

**OFFICIAL PROCEEDINGS
OF THE COUNTY BOARD
LAKE COUNTY, MINNESOTA**

September 22, 2015. Commissioners' Chambers, Lake County Courthouse, Two Harbors, Minnesota. Commissioners present: Goutermont, Hurd, Jones, Sve, Walsh. Absent: None. Also present: Laurel Buchanan, Clerk of the Board. County Administrator Matthew Huddleston was absent.

Meeting was called to order at 1:00 p.m. by Chairperson Rich Sve. Unless otherwise stated, all actions have been approved by unanimous yeas vote. Members of the public were present.

MOTION HURD, SECOND WALSH: 01 – Approve agenda. Absent: None

Lake County Health and Human Services (HHS) Director Vickie Thompson updated the Lake County Board of Commissioners regarding compliance with mandates governing public health records, the Minnesota Interoperable Electronic Health Record (EHR) Mandate to have EHR systems in place by January 1, 2015. Lake County HHS works closely with the Minnesota Department of Health and Human Services (DHS) regarding the technology requirements. Policymakers in Minnesota support the use of EHR systems, recognizing that they promote best practices in the health care industry, improve the quality and safety of health care, increase the timeliness of accessing and exchanging patient information, and help to control cost. Ms. Thompson provided an update on the EHR software that Lake County will be using. Lake County will be using the same EHR as the seven counties in Northeast Minnesota. The selected software is Nightingale Notes by Champ Software, Inc. Ms. Thompson also discussed the plans for electronic records for child support for Region 3. The agreement is between DataBank IMX, Inc. and Carlton, Cook, and Lake Counties. The agreements have been reviewed and approved by Lake County Attorney Laura Auron.

Baiers C. Heeren (from Swanson & Heeren office in Grand Marais) appeared before the County Board of Commissioners to discuss the history of the Schoolhouse Road in Crystal Bay Township and propose a possible solution to the road access issue. Mr. Heeren represents North Shore Federal Credit Union (NSFCU) in connection with a proceeding to obtain record access from the Cramer Road to landlocked real estate located in Crystal Bay Township, Lake County, Minnesota. Schoolhouse Road has been in existence and utilized by adjacent land owners for a protracted period of time and is considered a State Forest Road by the Minnesota Department of Natural Resources (DNR), although there have never been proceedings to formally identify Schoolhouse Road as a public roadway. The length of the road is approximately one mile. Mr. Heeren contends that utilizing the existing road is the least intrusive means of access to the adjacent parcels and has the support of the adjacent landowners (except for one landowner) and the State of Minnesota DNR. Mr. Heeren has been working with the DNR to obtain an easement over Schoolhouse Road. The DNR has indicated it is willing to grant such an easement. An easement to a private party would be for fifty years. This would mean that the private party would have to request additional easements in the future. Landowners are interested in a more permanent solution, an easement that would not have an end date, which could be accomplished by a local unit of government to request the easement. An alternate solution would be for Lake County, as a local unit of

government, to request the easement from the DNR. Application for easement must be signed by the local unit of government and provided to the DNR. NSFCU would pay the \$2,000 application fee to the DNR which is required by the application. The landowners who utilize the road located within the easement will be responsible for all repair and maintenance of the roadway. This may be done through conditions contained in a County Board resolution approving acceptance of the easement from the State. Separate cartway proceedings have been commenced with Crystal Bay Township to establish access over the balance (six/tenths of a mile) of the presently located Schoolhouse Road. These proceedings are to be completed following the grant of easement by the State.

Lake County Attorney Laura Auron discussed some changes to laws that apply to easements. It was also discussed that the property owner has a maintenance agreement with DNR for the road itself. Lake County Land Commissioner Nate Eide discussed how this easement also would provide access to county land. Lake County Highway Engineer Krysten Foster and Lake County Environmental Services Director Christine McCarthy were also present for the discussion.

