

WASECA COUNTY BOARD OF COMMISSIONERS – MAY 3, 2011

The Waseca County Board of Commissioners met in regular session on Tuesday, May 3, 2011, in the Commissioners Room, 300 N. State Street, Waseca, Minnesota. Members present were: Chair Mike Hintz; Richard Androli; Blair Nelson; Jim Peterson; Dan Kuhns.

Others present were Laura Elvebak, Interim Administrator; Joyce Oliver, Auditor-Treasurer; Paul Dressler, County Attorney; Ruth Ann Hager, News Reporter; Cheri Lewer, Public Health Director; Dennis Dinneen, Veterans Service Officer; Mike Santo, Guardian Energy; Ron Purcell and Jurgen Peters, SWCD; Nathan Richman, Highway Engineer; Bob Breck, Maintenance; Sarah Berry, Human Services; Mark Leiferman, Planning & Zoning Administrator; Brad Milbrath, Sheriff; Tim Kinniry, Jailer; Trevor Kanewischer, Chief Deputy Sheriff; Marilee Reck, Human Services Director; Mark Van Norman, Rochester Timber LLC; Paul Neigebauer, Highway Department.

Chair Hintz called the meeting to order at 9:30 a.m. Roll call was taken and the Pledge of Allegiance was recited.

Chair Hintz asked for public comment. There was none.

Androli moved and Kuhns seconded the motion to approve the agenda as presented. Motion carried unanimously.

Correspondence was shared among the board members. There was no discussion of bills and no department head time presented.

Androli moved and Peterson seconded the motion to approve the consent agenda with the removal of letter g-Ditch Repair for discussion. Motion carried unanimously.

- a. Approval of the April 19, 2011, County Board minutes.
- b. Approval of Auditor, Commissioner, Human Services and expense bills.
- c. Approval of 2011 Cemetery Maintenance Agreement with Gerds Lawn Care for a bid amount of \$1200.00. No other bids were received.
- d. Approval of Abatement for classification changes:
 - Selvik 17.206.0040 Homestead Classification
 - Scheffert 17.427.0270 Homestead Classification
 - Groh 06.014.0400 Classification Error
 - Groh 06.027.0700 Classification Error
 - Fritz 17.153.0080 Homestead Classification
 - Amundson 10.006.0210 Homestead Classification
- e. Approval to hire Sarah Madden, License Bureau Technical Clerk, Step A, B-2-1 range, starting May 9, 2011, at 28 hours per week.
- f. Approval of Feedlot Inspection-Howard Lewer Woodville Township.
- g. ~~Approval of Ditch Inspection Repairs – CD 43; JtCD 5; CD 8-A.~~

Discussion was held concerning when bids need to go out for ditch repairs. The repair on JtCD #5 was submitted for a total of \$11,660.00. Joyce Oliver told the board that the Ditch Inspector Agreement states that bids have to go out on repairs over \$25,000.00. Peterson moved and Nelson seconded the motion to approve all the ditch repairs as presented. Motion carried unanimously.

Bob Breck presented the fleet inventory and requested to purchase a vehicle for \$4,000.00 that Human Services is now leasing. The board inquired about the possibility of purchasing a mini-van for the county fleet. Bob had copies of a couple of public auctions where mini-vans were listed that would be in the price range of the \$8,000.00 vehicle budget. Androli moved and Kuhns seconded the motion to delay in purchasing the lease car and give Bob permission to go to an auction to possibly purchase a mini-van. Motion carried unanimously.

Cheri Lewer presented options on a previous request by Bill Harguth for zoning permit fee refund. The board can deny the request, extend the timeline for the permit application or refund the fee. Mr. Harguth was not present. Nelson moved and Kuhns seconded the motion to extend the permit application until June 1, 2011 in order to encourage compliance. Motion carried by the following roll call: Nelson, yes; Androli, yes; Peterson, no; Kuhns, yes; Hintz, yes.

Nathan Richman spoke about some of the county roads being in poor condition, in part due to the disregard of the seasonal load restrictions. It was recommended that the issue be taken to the Highway Committee to put a plan in place for additional enforcement of the restrictions for next year because this season is almost over.

