
A TRANSCRIPT OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE HUBBARD COUNTY BOARD OF COMMISSIONERS HELD ON OCTOBER 3, 2017, AT 9:00 O'CLOCK A.M.

The meeting was called to order by Chairman, Vern Massie with all the Commissioners and Coordinator, Debbie Thompson present.

The Pledge of Allegiance was said by all.

On motion of Mr. Johannsen, seconded by Mr. Smith and carried unanimously, the agenda was approved as modified.

Public Input: Enbridge representative, Sue Tompte reported her provision of testimony before the Administrative Law Judge regarding the Line 3 pipeline project and encouraged the Board to offer comments of support for the project at one of the eighteen public meetings being conducted.

Concerned parties regarding a proposed parcel for sale on the TFL Land Sale addressed the Board. Further discussion was referred to the Public Works portion of the meeting.

On motion of Ms. Christenson, seconded by Mr. Stacey and carried unanimously, the following consent agenda items were approved, as presented:

- ◆ Approved the minutes of the September 19, 2017, Regular Meeting;
- ◆ Approved the bills & Auditor's Warrants dated September 22 and September 29, 2017;
- ◆ Reviewed the Departmental Overtime Report, September, 2017;
- ◆ Approved the following **Tobacco** license applications: Lakes Area Coop-Park Rapids C-Store, Park Rapids City; Lakes Area Coop-Akeley C-Store, Akeley City; and JMC Enterprises Northwoods Grocery, Nevis City.
- ◆ Approved the payment of the Social Services bills, as presented.

Public Works: On motion of Mr. Smith, seconded by Mr. Johannsen and carried unanimously, the final payment to Tri-City Paving for SAP 029-615-005 in the amount of \$9,951.90 was approved for CSAH 15, as recommended by the Assistant Highway Engineer.

On motion of Mr. Johannsen, seconded by Mr. Smith and carried unanimously, the sale of the following unused Public Works equipment via 4-BID.com was approved, as recommended by the Assistant Hwy Engineer: Unit 67 John Deere 1993 w/mower, Unit 246 9-wheel pneumatic roller 1992, Unit 22 Sterling Tandem w/snow equipment 1999, Unit 2 Explorer 2002, Unit 6 Chev 4X4 Crew Cab 3500 w/space cab, Unit 143 Chev 4X4 ext. cab.

On motion of Mr. Johannsen, seconded by Ms. Christenson and carried unanimously, the following resolution was adopted:

Resolution No. 10031701

WHEREAS, Hubbard County, acting as sponsor for the Forest Riders Snowmobile Club wishes to enter into an agreement with the Minnesota Department of Transportation for limited use of Trunk Highway 71 for the purposes of maintaining a Grant-in-Aid snowmobile trail; and

WHEREAS, The Hubbard County Board of Commissioners is the duly elected governing body of the County of Hubbard; and

WHEREAS, The Minnesota Department of Transportation maintains jurisdiction over the Trunk Highway right of ways; and

WHEREAS, Hubbard County wishes to enter into a limited use permit with the Minnesota Department of Transportation providing for the limited use of a certain right of way Trunk Highway 71; and

WHEREAS, The Hubbard County Board of Commissioners does hereby authorize Hubbard County to enter into a limited use permit with the Minnesota Department of Transportation providing for the limited use of a certain right of way Trunk Highway 71.

NOW, THEREFORE BE IT RESOLVED, by the County of Hubbard: That the County Board of Commissioners does hereby authorize the County Board Chairman and its Coordinator to sign any and all documents with the limited use permit

On motion of Ms. Christenson, seconded by Mr. Stacey and carried unanimously, the sale of eleven (11) tax forfeited lots in Hocking's Acres (Park Rapids) to the Hubbard County Housing & Redevelopment Authority (HRA), per the plan for construction of affordable housing was approved for \$1, as presented.

On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the Two Inlets Snowmobile Trails Grant for 2017/2018 season was approved and the Chairman's signature of same was authorized.

On motion of Mr. Johannsen, seconded by Mr. Smith and carried unanimously, the following resolution was adopted:

Resolution No. 1003170

WHEREAS, Leroy A. Anderson has applied to the County of Hubbard for an easement across unsold tax forfeited land to provide access, ingress and egress, and utility purposes to the following property owned by the applicant:

Sect-08 Twp-145 Range-032 27.21 AC 8-14&15 PT OF S1/2 OF NW1/4 & SW1/4 OF NE1/4 N OF NWB RW /LOTS 6-15 BLK 1 & E135 OF LOT 8 & ALL OF LOTS 9-11 BLK 2 VAC'D PLAT OF BREEZE PINE ADD/, Hubbard County, Minnesota (PID 07.08.01800).

