

COMMISSIONER PROCEEDINGS
February 13, 2007

Minutes of the Board of Wilkin County Commissioners held at the Courthouse, Breckenridge, Minnesota, on Tuesday, February 13, 2007. Commissioners Miranowski and Folstad were absent. Vice Chairperson Blaufuss called the meeting to order at 8:00 A.M.

Motion by Hovland, seconded by Perry and carried, to approve the agenda with additions.

Motion by Perry, seconded by Hovland and carried, to approve the minutes of the January 23, 2007, meeting.

Commissioner Perry offered the following resolution and moved for it's adoption. The motion was seconded by Commissioner Hovland and carried.

RESOLUTION 7-07

BE IT RESOLVED, that the Wilkin County Board of Commissioners approve the planning request for Maier Farms, to allow the establishment of a new building 130' from the center of County Road No. 32 with the following condition: If for any reason the new building should become an obstacle for future County Road or infrastructure improvements, it will be the owner's responsibility to move the building and the owner not to receive any compensation from Wilkin County for any issues related to road construction or road traffic associated with adjacent County Road No. 32. The property is located in SW 1/4 SW 1/4 of Section 1 Township 136 North Range 47 West, Deerhorn Township.

Adopted this 13th day of February, 2007.

John Blaufuss
Vice Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

STATE OF MINNESOTA)
)
COUNTY OF WILKIN)

VARIANCE ORDER

In the matter of the Request of:

Maier Farms

The above entitled matter came on to be heard before the Wilkin County Planning Commission on the 25th day of January, 2007, on a petition for variance from the requirements of Wilkin County Zoning Ordinance, for the following described property:

SW 1/4 SW 1/4 Section 1 Township 136 North, Range 47 West Deerhorn Township.

IT IS ORDERED, that variance is granted to allow for the variance from the strict application of the Wilkin County Zoning Ordinance upon the following conditions and reasons: Construct a new building 130' from the center of County Road No. 32 with the following condition. If for any reason the new building should become an obstacle for future County Road or infrastructure improvements,

it will be the owner's responsibility to move the building and the owner not to receive any compensation from Wilkin County for any issues related to road construction or road traffic associated with adjacent County Road No. 32.

Approved this 13th day of February, 2007.

John Blaufuss
Vice Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

Motion by Hovland, seconded by Perry and carried, to lease 2 new John Deere 6430 tractors for ditch mowing and authorize the sale of the following tractors: 1991 Ford 7710; 1992 John Deere 2955; and 1994 John Deere 6200.

Motion by Perry, seconded by Hovland and carried, to deny a request to use the County's Elizabeth Gravel Pit for an All Terrain Vehicle training course, siting interference with gravel hauling and liability issues.

Commissioner Hovland offered the following resolution and moved for its adoption. The motion was seconded by Commissioner Perry and carried.

RESOLUTION NO. 8-07

RESOLUTION FOR SEASONAL LOAD RESTRICTIONS ON COUNTY HIGHWAYS

WHEREAS, the Board of County Commissioners of Wilkin County, Minnesota, has determined:

That because of deterioration due to rain, snow, and spring climatic conditions, the highways hereinafter described could be seriously damaged unless restrictions are imposed as to the weight of vehicles to be operated thereon.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Minnesota Statutes, Sec. 169.87 Subdivision 1; No person shall operate a vehicle or combination of vehicles upon any of the County Highways in the County of Wilkin and State of Minnesota, as described below, during the period on or after March 1, 2007, through approximately May 15, 2007, where the gross weight of any single axle as defined in Minnesota Statutes, Section 169.825 Subdivision 3, exceeds 10,000 pounds (5 tons) except on County Highways stated below.

The Engineer in and for said County is hereby directed and authorized to erect and maintain signs plainly indicating the prohibitions and restrictions as stated herein at each end of that portion of any County Highway affected thereby and these restrictions shall be effective and his prohibition shall be effective upon the erection of said signs.

