

The Meeker County Board of Commissioners met on August 6, 2019, at the Meeker County Courthouse in the City of Litchfield, Minnesota. Call to order was at 8:30 a.m. by Chair Mike Housman.

Present: Commissioners – Beth Oberg, Joe Tacheny, Mike Housman, Steve Schmitt and Bryan Larson, County Attorney Brandi Schiefelbein, County Administrator Paul Virnig and Administrative Coordinator Cori Heacock.

Meeting opened with Pledge of Allegiance.

Board Chair Housman called for public comments and there were none.

Motion by Larson, second by Tacheny to approve the August 6, 2019 agenda as amended to add a request from the County Recorder to approve purchase of a color copier/scanner.

Motion carried unanimously.

Motion by Oberg, second by Schmitt to approve County Board minutes for July 16, 2019 as presented.

Motion carried unanimously.

Motion by Tacheny, second by Larson to approve the purchase of an 860 KIP Color Copier/Scanner from ISC Imaging for a price of \$22,000.

Commissioners Oberg, Tacheny, Schmitt and Larson voting “yes”. Commissioner Housman voting “no”.

Motion carried 4-1.

Motion by Schmitt, second by Larson to adopt the following resolution:

BE IT RESOLVED by Meeker County that the County enter into the attached Grant Contract with the Minnesota Department of Veterans Affairs (MDVA) to conduct the following program: **County Veterans Service Office Operational Enhancement Grant Program**. The grant must be used to provide outreach to the County’s veterans; to assist in the reintegration of combat veterans into society; to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among veterans; and to enhance the operations of the County Veterans Service Office, as specified in Minnesota Statutes 197.608 and Minnesota Laws 2017, Chapter 4, Article 1, Section 38, Subdivision 2. This Grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED by Meeker County that Donald Dufner, the County Veterans Service Officer, be authorized to execute the attached Grant Contract for the above-mentioned Program on behalf of the County.

Commissioners Oberg, Tacheny, Housman, Schmitt and Larson voting “yes”.

Motion carried unanimously. Resolution declared adopted. #2019-11.

Motion by Oberg, second by Tacheny to adopt the following resolution:

WHEREAS, Meeker County Veterans Service Office proposes to increase and improve the Veterans Durable Medical Equipment Program; and

WHEREAS, the improvement consists of transferring all ownership of the Durable Medical Equipment to Hutchison Disabled American Veterans, Chapter 37, organization; and

WHEREAS, all Durable Medical Equipment will be documented on the statewide Disabled American Veterans Donor Connect Program; and

WHEREAS, Meeker County will continue to host a drop-off site for the public to store their equipment; and

WHEREAS, ownership of all Durable Medical Equipment will be vested with Hutchinson Disabled American Veterans, Chapter 37, organization; and

WHEREAS, Meeker County will assist Hutchinson Disabled American Veterans, Chapter 37, with cleaning and storing the Durable Medical Equipment, but volunteers from the Hutchinson Disabled American Veterans, Chapter 37, will be the primary resource for dispensing the Durable Medical Equipment.

NOW THEREFORE BE IT RESOLVED, that the Meeker County Board of Commissioners hereby authorizes the transfer of all ownership and responsibilities of Durable Medical Equipment to Hutchinson Disabled American Veterans, Chapter 37.

BE IT FURTHER RESOLVED, that Meeker County Veterans Service Officer may provide assistance with the Durable Medical Equipment program by providing storage and space for said equipment. Commissioners Tacheny, Larson, Schmitt, Oberg and Housman voting "yes".

Motion carried unanimously. Resolution declared adopted. #2019-12.

Motion by Schmitt, second by Larson to approve an Interim Use Permit for Craig Brutger, Parcel #15-0307-000, as recommended by the Planning Commission, to operate a machine shop, which is considered a level 2 home occupation, in the A-1 Agricultural Preservation District, with stated conditions.

Motion carried unanimously.

Motion by Larson, second by Oberg to approve a Conditional Use Permit for Dooley's Petroleum, Inc., Parcel #14-0025-000, as recommended by the Planning Commission, to remove an existing 18,000 gallon propane tank and install a new 30,000 gallon propane tank in the C-1 Commercial District, with stated conditions.

Motion carried unanimously.

