



MORRISON COUNTY BOARD OF COMMISSIONERS OFFICIAL MINUTES

APRIL 24, 2012

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The meeting was held in the County Board Room, Government Center, Little Falls, Mn. and was called to order at 9:00 a.m. by Chairman Meyer.

Members present: Commissioners Rich Collins, Duane Johnson, Don Meyer, Jeff Schilling, and Tom Wenzel.

Staff present: Deb Gruber, Russ Nygren, Brian Middendorf, Steve Backowski, Brad Vold, Bonnie Paulsen, Becky Moe, Paul Bukovich, and Connie Waytashek.

Others present: Mike Krejci, Jennie Zeitler, Helen McLennan, Jeanette Barthel, Catie Houck, Dana Potter, Tim Poland, Gina Vetter, Delores Rudek, Karla Montag, Linda Johnson, Tammy Jopp, Rita Toenies, Kathy Whittington, Kathy Kahlhamer, and Col. Scott St. Sauver.

APPROVAL OF COUNTY BOARD MINUTES

A motion was made by Commissioner Johnson, seconded by Commissioner Collins, and carried unanimously to approve the Morrison County Board of Commissioner Minutes for April 10, 2012.

AGENDA CHANGES

A motion was made by Commissioner Collins, seconded by Commissioner Wenzel, and carried unanimously to adopt the agenda as presented.

PROCLAMATIONS

A motion was made by Commissioner Johnson, seconded by Commissioner Wenzel, and carried unanimously to approve a Proclamation proclaiming April 15 through April 21, 2012 as National Volunteer Week in Morrison County.

A motion was made by Commissioner Schilling, seconded by Commissioner Johnson, and carried unanimously to approve a Proclamation proclaiming the month of May, 2012 to be Mental Health Awareness Month in Morrison County.

A motion was made by Commissioner Johnson, seconded by Commissioner Collins, and carried unanimously to approve a Proclamation proclaiming the month of May, 2012 to be Vulnerable Adult Abuse Awareness and Prevention Month in Morrison County.

SOCIAL SERVICE REPORT

Paul Bukovich, Social Service Supervisor, reported on adult protection activities for 2011.

PUBLIC HEALTH REPORT

A motion was made by Commissioner Johnson, seconded by Commissioner Collins, and carried unanimously to approve a 2012 Tobacco License to Red's Irish Pub, Swanville, Mn.



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A motion was made by Commissioner Wenzel, seconded by Commissioner Schilling, and carried unanimously to approve 2012 Seasonal Establishment Licenses to the following:

Auger's Pine View Resort, Motley
Manka's, Little Falls
Dairy Treat, Little Falls
Morrison County Agricultural Society, Little Falls

A motion was made by Commissioner Collins, seconded by Commissioner Johnson, and carried unanimously to approve a 2012 New Catering License to Uncle B's Catering, LLC, Upsala, Mn.

A motion was made by Commissioner Johnson, seconded by Commissioner Wenzel, and carried unanimously to approve a 2012 Annual New Establishment Owner License for Red's Irish Pub Operating, LLC, Swanville, Mn.

A motion was made by Commissioner Schilling, seconded by Commissioner Wenzel, and carried unanimously to appoint Tyler Athman to fill the Youth member vacancy on the Public Health Advisory Committee.

SOIL & WATER ANNUAL REPORT

Helen McLennan, Soil & Water, presented the Morrison Soil & Water Conservation District 2011 Annual Report.

CAMP RIPLEY ANNUAL REPORT

Col. Scott St. Sauver presented the 2012 Annual Camp Ripley Community Briefing.

THE BOARD RECESSED AT 10:27 A.M. AND RECONVENED AT 10:32 A.M.

PUBLIC HEARING – REDISTRICTING

A public hearing was called to order at 10:37 a.m. for the purpose of considering preliminary plans for the redistricting of Morrison County Commissioners Districts. No public comment was received. The public hearing was closed at 10:38 a.m. A motion was made by Commissioner Wenzel, seconded by Commissioner Collins, and carried unanimously to approve Resolution #2012-028, adopting the redistricting plan as presented.

EXTENSION REPORT

Becky Moe, 4-H Coordinator, presented the monthly report of activities for the Extension Office for the month of March, 2012. A copy of the report is on file in the Extension Office.

AUDITOR'S REPORT

A motion was made by Commissioner Johnson, seconded by Commissioner Collins, and carried unanimously to approve Resolution #2012-029, approving County sponsorship of the Morrison County Recreational Trails Association 2013 and the County/Club Trail Agreement.