*The following County Highways are restricted to **12,000 pounds (6 tons)** per axle:*

County State Aid Highway No. 4

Beginning at Trunk Highway No. 9, thence easterly to the East County line.

County State Aid Highway No. 19

Beginning at the intersection of TH 108, thence northerly to the North County line and there terminating.

County State Aid Highway No. 30

Beginning at the intersection of Trunk Highway 75, thence easterly to the intersection of CSAH 52 and there terminating.

County State Aid Highway No. 32

Beginning at the intersection of CSAH 52, thence easterly to the East County line and there terminating.

The following County Highways are restricted to **18,000 pounds (9 tons)** per single axle, 32,000 pounds per tandem axle:

County State Aid Highway No. 1

County State Aid Highway No. 3

Beginning at Trunk Highway No. 75, thence northerly to the Clay County line, and there terminating.

County State Aid Highway No. 4

Beginning at TH 75, thence easterly to TH 9 and there terminating.

County State Aid Highway No. 5

County State Aid Highway No. 6

Beginning at the West County Line, thence easterly to the intersection of TH 75, and there terminating.

County State Aid Highway No. 8

Beginning at the Northeast intersection of Trunk Highway No. 9 and CSAH 8 in Doran, Minnesota; thence continue northeasterly and southeasterly to the Southeast intersection of Trunk Highway No. 9 and CSAH 8 in Doran; beginning again at the intersection of Trunk Highway No. 9 and CSAH 8 near Doran; thence continue easterly to the East County line and there terminating.

County State Aid Highway No. 9

Beginning at the intersection of CSAH 6, thence northerly to the intersection of Trunk Highway No. 75 at Breckenridge, Minnesota and there terminating.

County State Aid Highway No. 10

County State Aid Highway No. 12

County State Aid Highway No. 14

Beginning at Trunk Highway No. 75, thence east to CSAH 17 and there terminating.

County State Aid Highway No. 16

Beginning at Trunk Highway No. 75, thence northerly to Trunk Highway 210.

Beginning at Trunk Highway No. 75, thence easterly to the Otter Tail County line.

County State Aid Highway No. 17

Beginning at Trunk Highway No. 210, thence southerly to the intersection of CSAH 14, and there terminating.

County State Aid Highway No. 18

Beginning at the West County line, thence easterly to Trunk Highway 9.

County State Aid Highway No. 19

Beginning at the South County line, thence northerly to Trunk Highway 210 and there terminating.
Beginning at Trunk Highway No. 210, thence northerly to CSAH 26, and there terminating.

County State Aid Highway No. 21

Beginning at the intersection of CSAH 16, thence northerly to the intersection of CSAH 52 and there terminating.

County State Aid Highway No. 22

County State Aid Highway No. 23

County State Aid Highway No. 24

Beginning at the intersection of CSAH 22, thence northerly to the intersection of Trunk Highway 75 and there terminating.

County State Aid Highway No. 26

Beginning at TH 75, thence easterly to the East County line.

County State Aid Highway No. 30

Beginning at the Red River, thence easterly to Trunk Highway No. 75 and there terminating. Beginning at the intersection of CSAH 52, thence easterly to I-94 and there terminating.

County State Aid Highway No. 52

Beginning at the Clay County line, thence southeasterly to the Otter Tail County line.

Adopted this 13th day of February, 2007.

John Blaufuss
Vice Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

Motion by Perry, seconded by Hovland and carried, authorizing the Highway Department to send a letter to Government Management Group, Minneapolis, Minnesota, the County's consultant, regarding the addition of weed spraying to an existing position description.

Pursuant to notification for sealed bids for Project No. SP 84-619-33, Bituminous Surfacing on CSAH No. 19, the bids received were opened, read and recorded as follows: Central Specialties, Inc., Alexandria, Minnesota, \$1,581,212.40; Lakes Paving, Inc., Detroit Lakes, Minnesota, \$2,421,149.75; Mark Sand and Gravel Acquisition Company, Fergus Falls, Minnesota, \$1,727,961.00; Northstar Materials, Inc., Bemidji, Minnesota, 1,905,357.85. Motion by Perry, seconded by Hovland and carried, to turn the bids over to the Engineer's Office for tabulation.

