

REGULAR MEETING OF THE ISANTI COUNTY BOARD OF COMMISSIONERS

Wednesday, October 5, 2016; 9:00 a.m. – Government Center Boardroom

Members Present: Chairperson Morris; Commissioners Anderson, Oslund, Turnquist, Warring
Members Absent: None
Others Present: R Heilman, B Wendorf, T Bergloff, J Edblad, L Lovering, C Caulk, T MacMillan
(Reporter: Bleninger)

00o Chairperson Morris convened the meeting and led the assembly in the Pledge of Allegiance.

00o Public Comment Session. There was no public comment.

16/10-01 Motion by Anderson, seconded by Turnquist, to approve the agenda. Motion carried unanimously.

16/10-02 Motion by Oslund, seconded by Warring, to approve the minutes of the September 21, 2016, County Board Meeting. Motion carried unanimously.

16/10-03 Motion by Turnquist, seconded by Oslund, to approve a 24-month renewal contract (2017-2018) for dental insurance with Delta Dental at a monthly rate of \$39.38 single; and \$100.90 family. Motion carried unanimously.

16/10-04 Motion by Anderson, seconded by Warring, to approve the 2017 health insurance renewal contract with Medica for retirees at a monthly premium rate of \$290.00. Motion carried unanimously.

16/10-05 Motion by Anderson, seconded by Turnquist, to approve amending and extending the Joint Powers Agreement with the Metropolitan Emergency Services Board (MESB). Motion carried unanimously.

16/10-06 Motion by Anderson, seconded by Warring, to accept, with regrets, the resignation/retirement of Barbara Baar, Deputy County Administrator/Human Resources Director, effective 1-6-2017. Motion carried unanimously.

16/10-07 Motion by Warring, seconded by Turnquist, to accept the resignation of Chris Fourness, Transit Operations Coordinator, effective 9-27-2016. Motion carried unanimously.

16/10-08 Motion by Warring, seconded by Turnquist, to accept the resignation of Justin Navratil, full-time Public Health Planner, effective 10-7-2016, and request to work part-time (2 days per week) until 11-18-2016. Motion carried unanimously.

16/10-09 Motion by Oslund, seconded by Anderson, to reappoint Michelle Moen as County Assessor from January 1, 2017, to January 1, 2021. Motion carried unanimously.

16/10-10 Motion by Turnquist, seconded by Oslund, to approve the request to waive park fee for Agricultural Society Building Permit fee of \$500. Motion carried unanimously.

00o Commissioners provided various committee reports.

00o Isanti County Sheriff Chris Caulk conducted the swearing in of Deputy Sheriff Alex Schlangen.

16/10-11 Motion by Oslund, seconded by Turnquist, to approve the following utility permits: to East Central Energy for a buried power line along the south side of CSAH 9; a buried power line along the east side of CR 36; a buried power line along the north side of CSAH 9; and to CenturyLink for a communications pedestal along the west side of CR 57. Motion carried unanimously.

16/10-12 Motion by Anderson, seconded by Turnquist, to ratify the appointment of Joel Whitlock, Assistant County Attorney I, effective 10-17-2016. Motion carried unanimously.

16/10-13 Motion by Anderson, seconded by Warring, to approve the following claims and warrants:

Hansen Surveying	1716.00	Central Applicators	7253.36
Hansen Surveying	1400.50	Beaudry Oil and Propane	7904.76
Baratto Brothers	38038.59	Barton Sand and Gravel	26010.26
Total Claims and Warrants			\$ 82,323.47

Motion carried unanimously.

O0o Public Hearing to petition for partial abandonment of drainage system.

O0o Kevin VanHooser, County Administrator, read the following published Public Hearing Notice into the record: **NOTICE IS HEREBY GIVEN** that the Joint Ditch Authority of Judicial Ditch #3 will hold a public hearing on October 5, 2016, at 9:30 a.m. in the County Board Room of the Isanti County Government Center, 555 18th Av. SW, Cambridge, MN, 55008, to consider the Petition for Partial Abandonment of Drainage System pursuant to M.S. 103E.806 received from Kreger Farms, 40412 Tiger Street NW, Milaca, MN 56353. By order of the Isanti County Board of Commissioners this 6th day of July, 2016.

16/10-14 Motion by Oslund, seconded by Turnquist, to close the Public Hearing. Motion carried unanimously.