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LARGE ASSEMBLY PERMIT

A motion was made by Commissioner Collins, seconded by Commissioner Wenzel, and carried unanimously to approve a Large Assembly License to Dina Wuellner & Tim Witucki, Little Falls Township, to hold a truck pull event on June 30, 2012 from 2:00 p.m. to 10:00 p.m. on a parcel of land owned by Dina Wuellner with a variance from requirement Section 5, Subd. 4 E8 (lighting).

COUNTY BOARD WARRANTS

A motion was made by Commissioner Johnson and seconded by Commissioner Collins to approve the following Resolution:

WHEREAS, the Morrison County Board of Commissioners have reviewed the list of County Board Warrants;

NOW THEREFORE, BE IT RESOLVED, that the list of County Board Warrants on file in the Auditor's Office for April 24, 2012 be approved for payment:

REVENUE	\$ 86,062.40
PUBLIC WORKS	\$ 16,252.19
SOCIAL SERVICE	\$190,656.69
SOLID WASTE	\$ 5,932.14
PARKS	\$ 5,561.01
LOCAL COLLAB TM ST	\$ 18,759.99
TOTAL	\$323,224.42
Reimbursable expenses	\$ 195.76

Motion carried on a roll call vote with all Commissioners voting "aye".

PUBLIC HEARING

A public hearing to consider amending the Morrison County Unified Environmental Health Ordinance was called to order at 10:49 a.m. No public comments were received. The public hearing was closed at 10:50 a.m. A motion was made by Commissioner Schilling, seconded by Commissioner Johnson, and carried unanimously to approve amendments to the Morrison County Unified Environmental Health Ordinance as presented.

PUBLIC WORKS REPORT

Steve Backowski, Public Works Director, reported on upcoming road projects.

COUNTY BOARD REPORTS AND SCHEDULE

Members of the County Board reported on various meetings they have attended and on their upcoming schedule of meetings with various organizations.



**MORRISON COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES**

**APRIL 24, 2012
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CLOSED SESSION

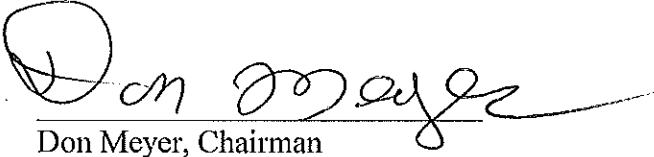
A motion was made by Commissioner Wenzel, seconded by Commissioner Johnson, and carried unanimously to approve Resolution #2012-030, closing the meeting to the public at 11:00 a.m. for the purpose of discussing the strategy, evaluation and the status of the Morrison County Sheriff's salary appeal with it's attorney.

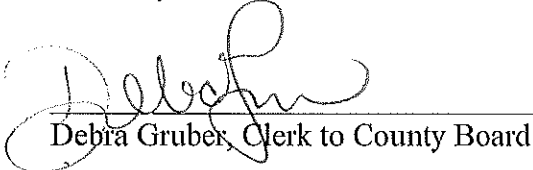
A motion was made by Commissioner Wenzel, seconded by Commissioner Schilling, and carried unanimously to reopen the public meeting at 11:45 a.m.

A motion was made by Commissioner Wenzel, seconded by Commissioner Collins and carried 3-2 (Commissioner Meyer and Johnson voting "nay") to authorize Scott Anderson, Morrison County's representing attorney, to resolve Sheriff Wenzel's salary appeal along the lines discussed in the closed session.

ADJOURNMENT

A motion was made by Commissioner Wenzel, seconded by Commissioner Collins, and carried unanimously to adjourn the meeting at 11:51 a.m.


Don Meyer, Chairman


Debra Gruber, Clerk to County Board



PROCLAMATION

WHEREAS, the entire community can effect positive change with any volunteer action no matter how big or small; and

WHEREAS, volunteers can connect with local community service opportunities through hundreds of community service organizations like the Morrison County Volunteer Network; and

WHEREAS, more than 2,100 volunteers working in Morrison County utilize nearly 103,000 hours of their time and talent to make a real difference in the lives of children, adults and the elderly; and

WHEREAS, during Volunteer Appreciation week, all over the nation, service projects will be performed and volunteers recognized for their commitment to service; and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, our country's volunteer force of over 64 million people is a great treasure; and

WHEREAS, volunteers are vital to our future as a caring and productive nation;

NOW, THEREFORE, we, Commissioners for Morrison County do hereby proclaim

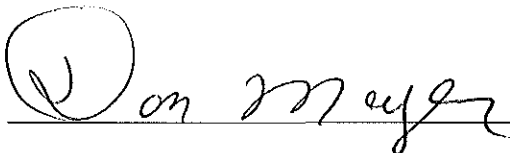
April 15th through April 21st, 2012

As

National Volunteer Week

In Morrison County, and urge our fellow citizens to volunteer and "light the way" in their communities. By volunteering and recognizing those who serve, we can build our communities with understanding and compassion.

