

REDWOOD COUNTY, MINNESOTA

OCTOBER 20, 2015

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, Jim Salfer, Lon Walling, Dennis Groebner and County Administrator Vicki Knobloch. Also present were County Attorney Steve Collins; Auditor/Treasurer Jean Price; Maintenance Supervisor Loren Gewerth; County Engineer Willy Rabenberg; Human Resources Coordinator Peter Brown; County Recorder Joyce Anderson, Environmental Director Scott Wold; Senior Technical Clerk Tonya Haas; Account Technician Jennifer Scharfencamp; Sheriff Randy Hanson; Jeff Potter; Tiffany Hansen; Jeff Sandgren, Jim Sandgren and Kirby Josephson.

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

On motion by Salfer, second by Hollatz, the Board voted unanimously to approve the October 20th agenda.

Chair Walling asked the Board members to identify any areas for which they had a Conflict of Interest. Klabunde identified a conflict in the Abstract of Bills.

CONSENT AGENDA

- On motion by Hollatz, second by Salfer, and excluding the bill from Klabunde Electric in the amount of \$87.00, the Board voted unanimously to approve the Consent Agenda.
- On motion by Salfer, second by Hollatz, with Klabunde abstaining due to conflict of interest, the Board voted to approve the bill from Klabunde Electric in the amount of \$87.00.
- October 6th minutes.
 - Payment of bills as follows:

General Fund	\$ 66,243.34
Health Fund	\$ 66,323.75
Ditch Maintenance Fund	\$ 5,581.62
Solid Waste Fund	\$ 1,678.08

EMPLOYEE RECOGNITION

- The Board recognized Joyce Anderson, Recorder's Office, for 25 Years of Service to Redwood County.
- Introduction and welcome of new employees, Tonya Haas, full time Senior Technical Clerk in the Attorney's Office and Jennifer Scharfencamp, full time Account Technician in the A/T and Recorder's Office.

FAIR BOARD

- Potter presented update on 2015 Redwood County Fair, future plans and events.

AUDITOR/TREASURER

- On motion by Klabunde, second by Groebner, the Board voted to approve the following:
 - Cash Balance Report
 - Investment Summary
 - Budget Reports, General Fund, Health Fund, Ditch Maintenance and Solid Waste Fund.
 - September, 2015 Disbursements in the amount of \$1,049,489.07.

ATV ORDINANCE

- Collins presented updated ATV Ordinance.
- On motion by Hollatz, second by Groebner, the Board voted unanimously to adopt the ATV Ordinance with revisions effective October 20, 2015.

REDWOOD COUNTY ORDINANCE REGARDING ATV USE ON COUNTY ROADS

I. PURPOSE. The purpose of this Ordinance is to provide for the health, safety, and welfare of the citizens of Redwood County. To insure the integrity of all County Roads in its jurisdiction, the Redwood County Board of Commissioners (the “County Board”) enacts this Ordinance in accordance with Minnesota Statutes to regulate the use of ATVs on Redwood County roads.

II. DEFINITIONS. These terms are defined as follows:

1. “ATV” means an “All-terrain vehicle” as defined by M.S. §84.92.
2. “County” means the County of Redwood, State of Minnesota.
3. “County Road(s)” means all roads under jurisdiction of the County.
4. “Right-of-way” is defined by M.S. §84.92.
5. "Shoulder" means that part of a highway which is contiguous to the regularly traveled portion of the highway and is on the same level as the highway. The shoulder may be pavement, gravel, or earth. On County Roads where the shoulder is not readily identifiable, the shoulder shall be the *extreme* right hand side of the road.
6. “Traveled Way” means the traffic lanes on any County Road.

III. RECITALS.

1. M.S. §§84.92 to 84.929 regulates ATV use in the right-of-way of County Roads.
2. The County is in the portion of the state which is designated as the “agricultural zone” and therefore, use of ATVs in ditches and outside slopes of County Roads is not allowed during much of the year.
3. Allowing ATV use on County Roads will remove ATVs from the ditches and outside slopes of County Roads and allow ATV use during periods of the year when it was previously prohibited.

4. Most County Roads are appropriate for mixed use and allow for safe operation of ATVs on the Shoulder, with proper safety restrictions.

IV. AUTHORIZATION.

1. This Ordinance regulates the use of ATVs on all County Roads in Redwood County, except as specifically addressed in Section V, Paragraph 5 herein.

2. Use of the Shoulder on County Roads is permitted if and only if:

a. The driver complies with all laws and regulations controlling use of public roads by motorized vehicles.

b. Speed is always reasonable or proper under the circumstances.

c. The ATV does not crowd non-motorized traffic when passing; is not careless, reckless, or negligent in a way that endangers or causes injury or damage to the person or property of another; does not violate operation rules adopted by the Commissioner or violates M.S. §§84.92 to 84.929; and does not impede the Traveled Way of any County Road.

d. The ATV is compliant with Minnesota Statute, and is used in compliance with Minnesota Statute.

e. The ATV does not have a snorkel device with raised air intake six inches above the original manufacturer's air intake.

f. The ATV has a functioning stop or taillight (if so equipped), a functioning hand or foot brake, and a rearview mirror on the driver's left side.

g. The ATV's headlight and taillight are lighted at all times.

h. There is only one person on the ATV, except as allowed by M.S. §84.9257.

i. Any driver or passenger under the age of 18 is wearing a helmet.

j. ATVs shall ride on the gravel shoulder or the extreme right hand side of County Roads and should avoid riding on pavement wherever and whenever possible.

k. ATVs shall not be allowed to operate within any County park.

