

PROCEEDINGS OF THE COUNTY BOARD

State of Minnesota
County of Kanabec
Office of the County Coordinator

June 6, 2023

The Kanabec County Board of Commissioners met at 9:00am on Tuesday, June 6, 2023 pursuant to adjournment with the following Board Members present in person: Tom Roeschlein, Rick Mattson, Wendy Caswell, Alison Holland and Peter Ripka. Others Present: Board Clerk Kris McNally, County Attorney Barbara McFadden and Recording Secretary Kelsey Schiferli.

The meeting was held in the County Board Room and via WebEx for anyone wishing to attend virtually.

The Chairperson called the meeting to order at 9:00am and led the assembly in the Pledge of Allegiance.

Action #1 – It was moved by Peter Ripka, seconded by Tom Roeschlein and carried unanimously to approve the agenda with the following changes: Replace #3a Regular Bills – Revenue Fund with #3a, Regular Bills – Revenue Fund – Corrected.

Action #2 – It was moved by Alison Holland, seconded by Wendy Caswell and carried unanimously to approve the May 16, 2023 minutes as presented.

Action #3 – It was moved by Peter Ripka, seconded by Alison Holland and carried unanimously to approve the following paid claims:

<u>Vendor</u>	<u>Amount</u>
Ann Lake Twp	46,557.94
Arthur Twp	152,029.97
Braham Public Schools	83,985.35
Braham Public Schools	83,985.35
Brunswick Twp	84,007.34
Card Services (Coborn's)	15.68
Card Services (Coborn's)	79.65
City of Braham	24,254.19
City of Grasston	11,351.73
City of Mora	16,116.54

City of Mora	1,183.81
City of Mora	987,557.62
City of Ogilvie	69,271.48
City of Quamba	26,537.83
Comfort Twp	80,024.34
Comm of Finance - Treas Div	475.81
Dearborn National Life Insurance	565.68
East Cent. Reg Dev Commission	14,295.47
East Central Energy	1,161.48
East Central Energy	299.57
East Central School District	29,781.80
East Central School District	29,781.80
E-Z Excavating	500.00
Ford Twp	60,342.16
Grass Lake Twp	69,966.83
Haybrook Twp	44,343.02
Health Partners	6,949.28
Hillman Twp	35,367.81
Hinckley-Finallyson Schools	31,128.50
Hinckley-Finlayson Schools	31,128.50
Isle Public Schools	26,203.01
Isle Public Schools	26,203.01
JDA Builders	500.00
Kanabec County	140,699.31
Kanabec County Auditor HRA	322.38
Kanabec County Auditor-Treasurer	9,425.41
Kanabec County Auditor-Treasurer	141,275.10
Kanabec Twp	49,866.09
Knife Lake Improvement District	22,390.63
Knife Lake Twp	66,476.09
Kroschel Twp	15,911.83
Life Insurance Co of North America	594.77
Marco	176.00
Milaca Public Schools	7,607.75
Milaca Public Schools	7,607.74
Minnesota Energy Resources Corp	10,644.79
Minnesota Energy Resources Corp	301.05
MN Commissioner of Revenue	99.98

Mora Public Schools	1,596,725.16
Mora Public Schools	1,596,760.88
Ogilvie Public Schools	502,563.69
Ogilvie Public Schools	502,563.68
Peace Township	77,470.17
Pine City Public Schools	282.47
Pine City Public Schools	282.46
Pomroy Twp	62,388.23
Quadient Finance USA, Inc.	2,000.00
Reuben Eicher	500.00
Southfork Twp	30,188.93
Spire Credit Union	8,608.76
St Paul Port Authority	1,917.39
The Hartford Priority Accounts	6,742.91
VC3, Inc	648.00
VC3, Inc	2,662.00
Verizon Wireless Aircards	1,375.39
VSP Insurance Co	562.36
Whited Twp	43,693.64

67 Claims Totaling: \$ 6,987,287.59

9:02am – The Chairperson called for public comment. Those that responded included the following:

Andy Crisman	Spoke against the proposed draft resolution to deny the Impassable Road Petition for Hornet St.
Renee Crisman	Spoke against the proposed draft resolution to deny the Impassable Road Petition for Hornet St.

9:10am – The Chairperson closed public comment.