Signed this 24 day of April, 2012



Proclamation
Vulnerable Adult Abuse Awareness and Prevention Month
May 2012

WHEREAS, People who are elderly or have disabilities have contributed to the general welfare of Morrison County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and

WHEREAS, These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and

WHEREAS, Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and

WHEREAS, Reports of abuse affected more than 167 Morrison County citizens who are elderly or have disabilities in 2011; and

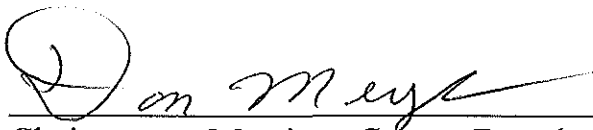
WHEREAS, Abuse is grossly underreported because the vulnerable adult population who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS, Abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in towns or in rural areas; and

WHEREAS, Many of the cases investigated by Adult Protective Services in Morrison County involve self-neglect and financial exploitation;

AND WHEREAS, It is our duty as citizens to reach out to people in need;

NOW, THEREFORE, We, the commissioners of Morrison County do hereby proclaim the month of May 2012 to be **Vulnerable Adult Abuse Awareness and Prevention Month** in Morrison County and urge all citizens to work together to help reduce abuse and neglect of adults who are elderly or have disabilities.



Chairperson, Morrison County Board of Commissioners

4-24-12

Date

Proclamation
Mental Health Awareness Month
May 2012

WHEREAS, Mental illnesses are medical conditions that disrupt a person's thinking, feeling, mood, ability to relate to others and daily functioning. Just as diabetes is a disorder of the pancreas, mental illnesses are medical conditions that often result in a diminished capacity for coping with the ordinary demands of life, and

WHEREAS, Mental illnesses can affect persons of any age, race, religion, or income. Mental illnesses are not the result of personal weakness, lack of character or poor upbringing., and;

WHEREAS, Mental illness usually strike individuals in the prime of their lives, often during adolescence and young adulthood. All ages are susceptible, but the young and the old are especially vulnerable, and;

WHEREAS, Without treatment the consequences of mental illness for the individual and society are staggering: unnecessary disability, unemployment, substance abuse, homelessness, inappropriate incarceration, suicide and wasted lives, and;

WHEREAS, Stigma erodes confidence that mental disorders are real, treatable health conditions. We have allowed stigma and a now unwarranted sense of hopelessness to erect attitudinal, structural and financial barriers to effective treatment and recovery, and;

WHEREAS, Early identification and treatment is of vital importance; By ensuring access to the treatment and recovery supports that are proven effective, recovery is accelerated and the further harm related to the course of illness is minimized, and;

WHEREAS, Mental illnesses are treatable with appropriate effective medication and a wide range of services tailored to their needs, most people who live with serious mental illnesses can significantly reduce the impact of their illness and find a satisfying measure of achievement and independence,

NOW, THEREFORE, We, the commissioners of Morrison County do hereby proclaim the month of May 2012 to be **Mental Health Awareness Month** in Morrison County and urge all citizens to work together to help reduce abuse and neglect of adults who are elderly or have disabilities.



Chairperson, Morrison County Board of Commissioners

4-24-12

Date

RESOLUTION 2012-028

ADOPTION OF COUNTY COMMISSIONER DISTRICTS

WHEREAS, Minnesota Statutes Chapter 375 establishes the procedure and requires a process for redistricting County Commissioner districts based on population figures from the Federal Census; and

WHEREAS, Minnesota Statute section 204B.135, subd. 2 requires that County Commissioner Districts be redistricted within 80 days of when the legislature has been redistricted or at least 15 weeks before the state primary election, whichever comes first; and

WHEREAS, pursuant to these statutes the 2010 Federal Census population figures shall be used to redistrict the Morrison County Commissioner Districts by May 1, 2012, and that Commissioner Districts shall be bounded by town, municipal, ward, city districts, or precinct lines; and

