

**REGULAR MEETING OF THE BIG STONE COUNTY BOARD**  
**August 18, 2009**

The Big Stone County Board of Commissioners met in the Commissioner's Room at 8:30 AM on Tuesday, August 18, 2009. Vice Chairman Sandberg called the meeting to order with Commissioners Athey, Berning, and Wulff present. Chairman Olson was absent. Also present were Mike Swenson of the Ortonville Independent and County Auditor Michelle Knutson. The Pledge of Allegiance followed.

Motion by Athey, seconded by Berning and carried to approve the minutes of the August 4<sup>th</sup> regular meeting, the August 11<sup>th</sup> 5-year plan meeting and the August 11<sup>th</sup> special meeting.

Motion by Wulff, seconded by Berning and carried to approve the agenda. Commissioners reported on the following committees:

Wulff – RC&D

Berning – Countryside Public Health

County Attorney Bill Watson arrived at the meeting.

Sandberg – Personnel (2); MSI; Bond Rating Meeting

Attorney Watson reported that he has reviewed the amended contract with West Central Regional Juvenile Center and he has some concerns. He recommended that it wait until he and Sheriff Haukos are present to discuss it further with the Board. Attorney Watson left the meeting to return to court.

Motion by Athey, seconded by Wulff and carried to authorize payment of the following claims as presented by Auditor Knutson:

General	\$52,280.38
Highway	24,570.80
Ditch	<u>16,813.05</u>
Total	\$93,664.23

Motion by Athey, seconded by Berning and carried to adopt the following resolution:

**2009-33**

WHEREAS, the County Board previously entered into an agreement ("Agreement") dated June 5, 2007, with Computer Professionals Unlimited, Inc. ("CPUI") to provide computer programming and technical assistance to the County; and

WHEREAS, under the terms of that Agreement and the "Attachment B" thereto, the monthly rate charged on a flat-fee schedule for said services increases 4% annually during the term of the Agreement, which runs through March 31, 2013; and

WHEREAS, CPUI recognizes that due to a recessionary economy, local units of government such as this County are experiencing severe financial and budgetary stress; and

WHEREAS, CPUI desires to extend the term of the Agreement; and

WHEREAS, the Agreement will be easier to administer if it is shifted to a calendar-year basis; and

WHEREAS, the following modifications to the Agreement are in the best interests of the County and its residents.

NOW, THEREFORE, BE IT RESOLVED, that the County shall enter into an Addendum to the Agreement whereby a) the term of the Agreement shall be extended through

December 31, 2015; b) the monthly flat-rate fee schedule attached to the Agreement as Attachment B in effect commencing April 1, 2009, shall remain in effect for calendar years 2010 and 2011, with 4% annual upward adjustments recommencing January 1, 2012, and occurring each year of the Agreement thereafter.

Motion by Wulff, seconded by Berning and carried to adopt the following resolution authorizing administrative citations for certain traffic offenses pursuant to M.S. §169.999:

**2009-34**

WHEREAS: The County is authorized to provide for the issuance of administrative citations for specific traffic offenses designated at M.S. § 169.999, subd. 1(b)(1), (2) and (3), in the amount designated at M.S. §169.999, subd. 5, as it may be amended from time to time; and

WHEREAS: The authority to issue administrative traffic citations authorized by this resolution is reserved by law exclusively to licensed peace officers; and

WHEREAS: County peace officers may not issue administrative traffic citations in violation of M.S. §169.999; and

WHEREAS: The County is required to notify a recipient of an administrative traffic citation of his or her right to contest the citation and to appoint a neutral third party to hear and rule on challenges to administrative traffic citations authorized by this resolution; and

WHEREAS: M.S. § 169.999 contains numerous requirements related to the issuance of administrative traffic citations including, but not limited to, prescribing a uniform traffic citation form, use and sharing of fine revenues, and other administrative measures.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BIG STONE, MINNESOTA:

- 1) The County hereby authorizes the issuance of administrative citations for traffic offenses designated at M.S. § 169.999, subd. 1(b)(1), (2) and (3), as it may be amended from time to time; and
- 2) The County hereby sets the fine for committing an administrative traffic violation designated by M.S. §169.999 and this resolution at the amount designated by M.S. §169.999, subd. 5, as it may be amended from time to time; and
- 3) The County hereby directs that only licensed County peace officers may issue administrative traffic citations authorized by this resolution; and
- 4) The County hereby directs that no County peace officer may issue an administrative traffic citation in violation of M.S. §169.999; and
- 5) The County hereby directs that no administrative traffic citation authorized by this resolution may be issued to a holder of a commercial driver's license or the driver of a commercial vehicle in which the administrative violation was committed; and
- 6) The County hereby directs the appointment of a neutral third party to hear and rule on challenges to administrative traffic citations authorized by this resolution. Such appointment may be renewed annually at the first meeting of the year as all other Board appointments, or more immediately as the Board directs, in its sole, reasonable discretion; and
- 7) The County hereby adopts the uniform administrative traffic citation form prescribed by the Commissioner of Public Safety; and