WHEREAS, the requested easement is described as follows:

A 33.00 foot wide easement for ingress and egress, over, under, and across an existing road in those parts of the Southeast Quarter of the Northeast Quarter, Section 8, Township One Hundred Forty-five (145) North, Range Thirty-two (32) West of the 5th Principal Meridian, Hubbard County, Minnesota, being 16.5 feet on each side of the following described centerline:

Commencing at the Northeast corner of said Southeast Quarter of the Northeast Quarter of Section 8, thence South 30 degrees 29 minutes 32 seconds West, bearing system based on Hubbard County Coordinates, NAD 83 (1996 Adjusted) Hubbard County, 33.84 feet to the centerline of CSAH 45 and the Point of Beginning of the easement to be described; thence South 85 degrees 54 minutes 26 seconds West 131.62 feet; thence South 56 degrees 39 minutes 12 seconds West 203.31 feet; thence South 81 degrees 54 minutes 26 seconds West 214.00 feet; thence South 60 degrees 49 minutes 17 seconds West 235.86 feet; thence South 76 degrees 32 minutes 15 seconds West 232.24 feet; thence South 83 degrees 20 minutes 26 seconds West 106.91 feet; thence North 77 degrees 48 minutes 04 seconds West 257.29 feet; and there terminating on the West line of said Southeast Quarter of the Northeast Quarter.

And

Commencing at the Northeast corner of said Southeast Quarter of the Northeast Quarter of Section 8, thence South 30 degrees 29 minutes 32 seconds West, bearing system based on Hubbard County Coordinates, NAD 83 (1996 Adjusted) Hubbard County, 33.84 feet to the centerline of CSAH 45 and the Point of Beginning of the easement to be described; thence South 85 degrees 54 minutes 26 seconds West 131.62 feet; thence South 56 degrees 39 minutes 12 seconds West 203.31 feet; thence South 81 degrees 54 minutes 26 seconds West 214.00 feet; thence South 88 degrees 30 minutes 16 seconds West 106.29 feet; thence North 56 degrees 20 minutes 29 seconds West 99.40 feet; thence North 48 degrees 20 minutes 33 seconds West 110.18 feet; thence North 78 degrees 36 minutes 59 seconds West 126.01 feet; thence South 86 degrees 42 minutes 27 seconds West 398.06 feet; and there terminating on the West line of said Southeast Quarter of the Northeast Quarter.

The sidelines are to be shortened or prolonged to terminate on the centerline of CSAH 45 and the West line of said Southeast Quarter of the Northeast Quarter.

Said easement contains 1.69 acres

WHEREAS, there are no reasonable alternatives to obtain access to the applicants property; and

WHEREAS, the proposed easement will not cause significant adverse environmental or natural resource management impact; and

WHEREAS, the appraised value of the easement is as follows: \$2,535.00

NOW, THEREFORE BE IT RESOLVED, by the County of Hubbard:

1. An easement shall be issued to the applicant upon payment to the County Auditor for the appraised value.
2. The easement shall be non-exclusive.
3. Timber rights are retained by Hubbard County and any timber removed will be charged for at the current rate.
4. The easement shall provide that it will revert to the State of Minnesota in trust for the taxing district in the event of non-use.

Natural Resource Manager, Allen Lysdahl together with Land Commissioner, Mark Lohmeier provided information regarding timber parcel, appraisal #1244 scheduled for sale on October 9, 2017, that is designed to mimic natural disturbance. No further action was taken.

Sheriff: On motion of Ms. Christenson, seconded by Mr. Johannsen and carried unanimously, the following resolution was adopted:

RESOLUTION NO. 10031702

BE IT RESOLVED THAT the Hubbard County Sheriff's Office enter into a grant agreement with the Minnesota Department of Public Safety, for the 2017 EMPG (Emergency Management Performance Grant) during the period from January 1, 2017, through December 31, 2017, in the amount of \$21,627.00.

BE IT FURTHER RESOLVED, that the Hubbard County Sheriff is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Hubbard County Sheriff's Office and to be the fiscal agent and administer the grant.