Action #4 – It was moved by Alison Holland, seconded by Wendy Caswell and carried unanimously to approve the following claims on the funds indicated:

Revenue Fund

<u>Vendor</u>	<u>Amount</u>
Accurate Controls Inc	82.00
Ace Hardware	114.40

Ace Hardware	159.18
Ace Hardware	11.04
Adam's Pest Control Inc.	250.00
American DataBank	100.10
American Solutions for Business	4,595.09
American Solutions for Business	3,971.78
Arthur Twp	2,381.00
Aspen Mills	129.88
Aspen Mills	1,891.05
Auto Value Mora	137.97
Bob Barker	591.23
City of Ogilvie	845.76
CORE Professional Services P.A.	1,050.00
Crystal Bar & Grill	654.44
Curtis, Michael	681.08
DKN Construction	750.75
East Central Regional Juvenile Center	4,487.00
EATI	505.79
EATI	4,518.50
Emma's Pizza	24.00
Ford Twp	7,761.00
Fox Run Kennels	50.00
Granite City Jobbing Company	213.58
Granite City Jobbing Company	203.92
Granite Electronics	132.00
Handyman's Inc	499.93
Hartshorn, Jim	142.79
Hinckley-Finallyson Public Schools	30,202.00
Hoefert, Robert	1,856.27
Hohn's Auto Body & Glass	3,398.85
Innovative Office Solutions	500.26
IT Savvy	768.63
IT Savvy	1,367.91
Kanabec County Ag Society	4,500.00
Kanabec County Highway Department	508.24
Kanabec County Highway Department	16.38
Kanabec County History Center	5,000.00
Kanabec Publications	102.60

Kanabec SWCD	4,499.00
M & H Appliance	121.50
MACAI	250.00
Marco, Inc	477.00
Marco, Inc	3,267.40
MCCC Lockbox	4,725.00
McFadden, Barb	289.36
Michael Keller, Ph.D., L.P.	650.00
Milaca Public Schools	11,842.00
MN Counties Intergovernmental Trust	110.00
Mora Bakery	36.81
Mora Public Schools	27,822.00
MRA	92.50
MRA	693.75
Novus Glass	25.00
ODP Business Solutions LLC	59.04
Ogilvie Museum	1,500.00
Ogilvie Public Schools	279.62
O'Reilly Auto Parts	22.99
Oslin Lumber	99.94
Oslin Lumber	10.56
Peace Twp	168.00
Pomroy Twp	15,101.00
Ramsey County	1,516.00
Ramsey County	537.00
Ratwick, Roszak & Maloney, PA	4,300.00
Rhonda J. Magnussen LLC	487.06
Ripka, Peter	37.20
RS Eden	6.80
SafeAssure Consultants Inc.	9,466.22
SIRCHIE	244.62
Southfork Twp	5,921.00
Stellar Services	226.15
Stellar Services	147.60
Stellar Services	233.51
Stellar Services	188.17
Summit Food Service Management	4,087.71
Summit Food Service Management	4,089.95

Summit Food Service Management	4,131.61
SwipeClock LLC	332.00
Timothy J. Peterson - Attorney at Law, LLC	230.00
Van Alst, Lillian	1,609.99
Von Eschen, Tina	416.11
Whited Twp	3,601.00
84 Claims Totaling:	<u><u>\$ 199,108.57</u></u>

Road & Bridge

<u>Vendor</u>	<u>Amount</u>
Ace Hardware	61.85
A&M Aggregate	12,714.55
Aramark	491.10
Auto Value	2,530.65
CPF	547.20
Campbell, Gary	1,050.00
Capitalone Trade Credit	304.68
Central McGowan	181.28
City of Mora	8,117.60
Crawford's Equipment	889.28
Federated Co-op	82.15
Fueling MN	700.00
Glens Tire	2,073.54
Houtsma, Wes	350.00
Johnson Hardware	213.63
Kanabec County Highway Dept	145.59
Kanabec Publications	561.33
Locators & Supplies	1,961.51
Martin Marietta	175.42
Med Compass	670.25
Mora Chevrolet Buick	115.68
Northern States Supply	247.80
Northland Chemical	123.74
Northpost	1,704.90
Nuss Truck	221.73
ODP	54.67