Lake County Highway Engineer Krysten Foster provided an updated on County Road 7 culvert installation, expected to take place this week. Ms. Foster also provided an update on the Baptism River Community Church structural fill donation request (new Finland church project). There have been unexpected conditions with the project design and the project's contract execution delay. The dirt that Lake County provided in the past will need to be dug up. The digging will also be below that elevation to remove contaminated soil that may be deeper underground. Contaminated soil liability was discussed. The church project has requested that Lake County provide clean sand for the project. The amount is estimated at 2,500 to 3,000 cubic yards of three-inch minus select granular fill. The request is that this be from Lake County's Nikula Pit for the new church in Finland. It was discussed that this would not be a donation but would be a sale at the current royalty rate. Ms. Foster recommends considering the sale of no more than 2,000 cubic yards (measured by loose volume) of material (based upon their most recent site layout) for this public project contingent upon documented cost-savings to the owner and their contractor's adherence to Lake County's pit provisions including environmental protection measures; pre and post quantities surveys' hours of operation; and material testing liability. Lake County will accept the return of the soil that Lake County provided in the past. However, Lake County is not interested in receiving other soil that may be dug up in the process. There will have to be a separate location for handling of that soil. Additionally, a different project will be using the county pit at the same time as the Finland church project is projected to be underway. The other project is already contracted with Lake County and that construction company has contractual rights with Lake County for access to the pit. There may be a window of opportunity to accommodate both projects, but that access will need to be

coordinated through the Lake County Highway Department. Two separate contractors from two different projects should not concurrently haul from the same pit.

Lake Commissioner Nate Eide updated the County Board on the Dino Easement, access through county land to that parcel. To make the parcel more saleable, an easement will be placed on the adjoining parcels to give permanent legal access on the existing road. An easement will also be created through the parcel for sale to give permanent legal access to County Land beyond this parcel. This easement is needed prior to the Land Sale on October 2, 2015. Mr. Eide also announced that Lake County has opened the gates to the ATV trail. The ATV trail is now open to the public.

MOTION HURD, SECOND GOUTERMONT: 02 – Approve consent agenda as follows.

1. Approve County Board meeting minutes from September 8, 2015.
2. Approve claims in the amount of \$45,101.01.
3. Approve Health and Human Services claims payments in the following amounts:

a. Region III Adult Mental Health Initiative payments	\$	17,349.00
b. Administrative payments	\$	35,695.25
c. Arrowhead Health Alliance payments	\$	5,104.93
4. Authorize payment in the amount of \$7,030.00 to JCL Towing for snow removal for the winter of 2014/2015, for Lake County 3rd Ave Lots, 4th Ave Lots and the Recycle Center.
5. Approve payment of \$7,500.00 to Mary Schwinghamer for the homeowner portion of FEMA Fire Resistant Roofing Grant 1 installation, pending reimbursement to Lake County from FEMA Hazard Mitigation Grant Program DR-1982.07.
6. Authorize purchase of Microsoft Office 365 subscription licenses including Online Services and Licensing and Software Assurance from Planet Technologies, Inc. for an annual, ongoing amount not to exceed \$38,000 and authorize the Board chair to sign the contract associated with this subscription.
7. Authorize the following payment for \$3,388.50 to Cooperative Light and Power for ROW brushing (Ref 7720).
8. Approve and authorize the Lake County Board Chair to sign the following Agreements which are related to the electronic records effort for Public Health: Nightingale Notes Application Subscription Agreement with Champ Software, Inc. and the Business Associate Agreement with Champ Software, Inc. Further authorize payment to Champ Software, Inc., in the amount of \$15,276.00 (invoice #4429).