WHEREAS, the Morrison County Board of Commissioners has considered the possibility or potential for maximizing minority representation on the board of commissioners; and

WHEREAS, Morrison County published a three week notice in the newspaper having the contract for publishing the Commissioners' proceedings for the county for 2012; and

WHEREAS, Morrison County conducted a public hearing on redistricting on April 24, 2012;

NOW THEREFORE, BE IT RESOLVED, that the Morrison County Board of Commissioners hereby redistricts the County of Morrison, following town, municipal, ward, city district, or precinct lines as reestablished in April, 2012, and reestablishes the length of terms as follows:

- District 1 – Cushing Twp, Darling Twp, Green Prairie Twp, Motley City, Motley Twp, Randall City, Rosing Twp, Scandia Valley Twp, Little Falls City W-3 (4-year term, 2012 Election)
- District 2 – Belle Prairie Twp, Buh Twp, Harding City, Platte Twp, Ripley Twp, Little Falls W-2 (4-year term, 2012 Election)
- District 3 – Bellevue Twp, Little Falls Twp, Royalton City, Little Falls W-1 (4-year term, 2012 Election)

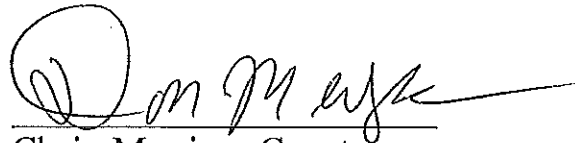
District 4 – Agram Twp, Buckman Twp, Buckman City,
Granite Twp, Genola City, Hillman Twp, Hillman City, Lakin
Twp, Lastrup City, Leigh Twp, Morrill Twp, Mt. Morris Twp,
Pierz Twp, Pierz City, Pulaski Twp, Richardson Twp (4-year
term, 2014 Election)

District 5 – Bowlus City, Culdrum Twp, Elmdale Twp, Elmdale City,
Flensburg City, Parker Twp, Pike Creek Twp, Sobieski City,
Swan River Twp, Swanville Twp, Swanville City, Two Rivers
Twp, Upsala City (4-year term, 2014 Election)

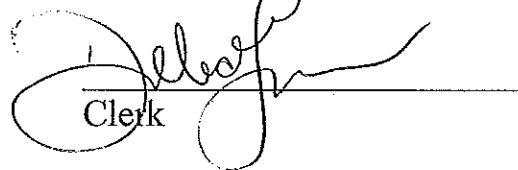
BE IT RESOLVED, that the County Administrator is directed to file the
redistricting plan with the County Auditor by May 1, 2012 to be effective on June
22, 2012, (31 day after filing) for the 2012 primary and general election and
publish in the legal newspaper.

BE IT FINALLY RESOLVED that the districts are, for illustrative purposes,
identified in a map of the county attached hereto and marked Exhibit A which be
reference is hereby made a part hereof.

Adopted this 24day of April, 2012



Chair, Morrison County
Board of Commissioners



Clerk

RESOLUTION APPROVING COUNTY SPONSORSHIP
OF THE MORRISON COUNTY RECREATIONAL TRAILS ASSOCIATION
2013 2012-029

WHEREAS, the Morrison County Recreational Trails Association provide trails to meet Morrison County's recreation needs;

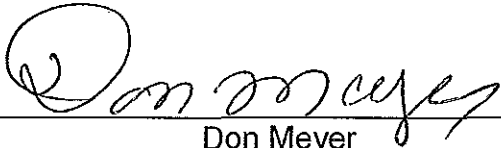
WHEREAS, the State of Minnesota offers funding of such trails through its GRANT-IN-AID TRAIL ASSISTANCE PROGRAM;

WHEREAS, the Morrison County Board of Commissioners acknowledges the sponsorship of this program as only a facilitator in providing state funds to local recreational trail associations;

WHEREAS, the Morrison County Auditor recommends approval of continued county sponsorship of the grant-in-aid trails;

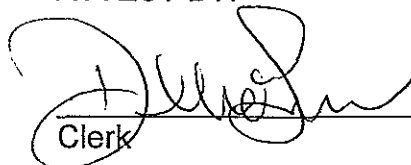
BE IT THEREFORE RESOLVED THAT, the Morrison County Board of Commissioners approves the application and proposals of the Morrison County Recreational Trails Association and authorizes the County Auditor to act as fiscal agent and to sign all necessary forms and agreements to participate in the program for State Fiscal Year 2013.