Matthew Brodina, County Jail Administrator, reported to the Commission on the current status within the County Jail regarding operations and population.

Pursuant to notification for sealed bids for Project No. SP 84-632-09, Bituminous Surfacing on CSAH No. 32, the bids received were opened, read and recorded as follows: Central Specialties, Inc., Alexandria, Minnesota, \$626,075.05; Lakes Paving, Inc., Detroit Lakes, Minnesota,

\$811,170.10; Mark Sand and Gravel Acquisition Company, Fergus Falls, Minnesota, \$580,992.00. Motion by Hovland, seconded by Perry and carried, to turn the bids over to the Engineer's Office for tabulation.

Motion by Perry, seconded by Hovland and carried, to approve the Ag. Inspector's Report.

Commissioner Hovland offered the following resolution and moved for its adoption. The motion was seconded by Commissioner Perry and carried.

RESOLUTION 9-07

BE IT RESOLVED, that the Labor Agreement between Wilkin County and the Wilkin County Employees Council covering certain employees in the "Confidential Employees" bargaining unit and the wages and benefits described in said Agreement for the period January 1, 2007, through December 31, 2008, be approved and that the Board's Chair be authorized to enter into a contract in accordance with the terms and conditions described therein.

Adopted the 13th day of February, 2007.

John Blaufuss
Vice Chairman

Attest: Wayne Bezenek
County Auditor
(seal)

Commissioner Perry offered the following resolution and moved for its adoption. The motion was seconded by Commissioner Hovland and carried.

RESOLUTION 10-07

BE IT RESOLVED, that the Labor Agreement between Wilkin County and the Wilkin County Employees Association covering certain employees in the "Courthouse Employees" bargaining unit and the wages and benefits described in said Agreement for the period January 1, 2007, through December 31, 2008, be approved and that the Board's Chair be authorized to enter into a contract in accordance with the terms and conditions therein.

Adopted this 13th day of February, 2007.

John Blaufuss
Vice Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

Commissioner Hovland offered the following resolution and moved for its adoption. The motion was seconded by Commissioner Perry and carried.

RESOLUTION 11-07

BE IT RESOLVED, that the Auditor of the County be directed to increase the salary schedules for all employees of the County who are not represented for purposes of collective bargaining by an exclusive representative within the meaning of Minnesota Statutes 179A.03, Subd. 8, except the elected Commissioners of the County, by 3% in all grades and steps effective January 1, 2007, and by an additional 3% in all grades and steps effective January 1, 2008.

BE IT FURTHER RESOLVED, that the health insurance plan provisions and deferred compensation contribution provisions of all ratified collective bargaining agreements for County employees be applied similarly to all unrepresented employees of the County, including its elected Commissioners, with the exception of the non-benefit employees.

Adopted this 13th day of February, 2007.

John Blaufuss
Vice Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

Motion by Hovland, seconded by Perry and carried, to approve a Personal Service Agreement with Vernon Woytassek, Breckenridge, Minnesota, to serve as the Wilkin County Emergency Manager for 2007 and authorized the Vice Chairman and County Auditor to sign said agreement.

Commissioner Perry offered the following resolution and moved for its adoption. The motion was seconded by Commissioner Hovland and carried.

RESOLUTION 12-07

WHEREAS, the Wilkin County Emergency Management Department is developing an All-Hazard Mitigation Plan that will satisfy the requirements of the Disaster Mitigation Act of 2000 and 44CFR 201.6. The plan will identify, analyze, and prioritize significant disasters that may impact your city. The plan will also outline mitigation strategies to effectively lessen the impacts of those disasters; and

WHEREAS, local units of government that wish to receive funding for hazard mitigation projects from the Hazard Mitigation and Pre-Disaster Mitigation Grant Programs will be required (by the Federal Emergency Management Agency) to create or participate in the creation of an approved local hazard mitigation plan satisfying the requirements of the Disaster Mitigation Act of 2000; and

WHEREAS, the Wilkin County Emergency Management Department will develop a plan that reflects the needs and concerns of the community and the local units of government within the County. In addition mitigation strategies may need to be implemented at the local level or with cooperation from the local units. To achieve these objectives, local input is an essential element of the planning process.