Oslin Lumber	39.99
Sanitary Systems	170.00
Scott's Lawn & Landscapes	13,100.00
Uline	68.22
USIC Locating	280.00
31 Claims Totaling:	<u><u>\$49,948.34</u></u>

Action #5 – It was moved by Tom Roeschlein, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #5 – 6/6/23

SCORE CLAIMS

WHEREAS the board has been presented with claims for recycling efforts to be paid from SCORE Funds, and

WHEREAS these claims have been reviewed, tabulated and approved by the Kanabec County Solid Waste Officer, and

WHEREAS SCORE Funds appear adequate for the purpose;

BE IT RESOLVED to approve payment of the following claims on SCORE Funds:

Waste Management	\$818.60
Quality Disposal	\$2,331.00
Arthur Township	\$500.00
Total	\$3,649.60

Action #6 – It was moved by Alison Holland, seconded by Tom Roeschlein and carried unanimously to approve the following resolution:

Resolution #6 - 6/6/23

Approval of Collective Bargaining Agreement with LIUNA City Employees' Union Local 363

WHEREAS the negotiating committee has presented the Board with a proposed 2023-2024 bargaining unit agreement between Kanabec County and the LIUNA City Employees' Union Local 363, and

WHEREAS the Union has indicated acceptance by signature of the Union Business Agent and Stewards;

BE IT RESOLVED to approve the 2023-2024 bargaining unit agreement between Kanabec County and the LIUNA City Employees' Union Local 363;

BE IT FURTHER RESOLVED the Board Chair and Coordinator are authorized to sign said 2023-2024 bargaining unit agreement.

County Coordinator Kris McNally led a discussion regarding the establishment of Juneteenth as a Kanabec County Holiday.

Action #7 – It was moved by Alison Holland, seconded by Wendy Caswell and carried unanimously to approve the following resolution:

Resolution #7 - 6/6/23
Establishing Juneteenth as a Kanabec County Holiday

WHEREAS, Juneteenth is recognized as a federal holiday celebrating the abolition of slavery in the United States; and

WHEREAS, the Minnesota Legislature initially enacted legislation making June 19th (Juneteenth) a state holiday with an effective date of August 2023, making Juneteenth a holiday in 2024; and

WHEREAS, in May 2023, the Minnesota Legislature amended legislation to make Juneteenth a state holiday in 2023; and

WHEREAS, Minnesota Statute 645.44 Subd.5. states that no public business shall be transacted on any holiday, except in cases of necessity and except in cases of public business transacted by the legislature, nor shall any civil process be served thereon;

THEREFORE BE IT RESOLVED that the Kanabec County Board of Commissioners hereby establishes Juneteenth (June 19) as a paid holiday for Kanabec County employees effective June 19, 2023; and

BE IT FURTHER RESOLVED that the date and rules of observance of the holiday shall be as specified in MN Statutes 645.44 and 10.55;

BE IT FURTHER RESOLVED that County personnel policies will be amended to recognize Juneteenth as a paid holiday;

BE IT FUTHER RESOLVED that the Board Chair is authorized to sign Memorandum of Agreements with collective bargaining units Local 49, Local 106, Local 107, Local 320, and Local 363 for recognition and implementation of Juneteenth as an observed, paid holiday effective June 19, 2023.

Action #8 – It was moved by Peter Ripka, seconded by Tom Roeschlein and carried unanimously to recess the meeting at 9:14am to a time immediately following the Community Health Board.

The Kanabec County Community Health Board met at 9:14am on Tuesday, June 6, 2023 pursuant to adjournment with the following Board Members present: Tom Roeschlein, Rick Mattson, Wendy Caswell, Alison Holland and Peter Ripka. Community Health Director Kathy Burski presented the Community Health Board Agenda.

Action #CH9 – It was moved by Tom Roeschlein, seconded by Alison Holland and carried unanimously to approve the Community Health Board Agenda as presented.

Community Health Director Kathy Burski gave the Director’s Report.

The Board expressed consensus to proceed with filling the Transit Operations Supervisor vacancy beginning with sending the updated Transit Operations Supervisor job description to the salary consultant for evaluation.

