

REDWOOD COUNTY, MINNESOTA

APRIL 15, 2014

The Board of County Commissioners met in regular session at 8:30 a.m. in the Commissioners' Room in the Government Center, Redwood Falls, Minnesota.

Present for all or portions of the meeting were Commissioners Priscilla Klabunde, Sharon Hollatz, John Schueller, Lon Walling, Al Kokesch, and County Administrator Vicki Knobloch. Also present were County Attorney Steve Collins; Sheriff Randy Hanson; Auditor/Treasurer Jean Price; Land Use & Zoning Supervisor Nick Brozek; Extension Coordinator Holli Arp; SNAP-ED Educator Darlyce Rangaard, Redwood Soil & Water Conservation Marilyn Bernhardson; AMC Executive Director Julie Ring; Human Resource Coordinator Peter Brown; Veterans Service Officer Martin Caraway; County Engineer Willy Rabenberg

Chair Hollatz called the meeting to order asking for the Pledge of Allegiance to the Flag.

On motion by Schueller, second by Kokesch, the Board voted unanimously to approve the April 15th agenda.

Chair Hollatz asked the Board members to identify any areas for which they had a Conflict of Interest. There were none.

CONSENT AGENDA

- On motion by Klabunde, second by Walling, the Board voted unanimously to approve the consent agenda.
 - April 1st minutes.
 - Payment of bills as follows:

Revenue Fund	\$ 142,069.62
Building Fund	\$ 241,568.22
Ditch Maintenance Fund	\$ 15,457.41
Solid Waste Fund	\$ 1,940.78
Forfeited Tax Sale	\$ 25.98

EMPLOYEE RECOGNITION

The Board recognized Dispatch/Jailer Steve Schwartz for 5 years of service to Redwood County.

VETERAN OFFICE

- On motion by Schueller, second by Walling, the Board voted unanimously to approve Out of State Travel Request for Veteran Service Officer Martin Caraway to attend NACVSO Annual Training Conference in Grand Rapids, MI to maintain accreditation per state statute in the amount of \$1,588.

- On motion by Walling, second by Klabunde, the Board voted unanimously to declare 2003 Ford Windstar as excess equipment and authorized funds from the sale to be deposited in Veterans account.
- Veteran Service Officer Martin Caraway reported to the Board on trip to Washington DC NACVSO Conference that he attended.

EXTENSION OFFICE

- Regional Director Holli Arp introduced new SNAP-Ed Educator Darlyce Rangaard who will working in the Redwood County Extension Office.

REDWOOD SOIL & WATER

- On motion by Schueller, second by Walling, the Board voted unanimously to support efforts in One Watershed, One Plan as presented by Marilyn Bernhardsen.

SHERIFF

- Hanson updated the Board on the Redwood County Jail Population for March, 2014.
- On motion by Schueller, second by Klabunde, the Board voted unanimously to approve the contract with Southwest Health and Human Services for jail nursing at \$75 per hour effective April 1, 2014 through December 31, 2014.
- On motion by Walling, second by Kokesch, the Board voted unanimously to approve the 2014 State of MN Annual County Boat and Water Safety Grant Agreement, contract #75892 in the amount of \$1,430.

AUDITOR/TREASURER

- On motion by Schueller, second by Kokesch the Board voted unanimously to approve the following:
 - Cash Balance Report
 - Investment Summary
 - Budget Reports, Revenue Fund, Building Fund, Ditch Maintenance Solid Waste, Human Services, Family Service Collaborative Agency, Public Health, Debt Service Fund.
 - March Disbursements in the amount of \$908,423.72.
- On motion by Walling, second by Kokesch, the Board voted unanimously to approve the 2013 Designation of Fund Balances.

ADMINISTRATOR

- On motion by Klabunde, second by Walling, and in a roll call vote with Hollatz, Schueller, Klabunde, Walling, and Kokesch all voting aye, the following resolution was adopted:

Redwood County respectfully opposes the current draft of H.F 2939/S.F. 2490. We feel this could likely serve as a deterrent to local government cooperation and would negatively impact future joint powers agreements between counties.

In recent years, in response to direction from state leaders, local governments have increased their use of joint power arrangements to save taxpayer dollars, gain efficiencies, and improve outcomes. Those

efforts have helped local governments cope with reduced state funding and the difficulty in finding staff to fill certain technical and professional positions.

While every county in the state engages in joint powers and shared services arrangements, this bill is likely to most directly harm smaller counties including Redwood County as we look for ways to best serve our community.