Guardian Energy is requesting permission to haul loads that exceed the seasonal load restrictions due to a grain bin construction project. The road segment is a 0.6 mile segment on gravel county road 80 near the ethanol plant. Kuhns moved and Androli seconded the motion to allow the excess loads to travel on the road on condition that Guardian Energy hire an independent review of the road gravel depth and width before and after the project and file a bond guaranteeing the complete restoration of that segment of road. Motion carried unanimously.

Nathan Richman requested permission to develop an Engineering Services Agreement with Stonebrooke Engineering of Savage, MN for several of the disaster repair work sites. Kuhns moved and Peterson seconded the motion to grant permission to develop such an agreement. Motion carried unanimously.

Androli moved and Peterson seconded the motion to adopt the resolution to close the board meeting to develop or consider offers or counteroffers for the purchase or sale of real or personal property. Motion carried unanimously and the meeting was closed with the following present: Waseca County Board members

Chair Hintz, Androli, Nelson, Peterson, Kuhns, Interim Administrator Elvebak, Auditor-Treasurer Oliver and County Attorney Brenda Miller.

RESOLUTION 2011-20

**RESOLUTION TO CLOSE A PORTION OF THE WASECA COUNTY BOARD
MEETING ON MAY 3, 2011**

WHEREAS, the Waseca County Board of Commissioners desires to close a portion of the meeting to develop or consider offers or counteroffers for the purchase or sale of real estate or personal property;

WHEREAS, pursuant to Minn. Stat. §13D.05, subd. 3, the County Board by resolution may close a meeting as permitted by Minnesota law to consider offers or counteroffers for the purchase or sale of real estate or personal property;

NOW, THEREFORE, BE IT RESOLVED, that the Waseca County Board of Commissioners hereby closes a portion of the County Board meeting on May 3, 2011 at 10:40 a.m. in order to develop or consider offers or counteroffers for the purchase or sale of real estate or personal property.

The closed meeting was adjourned at 11:06 a.m.

Kuhns moved and Androli seconded the motion to adopt the resolution to close the board meeting to discuss labor negotiations. Motion carried unanimously and the meeting was closed with the following present: Waseca County Board members Chair Hintz, Androli, Nelson, Peterson, Kuhns, Interim Administrator Elvebak, Auditor-Treasurer Oliver and County Attorney Brenda Miller.

RESOLUTION 2011-21

**RESOLUTION TO CLOSE A PORTION OF THE WASECA COUNTY BOARD
MEETING ON MAY 3, 2011**

WHEREAS, the Waseca County Board of Commissioners desires to close a portion of the meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.

WHEREAS, pursuant to Minn. Stat. §13D.03, the County Board by resolution may close a meeting as permitted by Minnesota law to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.

NOW, THEREFORE, BE IT RESOLVED, that the Waseca County Board of Commissioners hereby closes a portion of the County Board meeting on May 3, 2011 at 11:07 a.m. to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.

The closed meeting was adjourned at 11:15 a.m.

Laura Elvebak presented the administrator report.

Elvebak explained that Waseca County has a current agreement to allow Waseca County citizen's access to the NACo Prescription Drug Program. The terms of the agreement do not allow the County to enter into an agreement with any other program. In addition, the agreement has recently automatically renewed through May 14, 2012. Discussion ensued about the prescription drug program, TWRX, and the feasibility of having two drug programs available to clients. Androli offered to contact a representative of NACo to inquire about the opportunity to offer both programs to the citizens.

Discussion ensued concerning the house auction at 320 2nd Street NW on May 15, 2011. Commissioners discussed the value of the property to the County and whether this was an appropriate time to consider purchasing property. It was the opinion of the majority of the board that if the price is reasonable, the county should place a bid for the adjoining property.

Laura Elvebak presented MN Accountable Government Innovation and Collaboration (MAGIC) Act letter and flowchart from AMC. AMC (Association of MN Counties) was requesting a resolution in support of the MAGIC act. Discussion ensued and nothing was done at this time.

An Office Support Specialist (OSS) position, which was filled on April 11, 2011, will be reviewed in 3 months after the starting date, or July 11, 2011.

Androli moved and Peterson seconded the motion to adopt the resolution appointing County Administrator. Motion carried unanimously.