Motion by Oberg, second by Tacheny to approve a Conditional Use Permit for Craig & Dedra Reiner, Parcel #08-0023-000, as recommended by the Planning Commission, to move more than fifty (50) cubic yards of material in the Shoreland District, with stated conditions.

Motion carried unanimously.

Motion by Schmitt, second by Tacheny to approve a Conditional Use Permit for Steven & Marlaire Villas, Parcel #13-0513-000, as recommended by the Planning Commission, to move more than fifty (50) cubic yards of material in the Shoreland District, with stated conditions.

Motion carried unanimously.

Motion by Larson, second by Schmitt to table the hiring of an Assistant County Attorney to the August 20, 2019, board meeting.

Motion carried unanimously.

Motion by Larson, second by Tacheny, to approve hire of Ditch Inspector John Condon, Level B24 Step 1, \$22.31 per hour, effective August 12, 2019.

Motion carried unanimously.

Motion by Oberg, second by Schmitt to award the 2019 Pavement Marking Contract to AAA Striping of St. Michael, MN, in the amount of \$73,181.00.

Motion carried unanimously.

Motion by Tacheny, second by Schmitt to award the CSAH 34 Crack Maintenance work to Kamco, Inc. of Dassel, MN, in the amount of \$23,040.

Motion carried unanimously.

Public Works Director Phil Schmalz provided a construction update to the Board.

Motion by Larson, second by Schmitt to approve the amendment to the Department of Corrections Work Release Contract.

Motion carried unanimously.

Motion by Schmitt, second by Tacheny to approve the Department of Corrections Housing Out of Facility (HOF) Joint Powers Agreement for the period of September 1, 2019 – June 30, 2021.

Motion carried unanimously.

Motion by Larson, second by Schmitt to approve hire of Social Worker Kristi Maahs, Level C41 Step 1, \$25.59 per hour, effective September 3, 2019.

Motion carried unanimously.

Child Support Supervisor Candee Gassman provide the 2018 MN Child Support Performance Report Summary to the Board.

Motion by Oberg, second by Schmitt to adopt the following resolution:

WHEREAS, PrimeWest Rural Minnesota Health Care Access Initiative, dba PrimeWest Health (“PrimeWest”), is a joint-powers entity, duly authorized by the Minnesota Department of Health, and to be comprised of twenty-four Minnesota counties—Beltrami County, Big Stone County, Chippewa County, Clearwater County, Cottonwood County, Douglas County, Grant County, Hubbard County, Jackson County, Kandiyohi County, Lac qui Parle County, Lincoln County, Lyon County, McLeod County, Meeker County, Nobles County, Pipestone County, Pope County, Redwood County, Renville County, Stevens County, Swift County, Traverse County, and Yellow Medicine County (“the Counties”); and

WHEREAS, Meeker County (“the County”) is one of the twenty-four Counties that has agreed to authorize PrimeWest to act on its behalf through a joint powers agreement under Minn. Stat. § 471.59;

WHEREAS, the County elected, through PrimeWest, to purchase health care services on behalf of persons within the County eligible for Health Care Services for Families and Children through Prepaid Medical Assistance (MA) and MinnesotaCare, as well as persons eligible for Minnesota Senior Health Options (MSHO)/Minnesota Senior CarePlus (MSC+);

WHEREAS, consistent with Minn. Stat. § 256B.69 and Minn. Stat. § 256B.692, the County informed the Department of Human Services that the County had selected PrimeWest to purchase health care services for eligible persons within the County. The County also desired that PrimeWest be selected as the single plan for both MA and MSHO/MSC+ to serve all persons within the County as allowed under federal and state law starting on January 1, 2020;

WHEREAS, on or around July 25, 2019, the Department of Human Services notified the County that PrimeWest was not invited to contract to provide services as the single plan for all persons within the County who are eligible to participate in the MA or MSHO/MSC+ programs;

WHEREAS, the Department of Human Services has offered no explanation for its decision not to select PrimeWest as the single health plan, and the Department of Human Services has identified no evidence that the Commissioner of Human Services considered contracting with PrimeWest on a single-health plan basis as required by Minn. Stat. § 256B.694;

WHEREAS, the County strongly disagrees with the Department of Human Services’ decision not to select PrimeWest as the single health plan for both MA and MSHO/MSC+ in the County as allowed by federal and state law and, to the extent PrimeWest has not been selected as the single health plan both MA and MSH/MSC+ in the County, the County seeks to pursue all action necessary to challenge the Department of Human Services’ decision;

WHEREAS, to the extent the Department of Human Services did not select PrimeWest as the single health plan for both MA and MSHO/MSC+ within the County as allowed by federal and state law, the County wishes to retain Lockridge Grindal Nauen PLLP as outside legal counsel to pursue legal and/or administrative action challenging that decision.

