

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

Tuesday, April 10, 2018. Lake County Service Center, Split Rock River Room, 616 Third Avenue, Two Harbors, Minnesota. County Commissioners Present: District 1 Commissioner Peter R. Walsh, District 2 Commissioner Derrick (Rick) L. Goutermont, District 3 Commissioner Richard (Rick) C. Hogenson, District 4 Commissioner Jeremy M. Hurd, District 5 Commissioner Rich Sve. Absent: None. Also present: County Administrator Matthew Huddleston and Laurel D. Buchanan, Clerk of the Board. Meeting was called to order at 2:00 pm by Board Chair Rich Sve. Unless otherwise stated, all actions have been approved by unanimous yeas vote. Members of the public were present. Commissioner Sve led the audience in the recitation of the Pledge of Allegiance.

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

Clerk of the Board Laurel Buchanan presented a proposed addition to the Consent Agenda that was received from the County Auditor's Office for a Minnesota Lawful Gambling Application. Regional Outreach Director Kyle Vanderflute spoke during public comment. Mr. Vanderflute, from U.S. Senator Tina Smith's office, provided an update on what the Senator is working on. Veterans roundtables are being held across the state, with focuses on access to healthcare and helping veterans find employment. Mr. Vanderflute discussed the Senator's efforts toward securing broadband funding for rural areas. Mr. Paul Hartshorn from Finland, Minnesota, discussed rural healthcare and its current limitations. Commissioner Goutermont discussed insufficient reimbursement for ambulance services in rural areas. Commissioner Sve had discussed ambulance reimbursement last year with the Senator's predecessor in Washington DC. Mr. Vanderflute expressed interest in receiving the information.

Lake County Environmental Services Director Christine McCarthy made a presentation of her Department's annual report. Environmental Services is comprised of Solid Waste operations and Planning and Zoning (P&Z). She began the presentation with demolition landfill updates on metal scrap, leachate pond, windmill, and application for expansion. Recycling updates included statistics on recycling materials, market values, and revenues. Ms. McCarthy announced that Lake County is a semi-finalist to be a Minnesota GreenCorps host site again. For Household Hazardous Waste (HHW), the Joint Powers Agreement (JPA) is with Western Lake Superior Sanitary District (WLSSD) and is administered by the Minnesota Pollution Control Agency (MPCA). Ms. McCarthy would like to establish a Lake County Waste Advisory Committee – proposed to meet quarterly – and members would include Lake County Environmental Services staff, County Commissioner(s), waste hauler(s), city and township representative(s) and a Minnesota GreenCorps member, if assigned to Lake County. Ms. McCarthy's P&Z report included statistics on permits issued for land use, septic, conditional use, interim use, variance, rezone, plat, and administrative subdivision. A plat amendment procedure may be recommended. Ms. McCarthy also discussed erosion hazard areas and One Watershed One Plan (1W1P) funding.

County Administrator Matthew Huddleston invited Crystal Bay Township and Petitioner Steven George for a Cartway Petition Process Discussion. The proposed cartway would cross Unorganized Territory #1 (UT1) into Crystal Bay Township via Blesner Lake Road. Petitioner Mr. George and Crystal Bay Township Supervisor Paul Hartshorn were present for the discussion. Lake County Attorney Russ Conrow discussed next steps in the process. Mr. Conrow described how a cartway is different than a private easement and how it is different than a public road. A private easement uses private pay to build, private pay to maintain and is for private use. A public road such as a town/county road uses

public pay to build, public pay to maintain and is for public use. A cartway uses private pay to build, private pay to maintain, and is for public use. Mr. Conrow introduced a resolution requiring a bond or other security on a cartway proceeding. The County Board received a Petition from Steven George requesting the establishment of a Cartway pursuant to Minn. Stat. § 164.08.2 to provide access to property containing at least five (5) acres. Petitioner is required to pay all damages, which includes all costs associated with establishment of a Cartway including, but not limited to, compensation paid to the owners whose property is made subject to the Cartway, the County's attorney fees, administrative costs, surveying costs if needed, and such other professional costs as deemed necessary by the County Board for the establishment. Pursuant to Minn. Stat. § 164.08.2 the County Board may, by resolution, require the Petitioner to post a bond or other security acceptable to the Board for the total estimated damages before the Board takes action on the Petition; and costs. Costs may include attorney's fees, surveyor fees, appraiser fees, property costs, recording fees, hearing costs and other administrative costs. Mr. Conrow clarified that in this resolution the Board of Commissioners will establish the dollar amount that must be deposited before the Board of Commissioners would set a public hearing date for the proposed cartway petition. The County Board discussed that the amount set by Board resolution today is a down payment. If the dollars are depleted, then additional dollars would be required to be deposited into the cartway escrow account in the County Auditor's Office. Board members prefer to hold the cartway hearing during regularly scheduled Board of Commissioners' meetings and/or regularly scheduled Township meetings. Committee of the Whole was discussed as a good venue. Any special meetings would be scheduled and held in conjunction with the township.