Action #CH10 – It was moved by Tom Roeschlein, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #CH10– 6/6/23

Rescinding Mandatory COVID-19 Vaccination Policy Resolution

WHEREAS, in accordance with the U.S. Department of Health and Human Service’s Centers for Medicare and Medicaid Services (CMS) Interim Final Rule, Kanabec County Community Health, as a Home Health Agency adopted a mandatory COVID-19 Vaccination policy on November 16, 2021, and

WHEREAS, because the Public Health Emergency was declared ended as of May 11, 2023 the Centers for Medicare and Medicaid is withdrawing the staff vaccination requirement.

THEREFORE the Kanabec County Community Health Director is requesting that the Community Health Board rescind the Mandatory COVID-19 Vaccination Policy effective immediately.

THEREFORE BE IT RESOLVED the Kanabec County Community Health Board hereby rescinds the Mandatory COVID-19 Vaccination policy, which was effective 11/16/2021, revised on 11/23/21 and revised again on 1/14/2022. This action is effective immediately, 6/6/2023.

Action #CH11 – It was moved by Alison Holland, seconded by Tom Roeschlein and carried unanimously to approve the payment of 87 claims totaling \$70,594.91 on Community Health Funds.

Action #CH12 – It was moved by Wendy Caswell, seconded by Peter Ripka and carried unanimously to adjourn Community Health Board at 9:37am and to meet again on Wednesday, July 5, 2023 at 9:20am.

The Board of Commissioners reconvened.

County Coordinator Kris McNally led a discussion regarding the proposed plan and timeframe for the 4-H Coordinator's office to move to the Courthouse. The Board expressed consensus to approve the proposed plan and timeframe.

County Coordinator Kris McNally led a discussion regarding the temporary placement of the Kneeling Soldier Statue at the Public Service Building until the Veteran's Memorial is complete. The Board directed the County Coordinator to find out if the statue could be placed near the flagpole at the Courthouse instead of the Public Service Building.

The Chairperson led a discussion including a summary of key factors in legal guidance received regarding the Impassable Road Petition submitted on March 7, 2023 for Hornet Street. Commissioner Wendy Caswell presented a draft resolution to the Board for consideration. County Coordinator Kris McNally read the draft resolution aloud.

Action #13 – Alison Holland introduced the following resolution and moved its adoption:

Resolution #13 – 6/6/23

WHEREAS, on or about March 7, 2023, a Petition was presented to the Kanabec County Board of Commissioners seeking relief pursuant to Minn. Stat. §163.16 to declare a certain portion of a Town roadway commonly known as Hornet Street an Impassable Road as defined in Minn. Stat. §163.16;

WHEREAS, due and proper notice, if any is required, has been provided as required by Minn. Stat. §163.16, and

WHEREAS, the subject of that Petition is a portion of a roadway that once existed as a town road, and

WHEREAS, Minn. Stat. §163.16 provides that upon a petition presented under statute and a finding by the County Board of Commissioners that a town roadway needs upkeep and maintenance that the County Board may order the Town to provide for the same, and

WHEREAS, the subject matter of the property subject to the above-mentioned petition has been the subject of litigation in Kanabec County District Court as reflected in Court File Number 33-CV-20-4 and

WHEREAS, the findings and order issued by the District Court in matter were appealed to the Minnesota Court of Appeals as reflected in Appeals Court File Number A22-0123, and

WHEREAS, the Minnesota Court of Appeals on August 22, 2022, ruled that the portion of the former town roadway that is the subject of the Petition of March 7, 2023, is no longer a town road, and

WHEREAS, the Minnesota Supreme Court has denied further review of the decision of the Minnesota Court of Appeals, and

WHEREAS, the Kanabec County Attorney has presented to the Kanabec County Board a legal conclusion and opinion of outside, independent counsel that Minn. Stat. §163.16 does not apply to property that has been found to not be or to no longer be a town roadway as determined by appropriate legal proceedings,

NOW, THEREFORE BE IT RESOLVED:

1. The Kanabec County Board of Commissioners lacks jurisdiction and legal authority to act upon the petition presented to it as to the former Hornet Street as set forth in the Petition dated March 7, 2023;
2. Because the Kanabec County Board lacks legal authority or jurisdiction to act upon the petition as presented, it is hereby DENIED.
3. A copy of this resolution shall be duly mailed by First Class Mail to the Clerk of the Hillman Township Board and the Petitioners whose signature and address are noted on the Petition dated March 7, 2023.

