

Chairman Tellinghuisen called the meeting to order at 9:03 a.m., with the following members present: Commissioners Reynolds, Wilhelm, Oslin, and Peterson. The Pledge of Allegiance was recited.

Two requests added to the agenda:

- Approve Commissioners' Mileage and Per Diems – April 2019
- Approve Resolution Providing for the Issuance and Sale of General Obligation Bonds

Cmsr Reynolds motioned to accept the agenda as amended; Cmsr Oslin seconded. Motion carried.

CONSENT AGENDA

A motion was made by Cmsr Reynolds, seconded by Cmsr Peterson, to approve the following consent agenda items:

- Approve 4/2/19 County Board Meeting Minutes;
- Review of Auditor's Warrants;
- Approve Payment to Counsel for Legal Services;
- Approve Payment to Counsel for Legal Services;
- Approve Payment to Counsel for Legal Services;
- Approve Payment to Counsel for Legal Services;
- Approve Camp Registration Fees;
- Approve 2019 CVS Income Based Fees;
- Approval of Chileda Contract for Purchase of Services;
- Adopt Resolution Accepting Work and Authorizing Final Payment for Vegetation Removal Services on County Ditch 3;

Board of County Commissioners

Mille Lacs County, Minnesota

Resolution No.: 04-16-19-01

RESOLUTION REGARDING ACCEPTANCE OF VEGETATION REMOVAL SERVICES FOR COUNTY DITCH 3

WHEREAS, the Mille Lacs County Board of Commissioners, acting as the Drainage Authority for Mille Lacs County Ditch 3, entered into a contract with contractor Central Applicators, Inc., P.O. Box 279, Foley, MN 56329, on May 18, 2018 for vegetation removal services on Mille Lacs County Ditch 3; and

WHEREAS, this project has been completed, with a final cost of \$287,780.00, equal to the original contract cost.

THEREFORE; BE IT RESOLVED by the Mille Lacs County Board of Commissioners that the aforementioned project is hereby accepted, and final payment is authorized.

- Information Only: Key Control Information Update;
 - Information Only: March 2019 Jail Performance Report;
 - Information Only: Community Health Services Board Meeting Notice;
 - Information Only: Spring Load Restrictions Amendment;
 - Information Only: Advertisement for Bids – SAP 048-600-011 Onamia Township 340th Street Road Construction Project;
 - Information Only: Grant Application for Delivery and Installation of Water Coolers in Sheriff's Office Break Room Approved;
 - Information Only: Grant Application for Wellness Room in the Historic Courthouse Approved;
- Motion Carried.

PRESENTATION OF INFORMATION: 2019 NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK

PSAP Manager, Al Fjerstad presented to the County Board on National Public Safety Telecommunications Week. The week of April 14-20, 2019 is designated as a time when citizens, employees of Mille Lacs County, and the region can thank public safety men and women who respond to emergency 911 calls and dispatch emergency professionals and equipment during times of crisis. Fjerstad read a Proclamation declaring the week of April 14-20, 2019 to be National Public Safety Telecommunicators Week in Mille Lacs County. Cmsr Peterson motioned to approve the Proclamation

declaring the 2019 National Public Safety Telecommunications Week; Cmsr Oslin seconded. Motion carried.

APPROVE PUBLIC HEALTH EMERGENCY PREPAREDNESS OUT-OF-STATE TRAINING

Public Health Emergency Preparedness Coordinator, Sierra Cotter discussed with the County Board the request to attend training in Menomonie, WI for Point of Dispensing Training. The cost of the training will be covered by grant funds with the exception of travel, lodging and meals. Cotter explained the training will prepare her to appropriately respond to the Full Scale Mass Dispensing Site Exercise in 2020 required by MDH. Cmsr Wilhelm motioned to approve the public health emergency preparedness out-of-state training; Cmsr Oslin seconded. Motion carried.

