

**Carlton County
Board of Commissioners
REGULAR SESSION - Rough Draft
Tuesday, March 10, 2015
8:30 a.m.**

The Carlton County Board of Commissioners met this 10th day of March, 2014, in Regular Session at the Carlton County Transportation Building.

Members present: Bodie, Brenner, Peterson, Proulx, and Zmyslony. Absent: None.

The meeting opened with The Pledge of Allegiance to the Flag.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve the Agenda as amended.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve the Minutes of the February 23, 2015, Adjourned Board Meeting.

Motion by Brenner, seconded by Zmyslony, and carried by all yea votes to approve the refilling of an Adult Social Worker position at the Public Health and Human Services Offices.

Motion by Zmyslony, seconded by Peterson, and carried by all yea votes to authorize the filling of 1.5 FTE Family School Social Worker positions at the Public Health and Human Services Offices.

Motion by Brenner, seconded by Proulx, and carried by all yea votes to approve the destruction of 292 closed Income Maintenance/Probate case files. These files have been closed the appropriate amount of time prior to their destruction.

Motion by Brenner, seconded by Proulx, and carried by all yea votes to accept staff recommendation and approve the following 2015 County Recycling Shed Grant Payments:

Location	Staff Recommendation (approved)
Barnum	\$ 5,000
Carlton	\$ 5,000
Moose Lake	\$ 5,000
Perch Lake Township	\$ 5,000
Thomson Township	\$ 5,000
Total	\$25,000

Motion by Brenner, seconded by Peterson, and carried by all yea votes to adopt the following resolution: (15-025)

WHEREAS, Aquatic Invasive Species (AIS) are nonnative species that cause or may cause economic or environmental harm or harm to human health or threatens or may threaten natural resources or the use of natural resources in the state; and

WHEREAS, the Department of Natural Resources (DNR) has been authorized and charged with responsibility by the state legislature to establish a statewide program to prevent and manage the spread of AIS in coordination with other governmental entities; and

WHEREAS, pursuant to Minnesota Statutes, section 84D.105, Subdivision 2(a), a Governmental Unit is a local government entity that agrees to assume all legal, financial, and administrative responsibilities for an aquatic invasive species inspection program on some or all public waters within their jurisdiction; and

WHEREAS, it is the intent of Carlton County to implement an AIS inspection program, approved by DNR, on some or all public waters within their jurisdiction utilizing existing authorities and the authority granted to inspectors under Minnesota Statutes sections 84D.105, subd. 2(b) and 84D.10, subd. 3(a), clauses 1, 3, and 4 (the Program); and

WHEREAS it is the intent of Carlton County that the program will comply with all requirements in Minnesota Statutes section 84D.105 and in DNR Watercraft Inspection Program procedures and manuals.

NOW THEREFORE, BE IT RESOLVED, that the Carlton County Board of Commissioners hereby approves and adopts the Carlton County Aquatic Invasive Species Program 2015.

BE IT THEREFORE FURTHER RESOLVED, that the Carlton County Board submit this document to the DNR pursuant to applicable Minnesota laws and rules.

Motion by Brenner, seconded by Zmyslony, and carried by all yea votes to authorize and instruct the Zoning and Environmental Services Director to explore possible actions with respect to delegating the local water management planning to the Carlton County Soil and Water Conservation District.

Motion by Brenner, seconded by Proulx, and carried by all yea votes to approve the revised Tire Recycling Price Schedule effective April 1, 2015. A copy of the schedule is on file in the Zoning and Environmental Services Office.

An Employee Service Award was presented as follow:

Cheryl Bohlen	Information Technology Department	10 Years
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Motion by Peterson, seconded by Brenner, and carried by all yea votes to adopt the following resolution: (15-026)

WHEREAS, the City of Silver Bay Airport has agreed to transfer Federal Aviation Administration Entitlement Funds to the Cloquet-Carlton County Airport in the amount of \$150,000, to be used for airport construction.

NOW, THEREFORE, BE IT RESOLVED that the Carlton County Board of Commissioners does hereby accept said transfer of \$150,000 of Federal Aviation Administration Entitlement funds from the City of Silver Bay Airport to be used for airport construction.