The motion for the adoption of the foregoing Resolution was duly seconded by Wendy Caswell and upon a roll call vote being taken thereon, the following voted:

Peter Ripka, IN FAVOR

Alison Holland, IN FAVOR
Wendy Caswell, IN FAVOR
Tom Roeschlein, IN FAVOR
Rick Mattson, IN FAVOR

Whereupon the resolution was declared duly passed and adopted.

County Coordinator Kris McNally led a discussion regarding the evaluation of the Assessor Clerk II job description.

Action #14 – It was moved by Alison Holland, seconded by Wendy Caswell and carried unanimously to approve the following resolution:

Resolution #14 - 06/06/23

Assessor Clerk II Evaluation

WHEREAS Kanabec County Policy P-106, Section III.A. calls for a reevaluation of a county job classifications when a job changes substantively, and

WHEREAS the County Assessor has proposed substantive changes to the Assessor Clerk II position beginning in 2024 to increase the department's overall efficiency and productivity; and

WHEREAS, the changes to the Assessor Clerk II position were deemed substantive enough to warrant a reevaluation, and

WHEREAS the HR Specialist submitted the updated job descriptions and physical analysis to the wage consultant at MRA for evaluation, and

WHEREAS the wage consultant examined and evaluated the job description and physical analysis and recommends a rank increase from Grade 6 to Grade 7 based on an increase in overall point score;

THEREFORE BE IT RESOLVED that it is the decision of the County Board to accept the changes to the Assessor Clerk II job description and physical analysis documents effective January 1, 2024;

BE IT FUTHER RESOLVED to accept the wage consultant's recommendations for the position score, rank and pay grade change from a Grade 6 to a Grade 7 effective January 1, 2024.

County Coordinator Kris McNally led a discussion regarding the 2024 Budget Process,

Calendar, and Goals. The Board discussed dates, times and availability for 2024 budget planning. Board consensus was to avoid scheduling a budget work session on August 29th.

Barb Barnes, Executive Director Kanabec History Center met with the County Board to give an update regarding the Kanabec History Center and to ask for an increased appropriation for the board to consider during the 2024 budgeting process. Information only, no action was taken.

10:18am – The Board took five minute break.

10:23am – The Board reconvened.

Auditor Treasurer Denise Snyder met with the Board to discuss matters concerning her department.

Action #15 – It was moved by Tom Roeschlein, seconded by Wendy Caswell and carried unanimously to approve the following resolution:

Resolution #15 - 6/6/23

Liquor & Tobacco Licenses

WHEREAS the Kanabec County Auditor/Treasurer has recommended the following applications for liquor and tobacco licenses, and

WHEREAS the applications were complete, included all necessary documentation, appear in accordance with County Policies and the facility owners are in good standing with the County;

BE IT RESOLVED to approve the following license applications:

LIQUOR/BEER/ TOBACCO LICENSE RENEWALS 2023-2024

KANABEC COUNTY BOARD - JUNE 6, 2023

Establishment	LIQUOR	BEER	TOBACCO
Ann River Winery	On/Sun	-	-
Braham Moose Lodge 1544	Club/Sun	-	-
The Crows Nest	On/Off/Sun	-	Yes
Mauer Fish Lake Restaurant & Bar	On/Off/Sun	-	-
McBees Bar & Grill	On/Off/Sun	-	-
Northwoods Steakhouse	On/Off/Sun	-	-

Ogilvie Raceway	Wine/SB/On/Sun	On	-
Fire Pit Bar & Grill	On/Sun	-	-
Springbrook Golf Course	On/Sun	-	-
Eagles Cove Resort	On/Sun	-	-
Dollar General	-	-	Yes

County Auditor/Treasurer Denise Snyder led a discussion regarding the 2022 Tax Forfeited Fund Settlement Distribution. Information only, no action was taken.

Court Administrator Heather Mickelson met with the County Board to give a department update. Information only, no action was taken.

Veteran Service Officer Erica Bliss met with the County Board to give a department update. Information only, no action was taken.

Environmental Services/GIS Technician Ryan Carda met with the County Board to request approval of two Interim Use Permit Applications.