Environmental Service: On motion of Mr. Johannsen, seconded by Ms. Christenson and carried unanimously, the county's participation in the 2020 Census Local Update of Census Addresses (LUCA) Operation was approved, as recommended by the Environmental Services Officer and the signature of same by the Chairman was authorized.

On motion of Mr. Johannsen, seconded by Ms. Christenson and carried unanimously, the Conditional Use Application #6-CU-17 by Laestadian Lutheran Church, Hubbard Township was approved for operation of a commercial planned unit development (church camp), as recommended by the Planning Commission including conditions 1 – 3 as recommended by the ESO and adopted the Planning Commission Findings of Fact, as presented.

On motion of Ms. Christenson, seconded by Mr. Massie and carried unanimously, the following resolution was adopted:

RESOLUTION NO. 10031703

WHEREAS, Minnesota Statute § 272.162 specifies the conditions when a local government may restrict parcel transfers or land divisions; and

WHEREAS, the 90th Legislature adopted Chapter 1 in the 2017 First Special Session, amending Minn. Stat. § 272.162; and

WHEREAS, the amended Minn. Stat. § 272.162 authorizes a county to review a deed or other instrument conveying a parcel of land for transfer or division before it is recorded, ensuring conformity with the county's land use regulations; and

WHEREAS, a county's review of a proposed land transfer or division will protect landowners from problems arising from property splits not compliant with zoning regulations or inaccurate parcel descriptions; and

WHEREAS, a county must choose to assume the authority to review deeds or other instruments conveying parcels of land for transfer or division; now, therefore,

NOW, THEREFORE, BE IT RESOLVED, Hubbard County requires the review of a deed or other instrument conveying a parcel of land for transfer or division for conformity with the county's land use regulations before the county transfers or divides the land or its net tax capacity in the official records.

On motion of Ms. Christenson, seconded by Mr. Smith and carried unanimously, the temporary increase of hours for part time Administrative Assistant position through the end of 2017 was approved, with the duration at the discretion of the Environmental Services Officer (ESO), given impending full time vacancy, as recommended by the ESO and the Human Resources Director.

Finance: On motion of Mr. Johannsen, seconded by Mr. Smith and carried unanimously, the application for repurchase of forfeited land of Joan Molash was approved for re-purchase of land, Parcel #R 12.04.01400, and the following resolution was adopted:

RESOLUTION NO. 10031704
RE-PURCHASE OF TAX FORFEITED PARCEL#12.04.01400

WHEREAS, Parcel #12.04.01400 was tax-forfeited to the State of Minnesota in 2017 for delinquent taxes in 2013, 2014, 2015, and 2016; and

WHEREAS, The Statutes of Minnesota allow for the re-purchase of tax-forfeited property, specifically 282.241 M.S.A; and

WHEREAS, The taxpayers of Hubbard County and the State of Minnesota will benefit by placing the property back on the tax rolls through use of this re-purchase; and

NOW THEREFORE, BE IT RESOLVED, by the County Board of Hubbard, Minnesota as follows:

1. That the Hubbard County Board of Commissioners approves the sale of this property to Joan Molash for the sum of \$2,001.94 plus recording and other costs associated with the re-purchase.

2. That the sale of this property is in the best interest of the taxpayers of the County of Hubbard and the State of Minnesota and is legally described as follows: 4-12A W200 OF E 483 OF S250 OF NW ¼ OF NW 1/4 Sect 04 Twp 143 Range 033 and currently identified as parcel #12.04.01400.

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Hubbard County, Minnesota that the foregoing application is hereby approved for the reasons stated as follows:

To claim ownership of the property and return property to the tax rolls.

On motion of Mr. Stacey, seconded by Ms. Christenson and carried unanimously, the following resolution was adopted:

RESOLUTION NO. 10031705

RE-PURCHASE OF TAX FORFEITED PARCEL# 10.28.01100

WHEREAS, Parcel #10.28.01100 was tax-forfeited to the State of Minnesota in 2017 for delinquent taxes in 2013, 2014, and 2016; and

WHEREAS, The Statutes of Minnesota allow for the re-purchase of tax-forfeited property, specifically 282.241 M.S.A. to prevent undue hardship or injustice resulting from the forfeiture; and

WHEREAS, The taxpayers of Hubbard County and the State of Minnesota will benefit by placing the property back on the tax rolls through use of this re-purchase; and

NOW THEREFORE, BE IT RESOLVED, by the County Board of Hubbard, Minnesota as follows:

1. That the Hubbard County Board of Commissioners approves the sale of this property to Johnathan and Stephanie Johnson for the sum of \$6,936.77 plus recording and other costs associated with the re-purchase.
2. That the sale of this property is in the best interest of the taxpayers of the County of Hubbard and the State of Minnesota and is legally described as follows: 28-11 N1/2 OF SW1/4 OF SW1/4 SECT 28 - TWN 144 - RNG 032 and currently identified as parcel # 10.28.01100.