RESOLUTION 2011-22

Resolution Appointing County Administrator

WHEREAS, pursuant to Minnesota Statutes section 375A.06 Waseca County may establish the position of County Administrator: and

WHEREAS, Waseca County has previously established the position but has a vacancy caused by the termination of the previous County Administrator; and

WHEREAS, Waseca County desires to fill the vacancy of County Administrator; and

WHEREAS, Waseca County Board of Commissioners desires to employ the services of Laura Elvebak as County Administrator for Waseca County as provided by Minnesota Statutes 375A.06;

BE IT THEREFORE RESOLVED, that the Waseca County Board of Commissioners hereby appoints Laura Elvebak as County Administrator pursuant to Minnesota Statutes section 375A.06. Said appointment to be effective June 1, 2011.

Discussion ensued concerning the sale of property, specifically trees out of the county parks. Members of the Soil & Water Conservation District board had previously presented a plan to harvest trees to raise money to replace an old pickup truck. The issue of harvesting trees out of the county parks was sent to the Highway Committee to develop a forestry plan. The SWCD was asked to put their request for a truck on the agenda for the next board meeting.

Androli moved and Kuhns seconded the motion to adopt the resolution of negotiated changes to 2010-2011 AFSCME labor agreement for the Highway Department. Motion carried unanimously.

RESOLUTION 2011 - 23

RESOLUTION ADOPTING NEGOTIATED CHANGES TO 2010-2011 A.F.S.C.M.E. LABOR AGREEMENT

WHEREAS, the current Collective Bargaining Agreement between A.F.S.C.M.E. Council 65 (Highway Unit) and Waseca County expired on December 31, 2009; and

WHEREAS, the Labor Relations/Group Insurance Committee has recently negotiated a two year labor agreement with the A.F.S.C.M.E. union; and

WHEREAS, the proposed agreement is reasonable, fiscally prudent and within current budget parameters; and

BE IT THEREFORE RESOLVED by the Board of Commissioners for Waseca County that the proposed labor agreement for the years 2010 and 2011 between Waseca County and A.F.S.C.M.E. be and hereby is approved.

This Resolution shall become effective upon its passage and without further publication.

Kuhns moved and Androli seconded the motion to adopt the resolution entering into an employment agreement with the County Administrator. Motion carried unanimously.

RESOLUTION 2011 - 24

Resolution Entering Into County Administrator Employment Agreement

WHEREAS, pursuant to Minnesota Statutes section 375A.06 Waseca County may establish the position of County Administrator; and

WHEREAS, Waseca County has previously established the position but has a vacancy caused by the termination of the previous County Administrator; and

WHEREAS, Waseca County Board of Commissioners desires to employ the services of Laura Elvebak as County Administrator for Waseca County as provided by Minnesota Statutes 375A.06; and

WHEREAS, Laura Elvebak, upon acceptance of the position desires to be assured of reasonable compensation for her duties and responsibilities, and severance rights in the event of a termination of this employment relationship;

BE IT THEREFORE RESOLVED, that the Waseca County Board of Commissioners hereby authorizes the Chairperson to enter into the proposed Employment Agreement attached hereto and incorporated by reference.

Androli moved and Kuhns seconded the motion to approve the *Points by Department* and *FLSA Exemptions* documents as prepared as part of the classification and compensation study by Springsted Inc. in 2008. Motion carried unanimously.

A wage adjustment for Assistant County Engineer Lyle Sopkowiak to reflect the change in FLSA classification from non-exempt (overtime/compensatory earning) to exempt (no overtime/compensatory earning) was discussed. Androli moved and Nelson seconded the motion to re-classify the Assistant County Engineer position from exempt to non-exempt and allow the position to be eligible for overtime and Sunday pay similar to current practice. No wage adjustment would be made. Motion carried by the following roll call: Nelson, yes; Androli, yes; Peterson, yes; Kuhns, no; Hintz, no.

A wage adjustment for Chief Deputy Sheriff Trevor Kanewischer and Jail Administrator Tim Kinniry to reflect a change in the Fair Labor Standards Act (FLSA) classification from Non-Exempt to Exempt, as well as a more competitive and appropriate rate for their respective supervisory positions was discussed. The range requested is within the Springsted study and comprised of 2011 data from counties surrounding Waseca County. Kuhns moved and Androli seconded the motion to approve the following rate of pay effective May 8, 2011:

Chief Deputy Sheriff Trevor Kanewischer	\$73,650.44
Jail Administrator Tim Kinniry	\$63,650.44

They also will be eligible for Special Duty Detail pay for special events, reimbursable by grant, and mandatory special events as decided by the sheriff. Comp time and other overtime will be eliminated. Both individuals shall be paid for existing time currently on the books at the present salary rate. The Special Duty Detail rate would be equivalent to one and one-half the employee's base wage. Motion carried unanimously.