Motion by Peterson, seconded by Zmyslony, and carried by all yea votes to adopt the following resolution: (15-027)

WHEREAS, it is deemed necessary for the public conveyance and safety that Minnesota Bridge Number L1230 and its approaches on County Road 131 over the Kettle River (County Project No. (to be determined)) be rehabilitated; and

WHEREAS, this project will not be eligible for state aid funds unless it is constructed to state aid standards for new bridge, bridge replacement, or bridge rehabilitation projects and approach roadways on rural or suburban undivided roadways that are not on the state-aid system for an existing Average Daily Traffic count between 0 and 49 vehicles, or unless a variance is granted; and

WHEREAS, practical limitations require that tighter horizontal curves than dictated by standards be used. This requires a variance from the Commissioner of Transportation in accordance with Minnesota Rules Chapter 8820.3300.

NOW, THEREFORE, BE IT RESOLVED, that Carlton County requests the Commissioner of Transportation for a variance from Minnesota Rules for State Aid Operations 8820.9922, whereby the Minimum Design Standards for New Bridge, Bridge Replacement, or Bridge Rehabilitation Projects and Approach Roadways on Rural or Suburban Undivided Roadways that are not on the State-Aid System be reduced for this project allowing for a 90' radius (-0.02 superelevation) curve at the south approach in lieu of a 500' radius (0.051 superelevation) horizontal curve and a 360' radius (-0.02 superelevation) curve at the north approach in lieu of a 360' radius (0.058 superelevation) horizontal curve and further agrees to indemnify, save, and hold harmless the State of Minnesota and its agents and employees from any and all claims, demands, actions, or causes of action arising out of or by reason of the rehabilitation of Minnesota Bridge No. L1230 on County Road 131 over the Kettle River in Carlton County in any manner other than in accordance with Minnesota Rule 8820.9922, and further agrees to defend at its sole cost and expense any action or proceeding commenced for the purpose of asserting any claim whatsoever arising as a result of the granting of this variance.

Motion by Brenner, seconded by Zmyslony, and carried by all yea votes to adopt the following resolution: (15-028)

WHEREAS, the contract with Northland Constructors of Duluth, LLC., Duluth, Minnesota, for S.A.P. 009-609-004, bituminous pavement reclamation on County Road 9 (Twin Lakes Drive), and S.A.P. 009-620-008, bituminous overlay on County Road 20 (3rd Street and Pacific Avenue in the City of Wright) has in all things been completed and the County Board has been fully advised in the premises.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the County Board of Commissioners does hereby accept said completed project for and in behalf of the County of Carlton.
2. That the County Board of Commissioners does hereby authorize the County Engineer to make final payment in the amount of Five Thousand Dollars and Forty-eight Cents (\$5,000.48) to the Contractor.

Motion by Peterson, seconded by Zmyslony, and carried by all yea votes to approve the issuance of Cigarette Licenses as follows:

TA Operating LLC (formerly Little Stores), Barnum, Carlton, and Esko
Brick's Pub and Grub

Motion by Zmyslony, seconded by Proulx, and carried by all yea votes to set a closed session, following the close of regular business at this meeting, to discuss pending litigation.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to adopt a policy whereby the posting (for refilling) of Job Vacancies may be done prior to obtaining County Board approval, but conditional upon the approval of the County Board Chairperson. Board Approval shall then be obtained retroactive to the job posting.

Motion by Brenner, seconded by Zmyslony, and carried by all yea votes to approve the County Board Agenda Item for Consideration format as presented; this format is recommended to the various departments/entities to present items for consideration to the County Board.

Motion by Zmyslony, seconded by Brenner, and carried by all yea votes to accept the recommendation of the Carlton County Policy Committee and approve the County Smoke and Tobacco Free Workplace Policy (and Addendum). This Policy is on file in the County Coordinator Offices.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to approve and increase, from 0.7 FTE to 1.0 FTE, of a Legal Secretary position in the County

Attorney Offices. The additional funding for the position is to come from the County Attorney Office Forfeiture Funds.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to table discussion on the hosting of the 2016 Restorative Justice Conference.

Motion by Zmyslony, seconded by Proulx, and carried by all yea votes to approve the appointment of Commissioner Zmyslony to the Carlton County Technology Committee (with Commissioner Peterson as Alternate).

The Regular Meeting closed at 10:05 a.m., to discuss pending litigation. The meeting reconvened at 10:45 a.m.

Motion by Proulx, seconded by Brenner, and carried by all yea votes to accept the settlement of the Carlton County litigation against Joanne Wappes. The settlement documents are on file in the County Coordinator Offices.

Motion by Proulx, seconded by Zmyslony, and carried by all yea votes that this meeting be adjourned.

Attest: _____
Paul G. Gassert
County Auditor/Treasurer

Marv Bodie
County Board Chairperson