MOTION GOUTERMONT, SECOND HURD: 02 – Approve Resolution Requiring a Bond or Other Security on a Cartway Proceeding. The County Board received a Petition from Steven George requesting the establishing of a Cartway. The Petitioner must deposit \$5,000.00 (Five Thousand Dollars) with the Lake County Auditor before the Board will take action on the Petition. Absent: None

MOTION WALSH, SECOND GOUTERMONT: 03 – Recess the County Board of Commissioners meeting at 3:04 p.m. Absent: None

The meeting was reconvened at 3:15 with all members present. County Administrator Matthew Huddleston updated the County Board on several proposed resolutions. One item for approval is the Toimi Wayside Rest Area annual service agreement with the Toimi School Community Center, for the 2018 seasonal period of May through October. Mr. Huddleston advised that the architect, construction manager, and highway engineer will be providing an update next week on plans for the Highway Department facility. Highway Engineer plans to bring forward a resolution on State Aid funding on the Road and Bridge action items for April 24, 2018. The Personnel Committee heard a request from the Recorder's Office, and recommends continuing with the current staff structure and utilizing the previous board approval to recruit for an Administrative Clerk for the Recorder's Office as approved on January 9, 2018. County Recorder Lori Ekstrom articulated reasons for her request for the position to be reclassified. Recorder's Office staff member Lisa Lee talked about the Vital Records duties. Ms. Ekstrom would like to discuss the position's duties with the Personnel Committee. After the initial classification, this also went through the appeal process and the current classification has been deemed appropriate. Human Resources Director Cammie Young clarified that the Personnel Committee does not determine job classification. Requests are sent to our third-party consultant Fox Lawson. The Decision Band Method (DBM) is used to determine job classification. County Auditor Linda Libal clarified that the appeals process addressed her office's concerns with job classification and those issues were resolved through the appeals process. If there is new information that was not provided in the Position Description Questionnaire (PDQ) or the appeals process, Ms. Ekstrom is asked to provide that information.

MOTION GOUTERMONT, SECOND HURD: 04 – Approve amended consent agenda as follows:

1. Approve Board of Commissioners' meeting minutes from regular meeting held on March 27, 2018.
2. Approve Board of Commissioners' meeting minutes from special meeting held on April 3, 2018.
3. Approve Health and Human Services claims payments in the following amounts:
 - a. Administrative payments \$ 50,470.94
 - b. Region III payments \$ 53,869.18
 - c. Special Payments \$ 1,382.28
4. Authorize payment to Ballard Spahr, LLP (Invoice No. 20180300635) in the amount of \$6,781.00 for professional services rendered through February 28, 2018 in the RUS loan matter.
5. Approve and authorize the Lake County Board Chair to sign the Local Public Health Grant Program Award Letter between the Carlton-Cook-Lake-St. Louis Community Health Board (CHB) and Lake County Health and Human Services for the performance period of January 1, 2018 through December 31, 2018. Further authorize the Lake County Board Chair to sign any subsequent amendments or Grant Award Letters during the term of the Local Public Health Grant Program Agreement, which runs January 1, 2015 through December 31, 2019.
6. Authorize payment in the amount of \$33,984.94 to Consolidated Telephone Company, invoice INV-3293, for March voice expenses.
7. Authorize payment in the amount of \$16,819.99 to Innovative Systems, invoice 36536, for APMAX, IPTV Middleware and InnoStream annual maintenance & support. (Video expense)
8. Authorize payment in the amount of \$41,575.72 to Consolidated Telephone Company, invoice INV-3291, for payrolls, commissions, customer service labor and expenses, February trouble tickets, circuit expense, and misc. shipping charges.
9. Authorize SP 038-618-023 final payment to Redstone Construction, LLC in the amount of \$30,000.57 for a contract total of \$600,011.30.
10. Authorize SAP 038-607-014, SAP 038-070-008, CP 016-701-001 final payment to Hardrives, Inc. in the amount of \$51,923.62 for a contract total of \$967,410.39.
11. Authorize Caterpillar 336FL excavator rental in an amount up to \$11,500.00 for facility demolition.
12. Authorize Caterpillar 330FL excavator rental in an amount up to \$9,462.00 for facility demolition.
13. Approve and authorize Board Chair to sign Toimi Wayside Rest Area annual service agreement between the County of Lake ("County"), through the Lake County Facilities Department and Toimi School Community Center ("Contractor") at a monthly rate of \$800.00, for the 2018 seasonal period commencing May 2018 and terminating October 2018. The cost of this Agreement shall not exceed \$4,800.00.