Committee Reports were tabled until the next meeting.

Peterson moved and Kuhns seconded the motion to adjourn. Motion passed unanimously. Meeting was adjourned at 12:43 p.m.

S/_____
Michael Hintz, Chairman
Waseca County Board of Commissioners

ATTEST:

S/_____
Joyce Oliver
Waseca County Auditor/Treasurer

The following bills were audited and allowed:

ADVANCED DRAINAGE SYSTEMS INC	224.57
AMERICAN LUNG ASSOCIATION	878.19
ANCOM COMMUNICATIONS INC	955.46
APEX EQUIPMENT LLC	1,623.78
BLUE CROSS-BLUE SHIELD HEALTH	1,020.00
BUDACH IMPLEMENT INC	45.18
C&D OIL SERVICES OF WASECA LLC	150.00
CITY OF WASECA	15.00
CLEAR LAKE SIGNS INC	65.73
KATHLEEN CONNOR	12.75
DEARBORN NATIONAL	288.62
DENNIS DINNEEN	128.58
ERICKSON ENGINEERING	4,042.50
FIRST LAB	79.90
FLEX COMM SECURITY	49.16
FRONTIER PRECISION INC	316.03
G&K SERVICES INC	820.36
GULF SOUTH MEDICAL SUPPLY INC	642.03
RUSSELL GUSE	467.52
HENNEPIN CO MEDICAL CENTER	175.00
HICKORY TECH	213.75
HYVEE FOOD STORES	75.57
IFACS	327.95
IVERSEN & STERLING	35.00
RHONDA JACOBSON	6.12
JOBS PLUS INC	77.12
ANDREW KAJEWSKI	373.14
ADAM KESTEL	55.00

LEMOND TOWN HALL	2,500.00
LESUEUR CO PHN SERVICE	5,740.80
DON LOKEN EXCAVATING INC	2,907.84
MAG'S GARAGE DOOR REPAIR	80.00
MICHAEL MCGEE MD	500.00
KIDS MEDIBADGE INC	192.05
MEDICARE BLUE RX	877.50
CRAIG MILLER	56.10
MINNESOTA LIFE INS CO	121.65
MN AG INTERPRETIVE CENTER	150.00
MN BOARD OF CLE	209.71
MN COMM OF TRANSPORTATION	97.04
MN COUNTY ATTORNEY ASSOC	100.00
MN DEPT OF HUMAN SERVICES	382.54
MN HIGHWAY SAFETY & RESEARCH C	2,562.00
MN SHERIFFS ASSOC	1,275.00
MSPACE INC	5,574.13
NRHEG STAR EAGLE INC	10.50
OWATONNA CONCRETE PRODUCTS LLC	104.74
PRO-WEST & ASSOCIATES INC	897.50
QUATLITY PRINT OF WASECA INC	440.84
RAMSEY COUNTY	1,400.00
RED FEATHER PAPER CO INC	1,068.41
REGIONS HOSPITAL (AUTOPSIES)	200.00
NATHAN RICHMAN	34.00
RIVER BEND BUSINESS PRODUCTS	192.30
LEON SCHOENROCK	55.00
STEVE SCHROEDER	96.40
SKJEVELAND ENTERPRISES	819.15
SOUTH CENTRAL TECH COLLEGE	2,070.00
SPORTSMAN STOP	9.17
SPRINT-CAROL STREAM	79.98
STEWART SANITATION	2,949.10
THREE RIVERS RCD COUNCIL	650.00
TRADES OFFICE PRODUCTS	2,433.02
VALLEY NAT'L GASSES-LOC 88 INC	143.05
ROBERT VOGELSANG	55.00
WALMART PYMT PROCESSING ATLANT	252.22
WASECA CO PUBLIC HEALTH	11,647.22
WASECA PROPERTIES INC	101.20
WASTE MANAGEMENT-CAROL STREAM	728.00
WATERVILLE CAFÉ	48.09
CITY WELLS	204.00
ZAHL EQUIPMENT SERVICE INC	251.04