Another concern is the bill does not recognize the legal and functional distinction between an agreement that creates a separate joint powers “entity” and one where one local unit of government is contracting for service with another.

The bill would add costly administrative burdens that could undo or reduce any efficiencies or cost savings that local governments hoped to achieve by forming a collaborative entity.

The continuing contract provisions will make it more difficult for an employer and employee groups to reach agreement on a new collective bargaining agreement. In a situation where employees of the new entity are guaranteed different terms of employment, it may become difficult to reach agreement on a contract that doesn’t meet or exceed the terms of what is considered the most generous existing one, especially if that contract isn’t set to expire for several years.

This situation will continue until a new collective bargaining agreement is reached. But we also have concerns that this continuing contract provision will make it more difficult for an employer and employee groups to reach agreement on a new CBA. When you create a situation where employees of the new entity are guaranteed different employment terms, it may become difficult in some cases to reach agreement on a contract that doesn’t meet or exceed the terms of what is considered the most generous existing contract, especially if that contract isn’t set to expire for several years.

This continuing contract provision also does not speak to what happens if the employees of a new entity choose not to unionize at their new employer. These continuing contract terms would seemingly continue indefinitely or at least until the previous contracts expired, as no new collective bargaining agreement would ever be reached.

- On motion by Walling, second by Kokesch, the Board voted unanimously to designate \$3000 to the Wellness Program.
- On motion by Klabunde, second by Walling, and in a roll call vote with Hollatz, Schueller, Klabunde, Walling, and Kokesch all voting aye, the following resolution was adopted

**RESOLUTION ENCOURAGING AMC TO SUBMIT PUBLIC COMMENTS ON THE
PROPOSED RULE FOR THE DEFINITION OF “WATERS OF THE UNITED STATES”
UNDER THE CLEAN WATER ACT**

WHEREAS,

The Redwood County Board of Commissioners (“Board”) serves as the public drainage authority for Redwood County, Minnesota under the state’s drainage code found in Minnesota Statutes chapter 103E and is therein charged with administering public drainage projects, particularly of agricultural lands.

WHEREAS,

The U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers recently released a draft proposed rule defining the phrase “waters of the United States” under the Clean Water Act, which is to be published in the Federal Register for public comment.

WHEREAS,

The Board is concerned that the EPA and the Corps are expanding their jurisdiction to regulate local lands beyond the scope of jurisdiction originally authorized by Congress and interpreted by the courts.

WHEREAS,

The Board believes that the rule creates more confusion and less clarity for public drainage authorities trying to understand this difficult issue while administering those duties charged under the Minnesota State drainage code.

WHEREAS,

The Association of Minnesota Counties has a vested interest in seeing that legislation and policies favorable to counties are enacted, and the Board believes that the proposed rule will not improve the complex, jurisdictional bureaucracy already plaguing the EPA and the Corps in making jurisdictional determinations and will frustrate the county’s ability to carry out its duties under Minnesota’s public drainage code.

NOW THEREFORE BE IT RESOLVED, That the Board supports and encourages AMC to submit public comments on the EPA and Corps’ proposed rule, explaining how the rule detracts from local government’s ability to carry out maintenance of our state’s public drainage systems, which are critical to agriculture, our economy, and to making a viable use of the land within our country.

- On motion by Walling, second by Schueller, the Board voted unanimously to approve an application for Exempt Permit to Southwest Minnesota Ducks Unlimited for a raffle.

Personnel Action Items

- On motion by Klabunde, second by Kokesch, and in a roll call vote with Hollatz, Schueller, Klabunde, Walling, and Kokesch all voting aye, the following resolution was adopted

RESOLUTION**REAPPOINTING WILLIAM RABENBERG AS REDWOOD COUNTY ENGINEER FOR A FOUR-YEAR TERM EFFECTIVE MAY 1, 2014 THROUGH APRIL 30, 2018**

WHEREAS, William Rabenberg was first appointed as the Redwood County Engineer effective May 18, 2010 for a four year term ending April 30, 2014 and by reappointment of the Board of County Commissioners, will serve through the term expiring April 30, 2014; and

WHEREAS, the County Administrator has determined that performance objectives have been met and, therefore, recommends reappointment.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Redwood, Minnesota, that, in accordance with Minn. Stat. 163.07 that William Rabenberg be and hereby is reappointed to a four-year term beginning May 1, 2014 and continuing through April 30, 2018.

BE IT FURTHER RESOLVED, that a copy of this resolution be included with the personnel file held by the County Administrator's Office.