14. Award Tree Planting bids and authorize payments, upon satisfactory completion of projects, to the lowest bidders:
- Award 2018-01_MDHA bid to low bidder Northwoods Forestry Inc., Eleva, WI, at a bid rate of .08/tree, for a total bid award in the amount of \$12,160.00.
 - Award 2018-02_MDHA bid to low bidder Superior Forestry Service, Inc. Tilly, AR, at a bid rate of .1175/tree & .165/cone, for a total bid award in the amount of \$1,657.25.
15. Approve Minnesota Lawful Gambling Application for Baptism River Community Church to conduct excluded bingo on May 6, 2018; June 3, 2018; July 1, 2018; and August 5, 2018, at the Clair Nelson Center, 6866 Cramer Rd Finland, Minnesota 55603. Absent: None

MOTION HURD, SECOND WALSH: 05 – Adopt resolution supporting Lake County’s application, acting on behalf of Unorganized Territory No. 2, to The Community Infrastructure Grant Program through the Iron Range Resource Rehabilitation Board (IRRRB), requesting \$250,000 for Project Title: Lake County Highway Facility. Absent: None

MOTION WALSH, SECOND GOUTERMONT: 06 – Approve payment in the amount of \$106,880.00 to the City of Two Harbors in accordance with Agreement for Fire Protections for the County’s share of the 2017 Fire Department expenses. Absent: None

MOTION HOGENSON, SECOND HURD: 07 – Approve the change in employment status of Craig Alfonsi, Senior Information Technology Specialist, due to completion of trial period effective March 14, 2018. Absent: None

MOTION HURD, SECOND GOUTERMONT: 08 – Approve the release from probation of Chet Barnes, Highway Maintenance Worker, effective March 26, 2018. Absent: None

MOTION GOUTERMONT, SECOND WALSH: 09 – Approve the recruitment for one full-time Highway Maintenance Worker. Absent: None

MOTION GOUTERMONT, SECOND HOGENSON: 10 – Approve the change in employment status of Devin Clark, Deputy Sheriff, due to completion of probation period effective April 5, 2018. Absent: None

MOTION WALSH, SECOND HURD: 11 – Approve the change in employment status of Joann Cox, Public Health Nurse, due to completion of probation period effective April 9, 2018. Absent: None

MOTION HURD, SECOND HOGENSON: 12 – Approve the probationary appointment of Han Taylor to Human Services Professional at the Step 1 rate of \$24.53 per hour effective April 16, 2018. Absent: None

MOTION HURD, SECOND HOGENSON: 13 – Adjourn County Board of Commissioners’ meeting at 4:01 pm. Absent: None

From the Board of Commissioners' meeting schedule:

- Meeting of the Committee of the Whole at 6:00 p.m. on Tuesday, April 17, 2018, to be held at the City of Silver Bay, City Hall, Council Chambers, Silver Bay, Minnesota.
- Regular meeting at 2:00 p.m. on Tuesday, April 24, 2018, to be held in the Split Rock River Room located on the main floor of the Lake County Service Center, 616 Third Avenue, Two Harbors, Minnesota.

ATTEST:

Laurel D. Buchanan
Clerk of the Board

Rich Sve, Chairperson
Lake County Board of Commissioners