NOW, THEREFORE BE IT RESOLVED, that the Wilkin County of Commissioners will support the County's efforts in developing the All-Hazard Mitigation Plan. The Wilkin County Board of Commissioners will participate in the hazard mitigation planning process by doing the following:

- * All county staff to present the draft plan at a Commissioner Meeting;
- * Provide comments and suggestions on the draft plan to ensure that the plan reflects the needs of the local unit;
- * And consider adopting a resolution of support for the final All-Hazard Mitigation Plan before it is adopted by the County Board of Commissioners.

Approved and adopted February 13, 2007.

John Blaufuss
Vice Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

Commissioner Hovland offered the following resolution and moved for it's adoption. The motion was seconded by Commissioner Perry and carried.

RESOLUTION 13-07

RESOLUTION AUTHORIZING EXECUTION OF SUB-GRANT AGREEMENT

BE IT RESOLVED, that Wilkin County, Minnesota, enter into a sub-grant agreement with the Division of Homeland Security and Emergency Management in the Minnesota Department of Public Safety for the Federal Emergency Management Agency program entitled Pre-Disaster Mitigation Grant Program.

Vernon Woytassek, Director of Emergency Management, is hereby authorized to execute and sign such sub-grant agreements and any amendments hereto as are necessary to implement the project on behalf of Wilkin County, Minnesota.

Adopted this 13th day of February, 2007.

John Blaufuss
Vice Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

Motion by Hovland, seconded by Perry and carried, to approve the following letter of commitment and authorized the Vice Chairman and County Auditor to sign said letter:

Letter of Commitment of Funds

As a Potential sub-grantee in the Pre-Disaster Mitigation Grant Program (PDM), Wilkin County hereby commits the matching funds necessary for the proposed All-Hazard Mitigation Plan.

After FEMA approval and during project implementation, Wilkin County is responsible for \$6,025.00 (labor) and \$300.00 (supplies). However, should the actual project costs exceed this amount, Wilkin County may be unable to provide additional contribution.

As signed, we understand the responsibilities of a sub-grantee in the PDM Program and hereby authorize the use of these non-federal funds for this proposed project.

Dated this 13th day of February, 2007.

John Blaufuss
Vice-Chairman

Attest: Wayne Bezenek
County Auditor
(Seal)

Motion by Perry, seconded by Hovland and carried, to approve the Emergency Management Report.

Motion by Hovland, seconded by Perry and carried, to amend the 2007 Wilkin County Budget as follows: Amend by increasing the total County Non Tax Revenues to read, \$6,491,627.00: and amend by increasing the total County Expenditures to read \$12,218,848.00. This amendment does not affect the 2007 Wilkin County Tax Levy.

Motion by Perry, seconded by Hovland and carried, to amend the County Recorder's fee

schedule as follows: O & E Reports revert to \$80.00 and Two (2) Deed Searches revert to \$100.00.

Motion by Perry, seconded by Hovland and carried, to authorize payment of the County Highway Department billing from Cardmember Service, St. Louis, Missouri, in the amount of \$383.73, with an Auditor's Warrant.

The County Engineer returned and informed the Commissioners that the bid received from the apparent low bidder, Central Specialties, Inc., for Project No. SP 84-619-33, revealed a \$100,000.00 error which increased the bid to \$1,681,212.40. After discussion, the Commissioners, by consensus, tabled the bid letting for both projects until the February 20, 2007, meeting.

Several informational items were shared.

With no further business before the Commission and the next regular scheduled meeting set for February 20, 2007, at 8:00 A.M. in the Commissioners Room, Vice Chairman Blaufuss adjourned the meeting at 10:10 A.M.

John Blaufuss
Vice Chairman

Attest: Wayne Bezenek
County Auditor
(seal)