- On motion by Walling, second by Schueller, the Board voted unanimously to accept the Non-Union Memorandum of Understanding for participation in the Health Care Savings Plan.

ENVIRONMENTAL

Planning and Zoning

- An application for an Extraction Conditional Use Permit #4-14 filed by Jared Maas for the extraction, processing and stockpiling of gravel material from/on the following described real property, situated in the County of Redwood, State of Minnesota, to wit: N ½ SE ¼, 80.A, Section 28, Township 110 North, Range 38 West, Johnsonville Township. On motion by Walling, second by Kokesch, the Board voted unanimously to approve CUP #4-14 of Jared Maas with (12) conditions set forth by the Planning Commission.
- An application for a Cap X2020 Conditional Use Permit #5-14 filed by Terry Pellman of Land Service Company as agent for Cap X2020 to enlarge its existing temporary lay down yard for construction staging in connection with the Cap X2020 transmission line on the real property, situated in the County of Redwood, State of Minnesota, to wit: NW ¼ of Section 14, Township 112N, Range 39W, Underwood Township. On motion by Walling, second by Klabunde, the Board voted unanimously to approve CUP #5-14 of Cap X2020 with (17) conditions as set forth by the Planning Commission.

ROAD & BRIDGE

- On motion by Klabunde, second by Walling, and in a roll call vote with Hollatz, Schueller, Klabunde, Walling, and Kokesch all voting aye, the following resolution was adopted

WHEREAS, it appears to the County Board of the County of Redwood that the road hereinafter described as a County State Aid Highway under the provisions of Minnesota Laws:

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Redwood that the road described as follows, to-wit:

Beginning at a point on Trunk Highway No. 19 (Bridge Street) at its junction with Lincoln Street, in the City of Redwood Falls, said point being the center line of Lincoln Street; thence continuing north along Lincoln Street to Oak Street; thence continuing in a westerly, northwesterly, southerly and southwesterly direction through Ramsey Park to the junction of Pleasant Street and Grove Street; thence continuing south along Grove Street to a point on Trunk Highway No. 19 (Bridge Street), said point being located at the junction of Trunk Highway No. 19 and Grove Street and there terminating (See attached map).

Be, and hereby is revoked as a County State Aid Highway of said County subject to the approval of the Commissioner of Transportation of the State of Minnesota,

BE IT FURTHER RESOLVED, that the County Administrator is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for his consideration.

- On motion by Schueller, second by Walling, the Board voted unanimously to award SP 064-070-004 6" Wide Epoxy Edgeline Striping (Ground In) to various CSAH routes that meet the safety requirements in Redwood County to AAA Striping in the amount of \$43,942.27. All bids received were as follows:

COMPANY:	AMOUNT OF BID:
AAA Striping	\$43,942.27
Century Fence Co.	\$46,821.98
Traffic Marking Service, Inc.	\$49,061.76

- On motion by Kokesch, second by Schueller, the Board voted unanimously to approve payment not to exceed \$8000 on work provided by tribal monitor approved by Mn/DOT and Lower Sioux Tribal Council for CSAH 2 project (S.P. 064-602-021) for archaeological mitigation work.

AMC PRESENTATION

- AMC Executive Director Julie Ring updated the Board on activities at AMC.

COMMISSIONER REPORTS

- The commissioners reported on meetings they attended:

Walling:

- Historical Society Meeting

Kokesch:

- ATV Parks & Trails
- Historical Society
- MN Inventor's Congress
- Renville County HRA/EDA
- Nurse Family Partnership
-

Hollatz

- RCRC
- Technology Committee
- Southwest Regional Development Corporation
- Minnesota River Area Agency in Aging

Klabunde:

- o EDA
- o CSAH 31 Turnback Celebration

Schueller:

- o Redwood/Renville Regional Solid Waste/Recycling
- o RSVP

CLOSED SESSION-LAND CONSIDERATION

On motion By Walling, second by Kokesch, the Board voted unanimously to enter into closed session at 11:20 a.m. for the purpose of land consideration. Present were Commissioners Hollatz, Schueller, Klabunde, Walling, and Kokesch; County Administrator Knobloch, and Veterans Officer Martin Caraway. Closed session ended at 11:43 a.m. No action taken.

ADJOURN

- There being no further business, Chair Hollatz declared the meeting adjourned at 12:41 p.m.

Attest: _____
Vicki Knobloch
County Administrator

Sharon Hollatz, Chair
Board of County Commissioners