MOWING SERVICES FOR TAX FORFEITED PROPERTIES

Land Specialist, Nancy Eibes, discussed with the County Board that each year tax forfeited properties within city limits or a development require mowing services. Eibes stated there are 6 parcels to be mowed and multiple quotes were received. Cmsr Wilhelm questioned if clean up could be done by Sentence to Serve crews. Eibes responded that she has received resistance from the County Attorney's Office on using STS crews on abandoned properties. Cmsr Reynolds made a motion to approve a contract to Cemenski's Lawn Care for the Princeton, Pease and Foreston properties and to issue a contract to Lakeside Lawn Care for the Onamia properties; Cmsr Oslin seconded. Motion carried.

APPROVE SUBMITTAL OF GRANT APPLICATION FOR ELECTRIC VEHICLE CHARGING STATIONS

Green Corps Service Member Ben Lehman discussed with the County Board a grant opportunity from the MPCA for the acquisition and installation of fleet elect vehicle charging stations. Lehman recommended pursuing two (2) double charging stations that will facilitate charging four (4) vehicles at a cost of \$13,312.52 with \$9,984.38 to be funded by the grant and \$4,438.14 funded by the County.

Cmsr Peterson questioned the cost of maintenance and the need for charging stations. Cmsr Wilhelm ask about the grant submittal timeline. County Administrator Oman stated that the request before the Board is for support to submit the application. Final acceptance of the grant, would come back to the County Board for approval.

Cmsr Reynolds motioned to authorize submittal of the grant application for electric vehicle charging stations; Cmsr Wilhelm seconded. A roll call vote was called concerning the grant application submittal: Cmsrs Wilhelm, Reynolds, and Tellinghuisen vote aye. Cmsrs Oslin and Peterson voted nay.

CONSIDER QUOTES FOR THE DEMOLITION OF STRUCTURE ON TAX FORFEITED LAND

Solid Waste Coordinator Stephanie Reynolds explained to the County Board on April 2, 2019 the Board authorized the county Auditor to provide for demolition of the structure on tax forfeited parcel PID 02-023-0906 and authorized solicitation of quotes. Three quotes were reviewed with the County Board. Reynolds recommended awarding the low quote of \$3,950 to Logan's Excavating for demolition of the structure. Cmsr Wilhelm motioned to accept the quote from Logan's Excavating for demolition of a structure on tax forfeited land; Cmsr Oslin seconded. Motion carried.

APPROVE RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS

PFM representative Arcelia Detert discussed with the County Board the issuance and sale of general obligation bonds in the amount of \$4,125,000. The General Obligation Bond amount of \$3,125,000 debt service will be funded by LOST and used for the bundled road project that includes CRs 106, 101, 112, and 151. \$1,000,000 debt service will be funded by the wheelage tax and/or County levy dollars for equipment acquisition. Cmsr Wilhelm motioned to approve the resolution providing for the issuance and sale of general obligation bonds; Cmsr Reynolds seconded. Motion Carried.

Board of County Commissioners

Mille Lacs County, Minnesota

Resolution No. 4-16-19-02

**RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS,
SERIES 2019A, IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$4,125,000**

BE IT RESOLVED By the Board of Commissioners (the “Board”) of Mille Lacs County, Minnesota (the “County”) as follows:

Section 1. CIP Bonds.

(a) *The County is authorized by Minnesota Statutes, Section 373.40, as amended, and Minnesota Statutes, Chapter 475, as amended (collectively, the “CIP Act”) to finance certain capital improvements under an approved capital improvement plan by the issuance of general obligation capital improvement bonds payable from ad valorem taxes. Capital improvements include the acquisition or betterment of public lands, buildings, or other improvements within a county for the purpose of a County courthouse, administrative building, health or social service facility, correctional facility, jail, law enforcement center, hospital, morgue, library, park, qualified indoor ice arena, roads and bridges, public works facilities, fairground buildings, and records and data storage facilities, and the acquisition of development rights in the form of conservation easements under Minnesota Statutes, Chapter 84C. Capital improvements do not include a recreation or sports facility building (such as, but not limited to, a gymnasium, ice arena, racquet sports facility, swimming pool, exercise room or health spa), unless the building is part of an outdoor park facility and is incidental to the primary purpose of outdoor recreation.*