Committee Reports: Commissioners shared information regarding the following meetings attended or scheduled: Stakeholders Recreation Planning meeting; MAHUBE-OTWA; Teen Challenge Program sponsored by HOPE Committee; Prime Health; HLC; and Mental Health Group meeting.

Human Resources: On motion of Mr. Smith, seconded by Ms. Christenson and carried unanimously, the Human Resources Director was authorized to offer the Public Works Coordinator position to applicant, as recommended by the Interview Committee, as follows: Grade 50, Step 10 effective March 5, 2018, for an initial appointment term beginning March 5, 2018 through May 7, 2019, with consideration of four year appointment thereafter as provided by statute. Upon acceptance of the position, the applicant name will become public.

On motion of Ms. Christenson, seconded by Mr. Johannsen and carried unanimously the following resignations were accepted, with regrets and the recognition of the respective years of service to the County was authorized: Dispatcher/Jailer, Sherri Klasen, 33 years; Dispatcher/Jailer, Cheryl Genoch, 7 years; Jailer/Dispatcher, Pam Hodgden, 7 years; Family Based Service Provider, Jessica Pinnella, 1 year; Social Worker, Paula Peterson, 5 years.

On motion of Mr. Johannsen, seconded by Mr. Smith and carried unanimously, the re-filling of the Family Based Services Provider and Social Worker vacant positions, as recommended by the Social Service & Human Resources Directors were approved, per proper procedure and any resulting vacancies, if necessary.

Coordinator: On motion of Mr. Johannsen, seconded by Mr. Smith and carried unanimously, the following summation was provided, as required by M.S. §13D.05, Subd 3, of the performance evaluations conducted with the Solid Waste Administrator, Jed Nordin on September 19, 2017. The Board evaluated the Solid Waste Administrator using the following ten criteria: Job Knowledge; Productivity; Quality; Initiative; Use of Time; Planning; Follow-up; Human Relations; Leadership and Contribution to Department Goals.

Solid Waste Administrator, Jed Nordin: The Board shared their appreciation of the timely responses provided by the SW Administrator both to the Board and the public as an asset to the County. They recognized the excellent condition of the transfer station properties. Recognition was expressed for the SW Administrator's attention to the Values, Vision and Strategy outlined in the Commissioner Mission for the County. The SW Administrator's 2017 performance as evaluated by the Board of Commissioners is seen to be as follows: superior in job knowledge, productivity, and human resources by 100% of the Board. Both quality and contributions to department goals are seen to be superior by 20% of the Board; highly satisfactory by 40% of the Board and meeting expectations by 40% of the Board. Planning, initiative and follow-up are noted to be highly satisfactory by 80% of the Board and meeting expectations by 20% of the commissioners with use of time and leadership evaluated to be highly satisfactory by 60% of the members and meeting expectations by 20% and 40% of the members respectively. Overall Performance Review: Achieves the requirements of the position.

The Board reviewed the following Work Session agenda for October 10, 2017: 1) Buffer Ordinance; 2) 2018 Departmental Budget Review, including meeting with U of M Extension staff and Extension Committee member; 3) Employment Search Company review; 4) 2017 Committee List Review; 5) Strategic Planning results regarding IT position; and 6) HCREDC.

On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the

two year Crime Victim Services Prosecutorial 2018 Grant Agreement #A-CVS- 2018-HUBBARAO-00123 was approved in the amount of \$92,000 with a \$17,733 match for the period of 10/01/17 to 09/30/19 and the signature of same by the Chairman was authorized.