9. Approve and authorize the following as it relates to electronic records efforts for Child Support:
 - a. Authorize Lake County Board Chair to sign the Contract with DataBank, Exhibit A-Statement of Work, Exhibit B-Region 3 Counties Child Support Solution Purchase Agreement and Exhibit C-Schedule.
 - b. Authorize the Lake County Board Chair to sign all amendments or revisions to the Statement of Work that may arise.
 - c. Authorize payment to DataBank in the amount of \$2,843.00 to cover Lake County's portion of the Region 3 Child Support Software Licensing and Cost Summary.
10. Authorize the purchase of InfiniVault Maintenance from Hybridge Imaging, LLC for a price not to exceed \$7,982.20.
11. Amend the County Board meeting minutes from August 25, 2015, motion 02, consent agenda item 24 to correct the description as follows: Approve and authorize the Board Chair to sign easement crossing NW ¼ of NE ¼ of Section 1, Township 53, Range 10 to provide legal access to NE ¼ of NW ¼ of Section 1, Township 53, Range 10.
12. Approve payment of \$880.44 to EnviroTrac LLC for additional hazardous wildfire fuel chipping near Wilson Lake. This project will be paid for by Title III Firewise funding.
13. Approve payment of \$120.00 to EnviroTrac LLC for additional hazardous wildfire fuel reduction near Isabella. This project will be paid for by Stevens funding.
14. Approve Highway Department payment of Invoice No. SW070064034 to Ziegler in the amount of \$1,199.09 for Unit #4980 (1998 Ford snowplow) repairs.
15. Approve Highway Department payment of Invoice No. SW070064035 to Ziegler in the amount of \$1,567.51 for Unit #5200 (2000 Caterpillar bulldozer) repairs.
16. Approve Highway Department payment of Invoice No. PC070174564 to Ziegler in the amount of \$1,584.05 for Unit #5050 (2005 Caterpillar motor grader) repairs.
17. Approve Highway Department payment of Invoice No. P00004606 to MN Dept. of Transportation in an amount up to \$6,398.82 for May 2015 bridge inspection expenses.
18. Approve Highway Department payment of Invoice No. P00004726 to MN Dept. of Transportation in the amount of \$3,165.19 for SAP 038-618-021 (Fernberg Rd. paving) material testing expenses.

19. Amend County Board Minutes from April 14, 2015, Motion 02, Item 14, as follows:
Authorize Highway Department purchase of a 2015 Jeep Patriot from Nelson Auto Center at a state cooperative purchasing contract price of \$20,091.94 plus applicable taxes, title, and license fees.
20. Amend County Board Minutes from April 14, 2015, Motion 02, Item 15, as follows:
Authorize Highway Department purchase of three 2015 GMC Sierra trucks from Nelson Auto Center at a state cooperative purchasing contract price up to \$73,603.08 plus applicable taxes, title, and license fees.
21. Authorize Highway Department purchase of repair parts from ASV for Unit #5011 (2001 skidsteer) in the amount of \$5,181.45 plus taxes and freight charges if applicable.
22. Authorize Highway Department stocking of cutting edges from Ziegler for winter 2015-2016 use in an amount up to \$12,592.75 payable upon delivery.
23. Approve sale of up to 3,900 cubic yards of pit material (in accordance with the 2015 Fee Schedule) from Lake County's Little Marais Pit for use through June 2016 for MnDOT's SP 8821-253 (culvert replacements along Hwy. 1) project.
24. Authorize Highway Department repair of Unit #5050 (2005 Caterpillar motor grader) by Ziegler in an amount up to \$23,148.71.
25. Approve payment to Contech Engineered Solutions for \$3,887.94 for culvert to be placed on Rauzi Road.
26. Approve amendment to McMillen Repurchase approval as follows. Amend Total Consideration to \$2,896.56 if paid before 10/31/15, otherwise total consideration will be recalculated.
27. Approve payment of \$5,560.50 to Performance Signs and Display, Inc. for sign materials for the Prospectors Trail system. Money will come from Recreation Fund.
28. Authorize payment in the amount of \$41,868.43 to St. Louis County Auditor (for invoice to Lake County Sheriff, SLC Invoice IN-00000310) for 2015 Computer Aided Dispatch (CAD) user fees, 2015 Jail Management Software (JMS) fees, 2015 Shield (Records Management System (RMS)) fees, and 2015 Mobile Data Computer (MDC) fees for computers used in squad cars.
29. Approve payment to State of Minnesota – Office of the State Auditor in the amount of \$13,864.00 (invoice #66258) for year-end 2014 auditing services.
30. Approve payment to Country Trucking & Excavating Inc for \$167,832.93 for work done on ATV trail.