NOW, THEREFORE BE IT RESOLVED as follows:

1. The County of Meeker (“the County”) retains the law firm of Lockridge Grindal Nauen, PLLP for purposes of challenging any decision by the Department of Human Services not to contract with PrimeWest on a single-health plan basis within the County.

2. The County expressly authorizes Lockridge Grindal Nauen PLLP to communicate with the Department of Human Services on behalf of the County to request and pursue mediation under Minn. Stat. Chapter 256B, to appear on the County’s behalf at any mediation or administrative proceeding, and, if necessary, to pursue litigation on behalf of the County to challenge the Department of Human Services’ decision.

Commissioners Larson, Schmitt, Housman, Tacheny and Oberg voting “yes”.

Motion carried unanimously. Resolution declared adopted. #2019-16.

Motion by Tacheny, second by Schmitt to approve Social Services accounts payable as follows:

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| Human Services Fund | \$68,484.43 |
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Motion carried unanimously.

Motion by Larson, second by Schmitt to approve the Voting Equipment Grant Agreement Amendment, with said Agreement expiring March 31, 2020.

Motion carried unanimously.

County Auditor Barb Loch shared the Preliminary 2018 Population and Household Estimates with the Board.

Motion by Tacheny, second by Larson to adopt the following resolution:

WHEREAS, an Application to Conduct Excluded Off-site Gambling was presented to Barbara Loch, Meeker County Auditor, on behalf of the Cedar Mills Lions Club,

WHEREAS, the Cedar Mills Lions Club would like to conduct off-site gambling at the Cedar Mills Gun Club, 62841 140th Street, Hutchinson, in Meeker County, Minnesota; and

WHEREAS, the Meeker County Board of Commissioners are the local governing body having jurisdiction over the proposed gambling activity; and

WHEREAS, the Meeker County Board of Commissioners acknowledges receipt of said Application.

BE IT RESOLVED, that the Meeker County Board of Commissioners hereby approves the applicant’s request for off-site gambling on September 14, 2019 at the Cedar Mills Gun Club, 62841 140th Street, Hutchinson, in Meeker County, Minnesota.

Commissioners Oberg, Tacheny, Housman, Schmitt and Larson voting “yes”.

Motion carried unanimously. Resolution declared adopted. #2019-13.

Motion by Oberg, second by Tacheny to approve a 3.2 Malt Liquor “On” Premises Application for Watkins Sportsmen Club for Sunday, September 1, 2019, at 36546 CSAH 2, Watkins, MN 55389.

Motion carried unanimously.

Motion by Larson, second by Tacheny to support formation of a Complete County Census Committee for Meeker County.

Commissioners Oberg, Tacheny, Schmitt and Larson voting “yes”. Commissioner Housman voting “no”.

Motion carries 4-1.

Motion by Larson, second by Schmitt to approve replacement of iSeries server with iSeries Host Service from Counties Providing Technology, in the annual amount of \$15,000 plus a \$2,000 setup fee.

Motion carried unanimously.

Motion by Oberg, second by Tacheny to approve County and hospital accounts payable as follows:

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|----------------------------|--------------|
| General Revenue Fund | \$151,960.87 |
| Road & Bridge Fund | 63,341.09 |
| County Parks Fund | 7,595.09 |
| Solid Waste Fund | 11,223.04 |
| Regional Library Fund | 60,271.00 |
| County Nurse Fund | 771.67 |
| Family Services Bldg. Fund | 9,684.19 |
| Ditch Fund | 10,960.02 |
| County Hospital Fund | 431,329.39 |

Credit Cards:

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|----------------------|-----------|
| General Revenue Fund | 14,032.51 |
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Motion carried unanimously.

Motion by Larson, second by Schmitt to promote Zoning Inspector Greg Schultz to Land Use Director, Level D61 Step 2, \$33.72 per hour, effective August 1, 2019, and change anniversary date to August 1.

Motion carried unanimously.

Motion by Oberg, second by Larson to approve a \$200 monthly stipend for Zoning Administrative Assistant Monica Ankrum for the performance of additional duties for the month of July 2019.