(b) *The County prepared its Transportation Capital Improvement Plan, 2018 – 2022 (the “Capital Improvement Plan”), and the Board approved the Capital Improvement Plan on June 5, 2018, after a duly noticed public hearing. No petition requesting a referendum regarding the issuance of bonds pursuant to the Plan was filed with the County within 30 days after the public hearing in accordance with the CIP Act.*

(c) *Under the Capital Improvement Plan, the County is authorized to issue one or more series of general obligation capital improvement bonds to finance the improvements outlined in the Capital Improvement Plan (the “Capital Improvements”) in the maximum principal amount of \$15,000,000.*

(d) *It is necessary and expedient to the sound financial management of the affairs of the County to issue general obligation capital improvement plan bonds (the “CIP Bonds”), in the proposed aggregate principal amount of \$3,125,000, pursuant to the CIP Act to provide financing for a portion of the Capital Improvements.*

(e) *As required by the CIP Act, the County has determined that: (i) the expected useful life of the Capital Improvements to be financed with the CIP Bonds will be at least five (5) years; and (ii) the amount of principal and interest due in any year on all outstanding bonds issued by the County under the CIP Act, including the CIP Bonds, will not exceed 0.12 percent of the estimated market value of property in the County for taxes payable in 2019.*

Section 2. Capital Equipment Notes.

(a) *The County is authorized by Minnesota Statutes, Section 373.01, Subdivision 3, as amended, and Minnesota Statutes, Chapter 475, as amended (collectively, the “Equipment Act”) to issue general obligation capital notes to finance the purchase of capital equipment for public safety, ambulance, road construction and maintenance, medical equipment, and computer hardware and software whether bundled with machinery or equipment or unbundled, together with application development services and training related to the use of the computer hardware or software.*

(b) *The County has purchased and acquired, or will purchase and acquire, various items of equipment eligible under the Equipment Act (collectively, the “Capital Equipment”).*

(c) *It is necessary and expedient to the sound financial management of the affairs of the County to issue general obligation capital notes (the “Capital Equipment Notes”), in the proposed aggregate principal amount of \$1,000,000 pursuant to the Equipment Act, to provide financing for the Capital Equipment.*

(d) *As required by the Equipment Act, the expected useful life of each item of Capital Equipment is or will be at least as long as the term of the Capital Equipment Notes.*

Section 3. Sale of Bonds. It is necessary and expedient to the sound financial management of the affairs of the County to issue its General Obligation Bonds, Series 2019A (the "Bonds"), comprised of the CIP Bonds and the Capital Equipment Notes described above, in one or more series and in the proposed aggregate principal amount of \$4,125,000, which amount is subject to adjustment, pursuant to the CIP Act and the Equipment Act (collectively, the "Act") to provide financing for the Capital Improvements and the Capital Equipment.

Section 4. Authority of Municipal Advisor. PFM Financial Advisors LLC ("PFM") is authorized and directed to advertise the Bonds for sale. County staff is hereby authorized to participate with PFM in the preparations for the sale of the Bonds. The Board of Commissioners will meet at 9:00 A.M. on Tuesday, May 21, 2019 or a later date, to consider proposals on the Bonds and take any other appropriate action with respect to the Bonds.

Section 5. Authority of Bond Counsel. The law firm of Kennedy & Graven, Chartered, as bond counsel for the County, is authorized to act as bond counsel and to assist in the preparation and review of necessary documents, certificates and instruments relating to the Bonds. The officers, employees and agents of the County are hereby authorized to assist Kennedy & Graven, Chartered in the preparation of such documents, certificates, and instruments.

Section 6. Official Statement. In connection with the sale of the Bonds, the officers or employees of the County are authorized and directed to cooperate with PFM and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the County upon its completion.

