the Original Agreement shall be automatically renewed at each termination date without subsequent reaffirmation. The parties specifically retain the right to terminate the Original Agreement upon 30 days notice in writing to the County Board Chair of the other party. Any funds remaining, after all obligations incurred under this Agreement have been paid shall be returned to the Counties on a pro-rated basis unless by the terms of any agreement or grantor they must be disbursed in any other manner. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-39 Motion by McBride, seconded by Hanson approving the appointments to the Papermaker's Sewer District Citizen Committee as recommended by the Environmental Services Director with the District Commissioner to serve as the County Board member on the Committee, and further, to appoint an additional County Board member to serve as the alternate. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried. (Board Chair appointed Commissioner Ecklund with Commissioner Hanson as the alternate.)

2011/12-40 Motion by Adee, seconded by Ecklund to establish the AT&T Tower Site Committee as presented by the Environmental Service Director (to include the VNP Superintendent which was omitted in error from the list) for the purpose of reviewing proposed tower sites for AT&T in the lake area. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried. (Board Chair as District Commissioner will serve on the Committee and Commissioner McBride to serve as the second County Board member on the committee.)

2011/12-41 Motion by Ecklund, seconded by Hanson to approve the Medica Health Plans Care Coordination Participation Agreement effective January 1, 2012 as recommended by the Health Director and upon approval of the County Attorney. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Health Director informed the Board that the Department will be receiving a federal Arrowhead Health Alliance Family Home Visiting Grant to assist with the Department's home services. The Health Educator provided a status report on the County's SHIP – Active Living Program.

2011/12-42 Motion by Hanson, seconded by Adee accepting the recommendation of the Personnel Committee to authorize the Community Service Director to fill the Social Services Supervisor position under the County Hiring Policy to include the Director's request to look at internal promotion before seeking applicants through the open hiring process. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-43 Motion by McBride, seconded by Ecklund renewing or amending the following service contracts as recommended by the Community Service Director and upon approval of the County Attorney: Blue Heron, Sharon Frank, Friends Against Abuse, Sandra Harju SILS, Northland Counseling AFC, Northome SLS, ODC Supported Employment services, Rainy River Recovery LLP Rule 25 Assessments, Rainy River Recovery LLP Treatment services, Range Mental Health services. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-44 Motion by Ecklund, seconded by Adee to transfer the fiscal agent duties for the Koochiching County Family Services Collaborative to the Public Health Department as recommended by the Community Service Director and supported by the Health Director. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

2011/12-45 Motion by Hanson, seconded by Ecklund accepting the following Foster Care licensing recommendations: license Jamie M. Brown for foster care for one child; license Benjamin and Frances Burgess for foster care for two children; renew the license for Linda Dreher for foster care for 1 child; renew the license for Joan and Marvin Munt for foster care for three children; renew the license for Margaret Puckett for foster care for one child. Voting yes: Adee, McBride, Hanson, Lepper, Pavleck. Motion carried.

000 The Board Chair opened a public hearing at 11:12 a.m. to receive public comment on a road vacation request by John Roosen and Mahlon Moore for a portion of Gold Shores Boulevard. The Administration Director stated that the application was submitted and processed under the County's Road Vacation Policy with no issues reported from the County review and that no written comment was received on the matter, after proper public notice in accordance with the County Road Vacation Policy. In calling for oral comment, no comment was provided and the Board Chair closed the hearing.

2011/12-46 Motion by Hanson, seconded by Ecklund that in accordance with the County Road Vacation Policy and upon holding of a public hearing to approve the vacation of That part of Gold Shores Blvd., GOLD SHORES, according to the recorded plat thereof, lying westerly of a line described as follows: Commencing at the northwest corner of Lot 1, said GOLD SHORES; thence East, record plat bearing, along the north line of said Lot 1 a distance of 57.47 feet to the point of beginning of the line to be described; thence northeasterly to the southeast corner of Lot 4, said GOLD SHORES, and said line there terminating. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

2011/12-47 Motion by Hanson, seconded by Adee accepting the recommendation of the Administration Director to adopt a Koochiching County Fund Balance Policy as required under GASB Statement 54 for new fund balance classifications. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 Board members serving on the Arrowhead Counties Association Board updated the Board on an upcoming change in northern county representation on a NACO Environmental Committee.



2011/12-48 Motion by McBride, seconded by Ecklund to approve the employment separation of Health Educator Natalie Stone effective January 2, 2012. Voting yes: Pavleck, McBride, Hanson, Ecklund, Adee. Motion carried.

000 The Engineer informed the Board that the 1978 grader from Mizpah is good enough for a spare but would not be reliable for regular blading and shaving ice and recommends the purchase of a new grader for the Loman garage. A motion was withdrawn after considering public comment on looking in auctions for heavy equipment replacement, which is what most private contractors do. The equipment is good and at reduced prices. Board members asked the Engineer to look at options for replacing the equipment through any upcoming auctions.

000 The Board Chair called for public comment at 11:45 a.m. Arden Barnes informed the Board on current discussions at the national level to change railroad custom operations to one single location which would impact customs operations here. Commissioner McBride reviewed the City of International Falls proposal for increasing water rates to include charges for users within the city and charges to suppliers of water outside the city. He stated concern that this change may hurt established water supplier businesses if the cost becomes too high for consumers, forcing them to look at other water supply options. Board members agreed the issue should be reviewed for how the higher rates may impact the water supplier business and changes of water supply in the county. The Administration Director will contact the City of International Falls, City of Ranier and a representative of the water hauler business to meet with the Board in committee (suggested date January 3) to review the matter. With no further business, the Board Chair adjourned the meeting at 11:55 a.m.

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Wade Pavleck, Chair

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Teresa Jaksa, Administration Director