On motion of Ms. Christenson, seconded by Mr. Stacey and carried unanimously, the following resolution was adopted as follows:

RESOLUTION NO. 10031706

WHEREAS, Minnesota Statutes, Section §13.02, subdivision 16, requires that Hubbard County appoint a person as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals within the county, and

WHEREAS, Minnesota Statute, Section §13.05, subdivision 13, permits the appointed Responsible Authority to act as the Data Practices Compliance Official, and

WHEREAS, Minnesota Rules 1205.0200, subpart 13 requires that the Hubbard County Attorney, as an elected official, serves as the Responsible Authority of his office, and

WHEREAS, Minnesota Rules 1205.0200, subpart 13 requires that the Hubbard County Sheriff, as an elected official, serves as the Responsible Authority of his office, and

WHEREAS, Minnesota Statutes, Section §13.46, subdivision 10(2), requires that the Hubbard County Social Services Director serves as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals within the county welfare agency, and

WHEREAS, the Hubbard County Board of Commissioners wishes to satisfy the requirements cited above by immediately appointing said Responsible Authorities as required under the statute.

THEREFORE, BE IT RESOLVED, the County Board of Commissioners appoints the following persons as the Hubbard County Responsible Authorities for the purpose of meeting all requirements of Minnesota Statutes, Chapter 13 and Rules, as amended,

Department	Responsible Authority
County Attorney	Jonathan Frieden
Sheriff	Corwyn Aukes
Social Services	Debbie Vizecky
Coordinator	Debbie Thompson

BE IT FURTHER RESOLVED, that the Data Practices Policy for the Subject and the Data Practices Policy for the Public, reflecting the above named Responsible Authorities, the Data Practices Compliance Official and appointed Designees be adopted by Hubbard County, as presented on October 3, 2017, and

BE IT FURTHER RESOLVED, that future updates to the above named policies including changes in personnel serving in the noted capacities will be made by motion and approval of the Hubbard County Board of Commissioners and made a part of the official county record.

On motion of Ms. Christenson, seconded by Mr. Johannsen and carried unanimously, the notification of the Northwest Service Coop of the County's discontinuation of employee health insurance benefit services effective January 1, 2018, was authorized.

Coordinator, Debbie Thompson reminded the Board of the AMC Region II meeting to be held on October 25, 2017, in Beltrami County and provided a One Plan, One Watershed handout for review by the Board.

Closed Session: On motion of Mr. Johannsen, seconded by Mr. Smith and carried unanimously, the meeting was closed at 11:16 a.m. pursuant to M.S. §13D.03 for union strategy. The meeting was re-opened at 11:35 a.m.

On motion of Mr. Johannsen, seconded by Mr. Stacey and carried unanimously, the meeting was closed at 11:45 a.m. pursuant to M.S. §13D.05, Subd 3 for the performance evaluation of Veteran Services Officer, Jerry Bjerke. The meeting was re-opened at 12:08 a.m.

There being no further business before the Board the Chairman adjourned the meeting at 12:12 p.m.

GENERAL REVENUE:

Rupp, Anderson, Squires & Waldspur	24,380.81
Summit Food Service, LLC	15,712.14
Turnkey Corrections	3,129.89
49 Payments Less Than \$2,000	18,112.83

ROAD & BRIDGE:

Anderson Brothers Construction	5,920.00
Team Laboratory Chemical Corp.	2,500.00
Tri-City Paving, Inc.	9,951.90
14 Payments Less Than \$2,000	4,937.33

SOLID WASTE:

URSA Logistics	2,700.00
3 Payments Less Than \$2,000	883.26

FORFEITED LAND:

Rowland Enterprises LLC	6,000.00
2 Payments Less Than \$2,000	196.82

SOCIAL SERVICES

DHS – SWIFT	21,757.17
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Heartland Homes SILS	6,050.28
Hubbard County DAC	20,071.93
Kindred Family Focus	6,525.19
Lutheran Social Services of MN	2,777.76
McMahon Consulting & Consultation	6,641.25
Montgomery, Mark	3,442.86
MSOP – MN Sex Offender Program	8,649.00
North Homes Inc.	13,664.71
Northwood Children's Home – Main	14,887.40
Pine Manors	5,200.00
Rural Minnesota CEP	16,318.64
34 Payment Less Than \$2,000	17,334.72
49 Payments Less Than \$2,000	8,676.56
Hubbard County Highway Dept	5,230.14
Lakes Medi-Van Inc.	3,081.54

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Mayo Medical Social Services	2,470.00
42 Payments Less Than \$2,000	9,573.94

/s/Vern Massie

Vern Massie, Chairman

Hubbard County Board of Commissioners

ATTEST: /s/Debbie Thompson
Debbie Thompson
Hubbard County Coordinator