CONSIDER BIDS FOR THE REPAIR OF COUNTY DITCH 2

Environmental Resources Manager Dillon Hayes reviewed that on August 17, 2017 a meeting was held with benefited landowners from County Ditch 2, 3, and 4 to discuss tree, shrub and woody vegetation removal on all three (3) systems. In 2018, County Ditch 2 was inspected. On January 15, 2019 the Board approved the inspection report and directed staff to proceed with the repairs. Quotes were solicited from nine (9) contractors with five (5) received and were opened on April 12, 2019.

In an effort of transparency, Hayes disclosed that the low bidder, Brent Herges was his mother's brother. The bid had been reviewed and there are no issues with the qualifications. Cmsr Reynolds questioned if Hayes was aware that Herges would be submitting a bid. Hayes stated the bids remained sealed until the opening. Cmsr Wilhelm asked about how conflicts would be handled. Hayes stated that the project could be managed by County Engineer Bruce Cochran

Lisa Wimmer from Pioneer Tree reviewed her concerns with the bidder being a family member as well as the contractor's qualifications. Cmsr Peterson discussed insurance requirements of the low bidder. Cmsr Reynolds motioned to award the contract to the lowest bidder, Brent Herges for the repair of County Ditch 2; Cmsr Oslin seconded. A roll call vote was called concerning the award: Cmsrs Reynolds, Oslin, and Tellinghuisen vote aye. Cmsrs Wilhelm and Peterson voted nay. Motion carried.

CONSIDER BIDS FOR THE REPAIR OF COUNTY DITCH 4

Environmental Resources Manager Dillon Hayes reviewed that on June 19, 2018 a public hearing was held on the repair of County Ditch 4 involving the removal of trees, shrub, and other woody vegetation; the item was tabled and additional meetings and mailings were completed. On December 18, 2018 a second public hearing was held and staff was directed to proceed with the project.

On March 1, 2019 a public bid opening was held with only one (1) bid received. At the March 4, 2019 Board meeting the Board directed staff to rebid the project. Three (3) bids were received. Hayes recommended award to the lowest responsible bidder, Reliable Tree Service in the amount of \$750,000.

Lisa Wimmer from Pioneer Tree reviewed her concerns with the Board that the project should have been split. Hayes stated that he intentionally did not split the project based on past experience of higher costs.

Cmsr Oslin motioned to award the contract to Reliable Tree Service for the repair of County Ditch 4; Cmsr Wilhelm seconded. Motion carried.

CONSIDER APPROVAL OF MOTORIZED RECREATION LETTER

Environmental Resources Manager Dillon Hayes and Economic Development Manager Michael Wimmer, discussed with the County Board that Izaty's resort has expressed a desire for a letter from the County articulating the County's efforts to support motorized recreation. The letter would be used in the resort's effort to receive official designation from Polaris as a "Polaris Adventures" location. Cmsr Oslin thanked staff for their work on motorized recreation. Cmsr Peterson motioned to authorize the Board Chair's signature on the motorized recreation letter; Cmsr Wilhelm seconded. Motion carried.

CONSIDER ACQUISITION OF A CD3 WATERCRAFT CLEANING STATION

Environmental Resources Manager Dillon Hayes explained to the County Board that discussion began in 2017 regarding the acquisition of a CD3 watercraft cleaning station. The cleaning station would be located on one of the busiest public water accesses in Mille Lacs County. An operations and maintenance agreement has been approved by the Mille Lacs Band of Ojibwe Department of Natural Resources. And an application has been prepared for submittal to the MN DNR to install and operate the CD3 station. Cmsr Oslin motioned to authorize the purchase of a CD3 Watercraft cleaning station, Board Chair signature on the DNR application and Board Chair signature on DNR Operation and Maintenance Agreement; Cmsr Wilhelm seconded. Motion carried.

APPROVE RUM RIVER CAMPGROUND EAW FOR DISTRIBUTION

Environmental Resources Manager Dillon Hayes explained to the County Board that Steve Smith, owner of the Rum River Campground, has submitted an Environmental Assessment Worksheet (EAW) as required for an RV park. Hayes recommended, although not required, that the County Board approve the EAW for distribution. Cmsr Peterson motioned to approve the Rum River Campground EAW for distribution; Cmsr Oslin seconded. Motion carried.