- 8) The County hereby authorizes County staff to create materials as necessary to supplement the uniform administrative traffic citation to provide recipients of an administrative traffic citation with information related, but not limited to, the recipient's right to challenge the citation; the County's process for handling challenges to administrative traffic citations; the location, dates, and times designated to hear traffic citation challenges; the process for paying a traffic citation; and the effect of an administrative traffic citation on a recipient's driving record; and
- 9) County staff is hereby directed to inform the Commissioner of Public Safety of the passage of this resolution; and
- 10) County staff is hereby directed to separately account for administrative traffic citations authorized by this resolution in County financial reports, summaries, and audits in keeping with common accounting practices and standards; and
- 11) County staff is hereby directed to designate a special fund for the portion of administrative traffic fines that must be spent on law enforcement purposes, in keeping with common accounting practice and standards, and to report annually, or as otherwise directed by the Board, to the Board of County Commissioners on said fund.

Due to the adoption of this resolution, the Administrative Offense Procedures Ordinance and Traffic and Criminal Code Ordinance adopted August 7, 2007 are no longer in effect.

Auditor Knutson reported that the Board received the MnDACA Distinguished Service Award in recognition of its dedication and support to people with developmental disabilities.

Vicki Grimli from the Ortonville Library was present to report on the changes to the maintenance of effort and that she is now the librarian at the Graceville Library. Discussion was also held on funding for a staff person for the media center that will initially be funded by the grant that the Ortonville Library received for the media center. Board consensus was to review the arrangement again in May.

HR Director Sue Schultz arrived at the meeting.

Motion by Athey, seconded by Berning and carried to adopt the following resolution as presented by Treasurer Cindy Nelson:

**2009-35**

WHEREAS, the Big Stone County Board of Commissioners desires to offer for sale certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes; and

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statute 282.01.

NOW, THEREFORE, BE IT RESOLVED that the Big Stone County Board of Commissioners hereby certifies that all parcels of land on the attached list have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subd. 8 and 282.018 and other statutes that require the withholding of tax-forfeited lands from sale.

BE IT FURTHER RESOLVED that the Big Stone County Board of Commissioners hereby requests approval from the Minnesota Department of Natural Resources for the sale of said lands.

Auditor Knutson reported that the Office of the Legislative Auditor is conducting an evaluation of the State's natural resource land ownership and easements and is looking for the County's perspective on the various issues that are included in the study. Board members were asked to contact Knutson with their comments.

Motion by Athey, seconded by Wulff and carried to execute the EMPG agreement with the State of Minnesota as presented by Emergency Management Director Jim Hasslen.

Veterans Mike Dorry and Dan Meyer were present to request the Board to seriously consider hiring a full time Veterans Service Officer (VSO) to service the veterans of Big Stone County. Mr. Meyer provided information on his experiences as the Lac qui Parle County VSO. Vice Chairman Sandberg invited Mr. Dorry to be on the interview panel. Dorry and Meyer left the meeting. HR Director Schultz reported that the job description and application are being updated and she stressed that oversight of the position will be an important factor in moving forward. Following discussion, motion by Athey, seconded by Berning and carried to amend the previous motion to hire a part time VSO to a full time exempt position.

Motion by Berning, seconded by Wulff and carried to authorize the Highway Department to trade-in two tractors and an additional \$2,000 for the purchase of two new ones per the quote presented by County Engineer Nick Anderson.

Following a break, the Board continued its review of the 2010 County budget.

Carolyn Drude from Ehlers & Associates reported that the following 5 bids had been received for the General Obligation Capital Improvement Bonds Series 2009A:

<b>Bidder</b>	<b>True Interest Rate</b>
Northland Securities	3.6096%
UBS Financial Services	3.7809%
Cronin & Company	3.8218%
United Bankers' Bank	3.8578%
RBC Capital Markets	3.8757%

Motion by Berning, seconded by Wulff and carried to recess the meeting until after the Welfare Board meeting to allow time for the bids to be reviewed.

Vice Chairman Sandberg reconvened the meeting at 12:12 PM.

Ms. Drude reviewed the bids and explained the County's bond rating. Motion by Wulff and seconded by Berning to adopt Resolution **2009-36** authorizing issuance, awarding sale, prescribing the form and details and providing for the payment of \$1,000,000 General Obligation Capital Improvement Bonds, Series 2009A. Motion carried with Commissioner Athey voting Nay.

Ms. Drude explained the SEC reporting requirements and reported that this is a service that Ehlers & Associates could provide for the County. No action was taken at this time. More information will be provided to the Auditor regarding the requirements.

Motion by Athey, seconded by Berning and carried to authorize HR Director Schultz to meet with Swift County regarding a shared Family Services Director.

Motion by Wulff, seconded by Berning and carried to limit the initial interview pool for a VSO to 5 candidates.

Motion by Athey, seconded by Wulff and carried to execute the Cooperative Purchasing Agreement.

Vice Chairman Sandberg adjourned the meeting at 12:40 PM.

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Roger Sandberg, Vice Chairman

ATTEST: \_\_\_\_\_  
Michelle R. Knutson, Auditor