Action #16 – It was moved by Tom Roeschlein, seconded by Peter Ripka and carried unanimously to approve the Interim Use Permit Application for the short term/vacation rental by Sarah Scanlon at 1477 230th Ave, Mora, MN 55051 per the Planning Commission’s recommendation.

Action #17 – It was moved by Tom Roeschlein, seconded by Wendy Caswell and carried unanimously to approve the Interim Use Permit application for the short term/vacation rental by Bryan & Jessica Witschen at 1891 Dusty Lane, Mora, MN 55051 with the condition that if the occupancy number is to be increased to 11, the septic system will need to be upgraded and approved, per the Planning Commission’s recommendation.

Public Works Director Chad Gramentz met with the County Board to discuss matters concerning his department.

Action #18 – It was moved by Alison Holland, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #18 – 6/6/23
2023 Bituminous Paving
SAP 033-026-007, SAP 033-608-015, KCP 23-02,
KCP 23-05, Arthur 23-01, Mora 23-01

WHEREAS the following bids were received for SAP 033-026-007, SAP 033-608-015, KCP 23-02, KCP 23-05, Arthur 23-01, and Mora 23-01:

Knife River Corporation	\$3,823,654.98
Mark Sand & Gravel Co.	\$4,857,463.85

WHEREAS a detailed bid abstract was presented before the Board and included herein, and

WHEREAS the City of Mora and Arthur Township have recommended award of the low bid by resolution, and

WHEREAS said resolutions were presented before the Board and included herein, and

THEREFORE BE IT RESOLVED to accept the low bid of \$3,823,654.98 by Knife River Corporation for SAP 033-026-007, SAP 033-608-015, KCP 23-02, KCP 23-05, Arthur 23-01, and Mora 23-01, and

BE IT FURTHER RESOLVED to authorize the Board Chair and County Coordinator to sign the contract.

Public Works Director Chad Gramentz and Environmental Services Supervisor Teresa Wickeham led a discussion regarding a platting process dispute with Arthur Township. Information only, no action was taken.

Public Works Director Chad Gramentz presented the 2022 Road & Bridge Annual Report and Department Update. Information only, no action was taken.

County Coordinator Kris McNally presented the revised Policy P-106 Wages & Salaries for approval.

Action #19 – It was moved by Alison Holland, seconded by Wendy Caswell and carried unanimously to approve the following resolution:

Resolution #19 - 6/6/23

Approval of Revised Policy P-106 Wages and Salaries Policy

WHEREAS, the Kanabec County Board of Commissioners has authority to establish and revise county policies; and

WHEREAS, the proposed policy revisions and updates are recommended in order to

establish and maintain current definitions, procedures and best practices for the County's wages, salaries and job evaluation system;

THEREFORE, BE IT RESOLVED, the Kanabec County Board of Commissioners hereby adopts the revised Wages & Salaries Policy P-106 effective January 1, 2023.

Future Agenda Items: the proposed Knife Lake Park; South Country Health Alliance membership; the Tobacco Ordinance.

In other discussion of other matters, Commissioner Ripka stated he had a request from a landowner to meet with two Commissioners to discuss an issue related to the County Ditch 2 project. Commissioners Ripka and Mattson agreed to meet with the landowner.

11:45am – The Board took a five minute break.

11:50am- The Board reconvened.

Action #20 – It was moved by Tom Roeschlein, seconded by Peter Ripka and carried unanimously to close the meeting at 11:51am pursuant to MN Statute §13D.03 to discuss matters related to Labor Negotiation Strategy Those present during the closed portion of the meeting included Commissioners Rick Mattson, Tom Roeschlein, Wendy Caswell, Alison Holland and Peter Ripka; as well as County Coordinator & Personnel Director Kris McNally.

Action #21 – It was moved by Peter Ripka, seconded by Alison Holland and carried unanimously to return to open session at 12:16pm.

Action #22 – It was moved by Alison Holland, seconded by Tom Roeschlein and carried unanimously to adjourn the meeting at 12:17am and to meet again in regular session on Tuesday, June 20, 2023 at 9:00am.

Signed _____
Chairperson of the Kanabec County Board of Commissioners,
Kanabec County, Minnesota

Attest: _____
Board Clerk