16/10-15 Motion by Warring, seconded by Anderson, to adopt the following findings and order dismissing petition without prejudice: STATE OF MINNESOTA ISANTI AND MILLE LACS COUNTIES, JOINT DRAINAGE AUTHORITY FOR JUDICIAL DITCH 3 OF ISANTI AND MILLE LACS COUNTIES. The matter of the petition of Kreger Farms, Inc., for partial abandonment of a portion of Judicial Ditch 3 of Isanti and Mille Lacs Counties pursuant to statutes section 103E.806. At a duly noticed hearing of the Joint Drainage Authority held at 9:30 a.m. on Wednesday, October 5, 2016 at the Isanti County Government Center in Cambridge, Minnesota, the Drainage Authority considered the petition and other materials related to the petition of Kreger Farms, Inc., to abandon a portion of Judicial Ditch (JD) 3 or, in the alternative, to impound or divert waters on JD 3. Based on the proceedings herein, Commissioner Warring moved to adopt the following findings and order. FINDINGS. 1. On or about June 27, 2016, the Isanti County Auditor received the petition of Kreger Farms, Inc., requesting abandonment of a portion of JD 3 in sections 17 and 18 of Dalbo Township in Isanti County. 2. Upon receipt of the petition, the drainage authority set a hearing date of October 5, 2016, to hold a public hearing on the petition. 3. Upon receipt of the petition, the Drainage Authority notified petitioner's attorney of defects in the petition and possible additional requirements to address the modification of JD 3 under statutes section 103E.227. 4. In response the Drainage Authority's concerns, the petitioner's attorney, by letter dated July 21, 2016, indicated that additional survey work and analysis would be performed, at provided to the Drainage Authority to address the requirements of statutes section 103E.806 and 103E.227 as follows: a. Statutes section 103E.806: that part of the drainage system does not serve a substantial useful purpose as part of the drainage system to any property remaining in the system and is not of a substantial public benefit and utility. b. Statutes section 103E.227: that the project will be of a public or private benefit and that it will not impair the utility of the drainage system or deprive affected land owners of its benefit. 5. On or about July 14, 2016, the Drainage Authority provided notice of the hearing as required by statute.

6. By letter dated August 24, 2016, the petitioner's attorney requested that the matter be continued pending receipt of DNR buffer mapping and completion of petitioner's survey work and analysis. However, the petitioner's attorney did not provide a date or time-certain for a continuation of the hearing. 7. The Drainage Authority opened the public hearing on the petition as noticed at 9:30 a.m. on October 5, 2016. 8. Without additional information from petitioner, however, the Drainage Authority did not open the hearing to public comment. 9. The Drainage Authority is without sufficient information to determine whether the portion of JD 3 proposed to be abandoned serves a substantial useful purpose as part of the drainage system to any property remaining in the system or is of a substantial public benefit and utility. 10. The Drainage Authority is without sufficient information to determine whether the proposed modification of JD 3 will be of a public or private benefit or whether it will impair the utility of the drainage system or deprive affected land owners of its benefit. 11. The Drainage Authority does not have a date-certain by which the additional information required of the petitioner will be available in order to hold a meaningful public hearing on the proposed actions. Therefore, the Drainage Authority cannot continue the hearing without re-noticing the matter. ORDER: A. The petition of Kreger Farms, Inc., to partially abandon a portion of JD 3 pursuant to statutes section 103E.806 is dismissed without prejudice. B. The petitioner may re-petition for the proposed actions once it has gathered all of the required information for the Drainage Authority to make the required findings under statutes sections 103E.806 or 103E.227 whichever is applicable. The motion was seconded by Commissioner Anderson, and after discussion, the motion Passed and the Findings and Order were Adopted by a vote of 5 yes and 0 no. Dated this 5th day of October 2016. Motion carried unanimously.

16/10-16 Motion by Turnquist, seconded by Oslund, to ratify the hire of Darrick Wotachek, Water Plan Coordinator/Wetland Specialist, effective 10-17-2016. Motion carried unanimously.

16/10-17 Motion by Turnquist, seconded by Warring, to approve a quote from Reliance Telephone to install six (6) outdoor security cameras and associated equipment at the new Sheriff's Administration Building in the amount of \$8,225.25. Motion carried unanimously.

00o Public Hearing to consider implementing Body Worn Camera program by the Isanti County Sheriff's Department.

00o Kevin VanHooser, County Administrator, read the following published Public Notice into the record: **NOTICE IS HEREBY GIVEN** that the Isanti County Board of Commissioners will hold a public hearing on October 5, 2016, at 9:40 a.m. in the County Board Room of the Isanti County Government Center, 555 18th Av. SW, Cambridge, MN, 55008. The purpose of the public hearing will be to consider implementing a Body Worn Camera program by the Isanti County Sheriff's Department. Oral comments will be received during the hearing and written comments may be submitted to the Isanti County Sheriff, 509 18th Avenue SW, Cambridge, MN 55008. The proposed policy may be viewed at the Sheriff's Office beginning September 9, 2016. By order of the Isanti County Board of Commissioners this 7th day of September, 2016. Written comments were received. Public comment was made.

16/10-18 Motion by Turnquist, seconded by Oslund, to close the Public Hearing. Motion carried unanimously.

16/10-19 Motion by Turnquist, seconded by Oslund, to award a bid and enter into a contract with Blondo Consulting, LLC, for completion of Phase 1 Archaeological Survey of the Keen Farm and Pagel Properties in the amount of \$4,500. Motion carried unanimously.

16/10-20 Motion by Anderson, seconded by Oslund, to approve to enter into a contract with Nelson Forest Products to complete forest management at Wayside Prairie County Park. Motion carried unanimously.

16/10-21 Motion by Turnquist, seconded by Warring, to ratify the hire of Mia Ostwald, temporary part-time Truancy Officer, effective 9-26-2016. Motion carried unanimously.

16/10-22 Motion by Turnquist, seconded by Oslund, to adjourn (10:11 a.m.). Motion carried unanimously.

Kevin VanHooser, County Administrator

Susan Morris, County Board Chairperson

By: Sharon Katka, Office Manager/Personnel Technician