V. ADMINISTRATION.

1. The County Board may close or restrict any County Road to ATV use, with notice posted by the Highway Department.

- 2. The County Board shall request an annual report regarding ATV use from the Sheriff’s Office, the Highway Department, and the DNR, to be given at the Organizational Board Meeting on the first Tuesday in January of each year.
- 3. In accordance with M.S. Chapter 169, the Highway Engineer, with input from the Sheriff, may place appropriate signage addressing ATV use on County Roads.
- 4. Violation the terms of this Ordinance constitutes a misdemeanor, per M.S. §84.929.
- 5. If any municipality or township within Redwood County approves an ordinance pursuant to Minnesota Statute §84.82 to §84.929 or §169.045, this Ordinance will not be deemed to supersede the provisions of that municipal or township ordinance. Any municipal or township ordinance shall in all cases govern use of ATVs on County Roads within that municipality’s or township’s jurisdiction.
- 6. If any Ordinance provision, or the application thereof to any person or circumstance, is held to be invalid, that will not affect any other Ordinance provision or application that can be given effect without the invalid provision or application, and for such purpose the invalid provisions of the Ordinance are severable.
- 7. This ordinance shall take effect immediately following its final passage and adoption.

MAINTENANCE

- On motion by Klabunde, second by Hollatz, the Board voted unanimously to purchase a CAT 247B3 skid loader from the Highway Department in the amount of \$25,237 for the Maintenance Department.

ROAD & BRIDGE

- On motion by Walling, second by Klabunde, the Board voted unanimously to award SAP 64-599-101, Bridge #64J49, North Hero Township to Midwest Contracting, LLC in the amount of \$170,810.

Other bids received:

Company	Amount
Midwest Contracting, LLC	\$170,810.00
Mathiowetz Construction Company	\$171,413.00
Landwehr Construction, Inc.	\$198,974.00

- On motion by Klabunde, second by Groebner, the Board voted unanimously to award SAP #064-598-021, Bridge #64587 on CR 67 to River Ridge Construction in the amount of 278,918.

Other bids received:

Company	Amount
Duininck, Inc.	\$494,118.00
M & K Bridge Construction, Inc.	\$304,436.00
Prahm Construction	\$402,963.75
Redstone Construction	\$459,575.75
River Ridge Construction	\$278,918.00
Robert R. Schroeder Construction, Inc.	\$455,820.00
Structural Specialties, Inc.	\$279,925.50

- On motion by Hollatz, second by Salfer, and in a roll-call vote with Hollatz, Groebner, Walling, Klabunde and Salfer all voting aye, the Board voted unanimously to adopt the following resolution:

**RESOLUTION FOR AGREEMENT TO STATE
TRANSPORTATION FUND (Bridge Bonds)
Exhibit E for Grant Agreement to State Transportation Fund
Grant Terms and Conditions
SAP 064-598-021
October 20, 2015**

WHEREAS, Redwood County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 64587; and

WHEREAS, The Commissioner of Transportation has given notice that funding for this bridge is available; and

Whereas, the amount of the grant has been determined to be \$ 253,161.50 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Redwood County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

BE IT FURTHER RESOLVED, that whereas federal-aid funds are being used to participate in the cost of the bridge, the Minnesota State Transportation Fund grant shall be deposited directly into the federal-aid agency account and that the records of the County (City) shall so state.

- On motion by Klabunde, second by Salfer, the Board voted unanimously to approve the Local Road Improvement Program Grant Agreement between the Minnesota Department of Transportation in the amount of \$253,161.50.
- On motion by Hollatz, second by Groebner, the Board voted unanimously to authorize letting date of December 2, 2105 at 10:00 a.m. for the Maintenance contract for the Belview/Delhi area.

- On motion by Groebner, second by Salfer, the Board voted unanimously to approve the purchase of a 2016 7600 International snowplow truck in the amount of \$83,800 plus tax with trade in of 2001 snowplow truck of \$24,000 from Fox Brothers International.

Other bid received:

Company	Amount
Fox Brothers International	\$83,800
Maney International, Inc.	\$86,750

- On motion by Groebner, second by Klabunde, the Board voted unanimously to approve the purchase of a snow plow box/plows from Crysteel Truck Equipment off State Contract Release #S-863(5) and Contract #80239 in the amount of \$95,279.97.
- On motion by Salfer, second by Hollatz, in a 4 to 1 vote with Klabunde opposing, approved the purchase of a T870 T4 Bobcat Compact Track Loader from Titan Machinery/Bobcat Company in the amount of \$72,925.98 off of the State Contract #90052 T-631(5).