Motion carried unanimously.

Motion by Larson, second by Tacheny to approve Garland Company Scope of Services Agreement for the Family Services Center Roof Project.

Motion carried unanimously.

Motion by Oberg, second by Schmitt to approve advertising for bids for the Family Services Center Roof Project.

Motion carried unanimously.

Motion by Oberg, second by Schmitt to adopt the following resolution:

WHEREAS, the Crow River Organization of Water (CROW) was formed as a joint powers organization by the approval of a Joint Powers Agreement (JPA) between ten counties in 1999, namely Carver, Hennepin, Kandiyohi, McLeod, Meeker, Pope, Renville, Sibley, Stearns and Wright Counties (Member Counties); and

WHEREAS, CROW has pursued its stated general purpose of promoting the orderly water quality improvement and management of the Crow River Watershed through information sharing, education, coordination and related support to the Member Counties; and

WHEREAS, the members of CROW now seek to dissolve CROW by terminating the JPA pursuant to Section 7, PART B of said JPA;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1) That the County of Meeker, by action of its Board of Commissioners, hereby agrees to terminate the Crow River Organization of Water Joint Powers Agreement.

That said termination shall be effective December 31, 2019, or such later date as the CROW Board of Directors has approved of a Final Report, confirming that all liabilities and obligation have been

- 2) satisfied, and that any physical or monetary assets have been distributed or disposed of in accordance with the wishes of the CROW Board of Directors.
- 3) That, as part of dissolving CROW, the following activities shall take place:
 - A. That all bills, obligations and liabilities of CROW shall be paid from any funds remaining on hand with CROW;
 - B. That any obligation of CROW tied to grants or loans shall be satisfied by completion of any activities related thereto;
 - C. That any physical assets or personal property belonging to CROW shall either be sold or shall be distributed to its Member Counties, as per the wishes of the CROW Board of Directors.
- 4) That any CROW funds remaining after payment of bills and obligations incurred through December 31, 2019 shall be proportionately distributed according to the current formula between the Member Counties.
- 5) That, in the event that there are insufficient funds to pay all bills and obligations incurred through December 31, 2019, the Member Counties shall be responsible for satisfying such obligations proportionately using the current formula.
- 6) That all official records of CROW shall be retained by Wright Soil and Water Conservation District (Wright SWCD) with the understanding that said records shall be maintained according to the Minnesota Government Data Practices Act and any other applicable state statutes.
- 7) That all financial records of CROW shall be maintained by Wright County, as fiscal agent, for at least 6 years from the date services or payment were last provided or made or longer if any audit in progress requires a longer retention period. All accounting records shall be kept in accordance with generally accepted accounting practices. These records are subject to examination, duplication, transcription and audit by any Member County and either the Legislative or State Auditor of the State of Minnesota pursuant to Minnesota Statute § 16C.05, subd 5. Such records may also subject to review by the Comptroller General of the United States, or a duly authorized representative, if federal funds were used for any work under the JPA.
- 8) That this Resolution may be adopted/approved in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same joint resolution, as contemplated by Section 7, PART B of the CROW JPA.

Commissioners Schmitt, Housman, Tacheny, Oberg and Larson voting "yes".
Motion carried unanimously. Resolution declared adopted. #2019-14.

Motion by Schmitt, second by Larson to adopt Resolution #2019-15.

Motion by Schmitt, second by Larson to amend the motion to adopt Resolution #2019-15 to table the resolution to the next board meeting.

Motion carried unanimously.

Motion by Schmitt, second by Larson to approve the amended motion to table Resolution #2019-15 to the August 20, 2019 board meeting.

Motion carried unanimously.

Motion by Oberg, second by Tacheny to ratify the MN Public Employees Association Licensed Union Contract for 2019-2020.

Motion carried unanimously.

Motion by Larson, second by Schmitt to approve the Agreement with Landwehr Construction to deliver 40,000+ cubic yards of fill material to the Meeker County Landfill.

Motion carried unanimously.

On motion by Schmitt, second by Larson, Board Chair Housman called for adjournment at 10:55 a.m. The next meeting of the County Board of Commissioners will be on August 20, 2019 at 8:30 a.m., in the County Board of Meeting Room, Meeker County Courthouse.

Respectfully submitted: Cori Heacock, Administrative Coordinator

Chair of County Board

Attest: _____
Clerk of County Board