AUTHORIZE AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR COUNTY ROADS 106, 112, AND 151

County Engineer Bruce Cochran explained to the County Board that WSB & Associates, Inc. has requested an amendment in the amount of \$45,478 to their contract due to additional work not included in their proposal. Cmsr Oslin motioned to authorize the County Board Chair to approve Amendment #3 to WSB's contract for County Roads 106, 112, and 151; Cmsr Wilhelm seconded. Motion carried.

AUTHORIZE AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT FOR COUNTY ROADS 106, 112, AND 151

County Engineer Cochran reviewed the bids that were received on Tuesday, April 9 2019 for a culvert replacement project on CSAH 5. Cochran explained the bids received were higher than the Engineer's estimate due to precast concrete items. Staff recommends awarding the bid to Helmin Construction, Inc. for \$274,527. Cmsr Wilhelm motioned to adopt the Resolution No. 2019-4-16-19-10 awarding project SAP 048-605-015 to Helmin Construction, Inc. and authorize the County Board Chairman and County Administrator to sign the contract; Cmsr Oslin seconded. Motion carried.

*Board of County Commissioners
Mille Lacs County, Minnesota*

*AWARD OF BID AND AUTHORIZATION TO EXECUTE CONTRACT
SAP 048-605-015*

*CULVERT REPLACEMENT PROJECT
PWD Resolution No.: 2019-4-16-19-16*

WHEREAS, pursuant to advertisement, bids were received for projects sap 048-605-015 on April 9, 2019; and

WHEREAS, the following bids were received:

<i>CONTRACTOR NAME AND ADDRESS</i>	<i>BID AMOUNT</i>
<i>Helmin Construction, INC., 4980 420th Avenue NE, Foley, MN 56329</i>	<i>\$274,527.00</i>
<i>Landwehr Construction, Inc., PO Box 1086, St. Cloud, MN 56302</i>	<i>\$286,573.00</i>
<i>Midwest Contracting, LLC, 2948 271st Avenue, Marshall, MN 56258</i>	<i>\$293,313.00</i>
<i>Houle Excavating, LLC, 15387 Hwy 115, Little Falls, MN 56345</i>	<i>\$302,720.00</i>
<i>BroMax Contracting, LLC, 694 Stevens Road, Onamia, MN 56359</i>	<i>\$319,361.25</i>

WHEREAS the lowest responsible bid for SAP 048-605-015 was \$274,527.00 submitted by Helmin Construction, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Mille Lacs County Board of Commissioners accepts the bid of \$274,527.00 submitted by Helmin Construction, Inc. (Culvert Replacement Project); and BE IT FURTHER RESOLVED that the Chairman and the County Administrator are authorized to sign contracts for this project.

The Chairman recessed the meeting at 10:04 a.m.

The Chairman reconvened the meeting at 10:08 a.m.

APPROVE RESOLUTION FOR DISPUTE RESOLUTION BOARD

Public Works Director Holly Wilson discussed with the County Board that at a Special City Council meeting held on Monday April 8, 2019, where the City of Milaca failed to adopt a resolution provided by the County authorizing the Milaca City Engineer to approve the construction plans for improvements to County State Aid Highways 2 and 32. As a result, the project cannot be advertised to bid. Wilson recommended the attached resolution requesting to the Commissioner of Transportation to appoint a dispute resolution board subject to Minnesota Statute 162.02 be approved.

City Manager Tammy Pfaff explained to the County Board that the City of Milaca is in favor of dispute resolution and would be willing to pull all the city utilities out of the project.

Milaca Public Schools Facilities Manager Bob Sumner requested to be notified of updates concerning the project. Cmsr Oslin motioned to approve Resolution No. 2019-5-16-19-11 for appointment of a resolution board; Cmsr Wilhelm seconded. Motion carried.