31. Approve and authorize Board Chair to sign easement crossing S ½ of SW ¼ of Section 2 Township 56, Range 7; NW ¼ NW ¼ of Section 11, Township 56, Range 7 to provide legal access to NE ¼ of SW ¼ Section 2, Township 56, Range 7 and give access to County land north of NE ¼ of SW 1/4.
32. Authorize payment in the amount of \$5,828.13 to Innovative Systems for billing system maintenance fee and postage for the following invoices: a) Invoice 25105: \$5,370.47. b) Invoice 25287: \$457.66.
33. Authorize payment in the amount of \$11,622.50 to North Point Geographic Solutions for mapping fiber optic plant (reference 802). Absent: None

MOTION JONES, SECOND WALSH: 03 – Adopt the preliminary 2016 Net Property Tax Levy of \$9,294,308. Absent: None.

MOTION WALSH, SECOND HURD: 04 – Adopt the preliminary 2016 Net Property Tax Levy for Unorganized Territory No. 1 in the amount of \$32,000. Absent: None

MOTION GOUTERMONT, SECOND HURD: 05 – Adopt the preliminary 2016 Net Property Tax Levy for Unorganized Territory No. 2 in the amount of \$334,000 (Revenue Fund in the amount of \$88,000 and Road and Bridge Fund in the amount of \$246,000). Absent: None

MOTION WALSH, SECOND JONES: 06 – Set date of Tuesday, December 15, 2015 at 6:00 p.m. for public hearing to set final budget and levies for Lake County to be held in the Lake County Courthouse, Law Enforcement Center. Absent: None

MOTION GOUTERMONT, SECOND WALSH: 07 – For the Minnesota House of Representatives District 3A special election, select Commissioner Peter Walsh and Commissioner Jeremy Hurd to serve on Lake County's Canvassing Board for the Primary (September 29, 2015), with Canvassing Board to convene on September 30, 2015; and select Commissioner Derrick Goutermont and Commissioner Brad Jones for the General election (December 8, 2015), with Canvassing Board to convene on December 9, 2015. Absent: None

MOTION JONES, SECOND HURD: 08 – Approve the Case Aide hourly base wage of \$18.36 from comparable worth review. Absent: None

MOTION WALSH, SECOND GOUTERMONT: 09 – Approve the recruitment for one full-time Case Aide. Absent: None

MOTION GOUTERMONT, SECOND HURD: 10 – Approve the resignation of Eric Warnecke, Mechanic II, effective September 30, 2015. Absent: None

MOTION HURD, SECOND GOUTERMONT: 11 – Approve the internal posting for one full-time Mechanic II. Absent: None

MOTION WALSH, SECOND JONES: 12 – Approve the revised start date of Jodi Anderson, Deputy Auditor, to September 20, 2015, for travel time to training. Absent: None

MOTION GOUTERMONT, SECOND WALSH: 13 – Approve the probationary appointment of Adam Carry, Heavy Equipment Operator, at the probationary rate of \$20.00 per hour effective September 28, 2015. Absent: None

MOTION WALSH, SECOND GOUTERMONT: 14 – Approve the probationary appointment of James Larsen, Heavy Equipment Operator, at the probationary rate of \$20.00 per hour effective October 5, 2015. Absent: None

MOTION HURD, SECOND JONES: 15 – Approve the appointment of Myca Arbic as Step-up Highway Foreman for Two Harbors Highway Department effective September 23, 2015. Absent: None

MOTION GOUTERMONT, SECOND HURD: 16 – Approve the retirement of Lorrie Houle, Administrative Officer, effective December 18, 2015. Absent: None

MOTION WALSH, SECOND GOUTERMONT: 17 – Approve the changes to the Administrative Officer job description without comparable worth review. Absent: None

MOTION HURD, SECOND JONES: 18 – Approve the recruitment for one full-time Administrative Officer. Absent: None

MOTION JONES, SECOND HURD: 19 – Adjourn meeting at 2:09 p.m. Absent: None

The Board of Commissioners will hold an agenda meeting in the Commissioners' boardroom on Tuesday, October 6, 2015, at 1:00 p.m. The Board of Commissioners will hold a regular meeting in the Commissioners' boardroom on Tuesday, October 13, 2015, at 1:00 p.m.

ATTEST:

Laurel D. Buchanan
Clerk of the Board

Rich Sve, Chairperson
Lake County Board of Commissioners