Other bids received:

Company	Amount
Titan Machinery/Bobcat Company	\$72,925.98
Weltsch Equipment, Inc.	\$65,675.00
Ziegler	\$81,429.00

SHERIFF

- Hanson presented the Sentence to Serve Quarterly Report and the September Jail Population.

ADMINISTRATOR

- On motion by Salfer, second by Hollatz, the Board voted unanimously to solicit for bids to Redwood County Realtors who are a member of the Multiple Listing Service to sell the Human Services Building.
- On motion by Hollatz, second by Groebner, and in a roll-call vote with Hollatz, Groebner, Walling, Klabunde and Salfer all voting aye, the Board voted unanimously to adopt the following resolution:

County Board Resolution of Support to Lease and Operate the Appleton Prison with State of Minnesota

WHEREAS, according to the Minnesota Department of Corrections, the State of Minnesota’s prison population exceeds capacity; and

WHEREAS, the Minnesota Department of Corrections is housing 560 inmates in county jails where they cannot receive critical rehabilitation services available in State correctional facilities; and

WHEREAS, the Minnesota Department of Corrections projects the State of Minnesota’s prison population will grow by at least 500 inmates by the year 2020; and

WHEREAS, the Minnesota Department of Corrections is seeking \$141.5 million in general obligation bonds to finance the construction of a 500-bed expansion at Minnesota Correctional Facility – Rush City to accommodate projected prison population growth; and

WHEREAS, the State of Minnesota would incur additional costs such as interest, debt service, maintenance, and annual operating costs associated with expanding Minnesota Correctional Facility – Rush City; and

WHEREAS, the City of Appleton is home to a vacant and well-maintained 1,600-bed prison; and

WHEREAS, 350 people from 24 surrounding counties worked at the Appleton prison when it was in use, generating an estimated \$15.2 million for the regional economy; and

WHEREAS, many ancillary businesses in the region and their workers benefitted when the Appleton prison was in use; and

WHEREAS, the region offers robust infrastructure to provide rehabilitation services for State of Minnesota inmates and a great quality of life for working families; and

WHEREAS, the cost to the State of Minnesota to lease the Appleton prison is estimated to be \$6-8 million per year, plus annual operating costs – substantially lower than constructing and maintaining new, permanent correctional facilities; and

WHEREAS, it is practical that the State of Minnesota do its due diligence to fairly consider the costs associated with leasing and operating the Appleton prison before constructing new, permanent correctional facilities;

NOW THEREFORE BE IT RESOLVED, that on October 20, 2015 the Redwood County Board of Commissioners declared its support for a proposal for the State of Minnesota to lease and operate the Appleton prison with State of Minnesota public employees to provide much-needed jobs and economic development for the people of West Central Minnesota and to provide effective rehabilitation services for inmates needed to reduce recidivism.

Personnel Action Items:

- On motion by Hollatz, second by Klabunde, the Board voted unanimously to hire Yadira Ortega as full-time Administrative Assistant in the Environmental Services Office effective October 26, 2015 at the AFSCME scale, Grade 8, Step 2 at \$14.39/hr.
- On motion by Hollatz, second by Klabunde, the Board voted unanimously to approve the renewal of the BCBSMN Sr. Gold Medicare Supplemental Insurance Plans with a change in prescription co-pays for Redwood County Retirees
- On motion by Walling, second by Salfer, the Board voted unanimously to approve the CivicHR Contract.

- On motion by Klabunde, second by Salfer, the Board voted unanimously to approve offering Legal Shield/ID Shield to Redwood County Employees in the ancillary benefit package.
- On motion by Klabunde, second by Hollatz, the Board voted to transfer/promote Julie Senst from Dispatcher to Lead Dispatcher effective 10-21-15 at the LELS Scale, LD, Step 16 at \$22.10/hr.

CLOSED SESSION- REAL ESTATE CONSIDERATION

- On motion by Hollatz, second by Salfer, the Board voted unanimously to enter into closed session at 10:11 a.m. for the purpose of a real estate consideration. Present were Commissioners Hollatz, Salfer, Klabunde, Walling and Groebner; Environmental Director Scott Wold and County Administrator Knobloch. Closed session ended at 10:49 a.m. No action was taken.

RECONVENED

- The Board reconvened into regular session at 10:49 a.m.

COMMISSIONER REPORTS

- The commissioners reported on meetings they attended:

Groebner:

- Redwood/Renville Regional Solid Waste Authority
- Redwood Soil and Water

Klabunde:

- Southern Prairie Community Care

Walling:

- Redwood/Renville Regional SW

Hollatz

- Road and Bridge Tour

Salfer

- Redwood Area Development Corporation
- Economic Development Authority/Strategic Planning
- Solar Farm – Lyon County
- Road and Bridge Tour
- State Community Health Services Advisory Committee

ADJOURN

- There being no further business, Chair Walling declared the meeting adjourned at 11:56 a.m.

Lon Walling, Chair
Board of Commissioners

Attest: _____
Vicki Knobloch
County Administrator