*Board of County Commissioners
Mille Lacs County, Minnesota*

***REQUEST TO THE COMMISSIONER OF TRANSPORTATION TO APPOINT A DISPUTE
RESOLUTION BOARD***

PWD Resolution No.: 2019-4-16-19-11

WHEREAS, Mille Lacs County has an interest in improving County State Aid Highways (CSAH) 2 and 32 within the corporate limits of the City of Milaca, and

WHEREAS, State Aid standards require storm sewer improvement to be incorporated in the plans for CSAHS 2 and 32, and

WHEREAS, Minnesota Statute 162.02, Subdivision 8, requires prior approval of the plans for improvements of a County State Aid Highway within corporate limits of any city, and

WHEREAS, the City of Milaca has failed to approve plans for improvement to CSAHs 2 and 32 within its corporate limits, and

WHEREAS, Minnesota Statute 162.02 Subdivision 8a allows for the appointment of a dispute resolution board if the city fails to approve improvements to a county state aid highway within its corporate limits.

NOW, THEREFORE, BE IT RESOLVED that the Mille Lacs County Board of Commissioners requests the Commissioner of Transportation to appoint a dispute resolution board as outlined in Minnesota Statute 162.02, Subdivision 8a.

CONSIDER OUT-OF-STATE TRAVEL AND MEAL REIMBURSEMENT FOR HIGHWAY 23 COALITION FLY-IN

County Administrator Oman discussed with the County Board that the Personnel Policy states all out of state travel needs County Board approval. Personnel Director, Holly Wilson is requesting to attend the Highway 23 Coalition Fly-In in Washington D.C. held June 18-20, 2019. County Administrator Oman explained that Wilson is an Executive Board member of the Highway 23 Coalition and the purpose of the trip is to get a Federal Freight Corridor Designation as well as funding for safety needs along the Highway 23 corridor.

Discussion was had regarding who else would be attending, cost, and if other County Officials could attend. Cmsr Reynolds motioned to deny the request and then withdrew her motion. Cmsr. Oslin motioned to approve sending one County representative, Cmsr Peterson seconded. Cmsr Oslin rescinded the motion. Cmsr. Oslin motioned to approve out-of-state travel and meal reimbursement for the Highway 23 Coalition Fly-In; Cmsr Peterson seconded. A roll call vote was called concerning the travel:

Cmsrs Oslin, Peterson, and Tellinghuisen vote aye. Cmsrs Wilhelm and Reynolds voted nay. Motion carried.

APPROVE COMMISSIONERS' MILEAGE AND PER DIEMS

County Administrator Oman reviewed the claims submitted by the Commissioners' for Mileage and Per Diems for April in the amount of \$774.80. Cmsr Oslin motioned to approve the April claims for the Commissioners' Mileage and Per Diems; Cmsr Peterson seconded. Motion carried.

CLOSED SESSION TO DISCUSS TRIBAL LITIGATION

A motion was made by Cmsr Wilhelm to close the meeting at 10:27 a.m. in accordance with M.S. 13D.05 Minnesota Statue 13D.05, Subdivision 3 (b) the meeting was closed under attorney client privilege to discuss legal issues, legal advice and litigation strategy arising from the federal lawsuit filed by the Mille Lacs Band of Ojibwe, Sara Rice and Derick Naumann versus Mille Lacs County in the Unites States District Court for the District of Minnesota, Court File No. 17-cv-5155; Cmsr Reynolds seconded. Motion carried. Cmsr Peterson motioned to reopen the meeting at 11:40 a.m.; Cmsr Oslin seconded. Motion carried.

COMMITTEE REPORTS

Cmsr Reynolds attended the Public Safety meeting. There will be a luncheon on April 29, 2019 in which someone from Mille Lacs County will be receiving a reward.

Cmsr Reynolds also attended the East Central Regional Library meeting. They distributed information cards about the East Central regional Library system.

Cmsr Oslin attended the Mille Lacs Watersheds meeting. They have updated their website to millelacswatershed.org.

Cmsr Oslin motioned to adjourn the meeting at 11:45 a.m.; Cmsr Wilhelm seconded. Motion carried.

ATTEST:

/s/ Pat Oman
Pat Oman
County Administrator

/s/ Roger Tellinghuisen
Roger Tellinghuisen
County Board Chairman