

**Carlton County  
Board of Commissioners  
REGULAR SESSION - Rough Draft  
Tuesday, October 14, 2014  
8:30 a.m.**

The Carlton County Board of Commissioners met this 14<sup>th</sup> day of October, 2014, in Regular Session at the Carlton County Transportation Building.

Members present: Bodie, Brenner, Proulx and Peterson. Absent: Olean.

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

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

Motion by Peterson, seconded by Bodie, and carried by all yea votes to approve the Minutes of the September 22, 2014, Adjourned Board Meeting.

Motion by Bodie, seconded by Proulx, and carried by all yea votes to approve Foster Care and Child Care Activities as follows:

**Child Care Renewals**

Collen Lawrence	#33365288
Glenda Wait	#33515402
Cathy Wojtysiak	#33985607

**Child Foster Care Closings**

Louis Holm	#711904
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**Child Care Closings**

Susan Langely	#33469758
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Motion by Proulx, seconded by Peterson, and carried by all yea votes to award the sale of a NM Model 80 Grapple Assembly to Jerry DeMenge for the amount of \$1,016.00. Said Grapple was deemed to be surplus equipment from the Carlton County Transfer Station; this was the lowest of two bids received for said sale.

Motion by Bodie, seconded by Peterson, and carried by all yea votes, except Olean, who was absent, to adopt the following resolution: (14-000)

WHEREAS, Minnesota counties are tasked with the heavy responsibility to protect health, welfare and safety of their citizens, as well as maintain and improve quality of life. This includes protecting valuable water resources, whether as a regulated entity or regulator, to ensure that the nation's waters remain clean; and

WHEREAS, the State of Minnesota has a comprehensive program that protects waters including the Wetland Conservation Act administered by the Board of Water and Soil Resources, Public Waters permitting through the Department of Natural Resources and Storm Water Discharge permitting through the Minnesota Pollution Control Agency; and

WHEREAS, Carlton County, Minnesota currently experiences long term and costly delays to its road projects and also to private projects located in this county due to the Environmental Protection Agency (EPA) and Army Corps of Engineers (ACOE) current definition for "Waters of the United States"; and

WHEREAS, Carlton County, Minnesota is very concerned with the proposed new rules further defining and expanding "Waters of the State" and the efficiency of the Section 404 Clean Water Act permit process; and

WHEREAS, the proposed rule could expand the scope of Clean Water Act jurisdiction in Minnesota counties, resulting in further ambiguity, additional costs and delays to road projects and private projects; and

WHEREAS, the rule change proposed by the EPA and ACOE would subject almost all physical areas with a connection to downstream navigable waters, including features such as ditches, natural or man-made ponds, and flood plains to the jurisdiction of the Clean Water Act; and

NOW, THEREFORE, BE IT RESOLVED, that the Carlton County Board of Commissioners does hereby support a clear, concise, unambiguous and workable definition of "Waters of the State" and supports developing a general permit in Minnesota for local transportation projects and for projects not requiring mitigation under the Minnesota Wetland Conservation Act with an accelerated review process; and

BE IT FURTHER RESOLVED that the Carlton County Board of Commissioners will support the EPA and ACOE regulation of traditional navigable waters only.

Motion by Peterson, seconded by Proulx, and carried by all yea votes to authorize and instruct the County Land Commissioner to proceed with plans whereby the County will enter into a Class B Land Exchange by and between Carlton County and the State of Minnesota, whereby the County will exchange certain fee owned properties in Clear Creek Township with certain Tax Forfeited properties in Perch Lake Township.

Motion by Proulx, seconded by Peterson, and carried by all yea votes, except Olean, who was absent, to adopt the following resolution: (14-000)

WHEREAS, bids have been received by the County Auditor/Treasurer for the following Transportation Department Project:

SP 009-596-005; Pfeifer Road (T337) Project, and

WHEREAS, said bids or proposals were duly opened in the Carlton County Engineer's Office at 10:00 a.m. Monday, September 29, 2014 and this Board has, with the County Engineer, determined the lowest bidder of said project for which proposals were invited and submitted;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Carlton County, Minnesota, in regular session duly convened, that they hereby approve the award of the contract on the above projects to the lowest bidder:

KGM Construction, Inc.     \$427,567.80

BE IT FURTHER RESOLVED that the County Engineer, the County Auditor/Treasurer, and the County Attorney, on behalf of the County of Carlton, are hereby authorized to approve the Contractor's Performance Bonds and to execute the bonds and contracts with the Contractor for the above listed project.

Motion by Bodie, seconded by Peterson, and carried by all yea votes, except Olean, who was absent, to adopt the following resolution: (14-000)

WHEREAS: The contract with Veit & Company Inc, Duluth Minnesota for SAP 009-591-003, Esko Safe Routes To School Trail has in all things been completed and the County Board has been fully advised in the premises.

BE IT THEREFORE RESOLVED:

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 Twenty One Thousand Six Hundred Eighty Four Dollars and Twenty Eight cents (\$21,684.28) to the Contractor

Motion by Peterson, seconded by Proulx, and carried by all yea votes to enter into an Airport Lot Lease Agreement by and between Carlton County, and the Larry D. Peterson Trust, whereby Peterson will lease Lot Number 1 at the Moose Lake, Carlton County Airport.

Motion by Proulx, seconded by Bodie, and carried by all yea votes to authorize the County Coordinator to proceed with plans to dispose of various office furniture and equipment deemed to be surplus in the best interest of the County.

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

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

Motion by Proulx, seconded by Peterson, and carried by all yea votes to approve the payment of \$5,898 to Oscar J. Boldt Construction for work performed on the 317 Chestnut Avenue Building (Extension Office).

Motion by Proulx, seconded by Peterson, and carried by all yea votes to approve the refilling of an Assistant County Attorney position.

Motion by Bodie, seconded by Proulx, and carried by all yea votes to approve the refilling of an Office Administrator position in the County Attorney's Office.

Motion by Proulx, seconded by Peterson, and carried by all yea votes to authorize out of state travel for two Extension Office employees to attend a training session in Fargo, ND.

Motion by Peterson, seconded by Proulx, and carried by all yea votes to approve a liquor license for Ryan Bader at the Elmwood Inn, Atkinson Township.

Motion by Proulx, seconded by Bodie, and carried by all yea votes to approve the refilling of a Social Worker position at the Public Health and Human Services Offices.

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

Attest: \_\_\_\_\_  
Paul G. Gassert  
County Auditor/Treasurer

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Richard Brenner  
County Board Chairperson