PASSED by majority vote of the Morrison County Board of Commissioners on this 24 day of April, 2012.



Don Meyer
Chair
Morrison County Board of Commissioners

ATTEST BY:



Clerk

COUNTY/CLUB TRAIL AGREEMENT

The Agreement is made the 24 day of April, 2012, between Morrison County, hereinafter referred to as the County, and the Morrison County Recreational Trails Association, hereinafter referred to as the Club.

Whereas, the County desires to establish recreational trails for the enjoyment of the public, and,

Whereas, the Club is a registered, nonprofit corporation, willing and able to help the County acquire, construct, and maintain such trails, and

Whereas, the State of Minnesota offers financial and technical assistance to the County for the construction of approved trails,

NOW, THEREFORE, IT IS AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. The County shall apply to the State of Minnesota, Department of Natural Resources for financial and technical assistance in accordance with the laws, rules, and regulations governing such assistance.
2. The Club shall acquire the necessary interests in land, construct trails, provide adequate trail maintenance, keep the trails safe for public use, and provide trail modifications as may be required by the State of Minnesota. The Club is solely responsible for the aforementioned obligations, and the parties agree that the County shall have no responsibility, duty or liability for those obligations. Any "work" in connection with the trails shall be in accordance with the terms and conditions of the Agreement between the State of Minnesota and the County, and the terms and conditions of that Agreement are incorporated by reference into this County/Club Trail Agreement and any subsequent contracts between the County and the Club, or between the parties hereto and others.
3. The Club shall defend, indemnify, and hold the County harmless from any and all claims brought by anyone arising out of the subject trails, including, but not limited to, claims arising out of the creation, construction, operation, maintenance, supervision, inspection, or use of the trails.
4. The Club shall purchase and maintain liability insurance naming the county as an insured, or additional named insured, in an amount at least equal to the maximum liability limits set forth in Minn. Stat. 466.04, Subd.1, currently \$500,000 per person and \$1,500,000 per occurrence, and shall provide to the county on an annual basis, a Certificate of Insurance or other document demonstrating that such insurance is in effect.

5. The Club shall submit properly completed and executed Landowner Certification forms, Trail Completion Certification forms and Certification of Satisfactory Grooming forms to the County on a timely basis. The certifications must be accompanied by a signed affidavit and sufficiently detailed records to verify that the Club has met the significant benchmarks of "work" on the trails as set by the State. If the County is satisfied that the significant benchmarks of work have been met, it will submit a Request for Reimbursement to the Minnesota Department of Natural Resources. Money received from the State as the result of these requests for reimbursement will be disbursed to the Club.

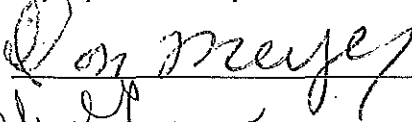
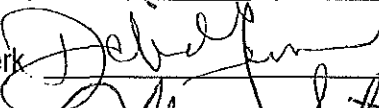

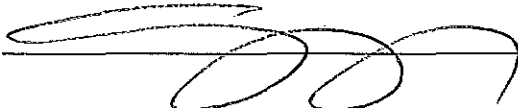
6. The Club shall maintain books, records, documents, and other evidence relevant to this grant and in such detail that will accurately reflect the benchmarks that have been reached in this program and that have received payment. The Club shall use generally accepted accounting principles and these records shall be retained for six years after this grant terminates. The State, the County its representative, or the legislative auditor shall have the right to examine this evidence and the Club shall make them available at all reasonable times during the retention period. Records shall be sufficient, as defined in the Manual to reflect significant costs incurred and volunteer donation of time, equipment, and/or materials in performance of this grant

7. The County shall not be liable for such costs incurred by the Club because State funds are depleted, reduced, or in any way modified. Costs incurred by the Club, which are not reimbursed by the State, shall be absorbed by the Club. In the event that a performance penalty is assessed against the County, by the State, such penalty will be passed through to the Club and shall be the Club's obligation until satisfied.

8. The Club will operate as an independent contractor, and neither the County nor the State of Minnesota shall have any responsibility or liability for worker's compensation, other employee benefits, or claims of negligence or other wrongdoing on the part of the Club brought by employees or third parties.

9. All trails built and/or maintained by the Morrison County Recreational Trails Association and its member organizations shall be the subject of this Agreement and shall hereinafter be called the Morrison County Recreational Trails.

10. This agreement shall continue for an indefinite period of time and until terminated by either party upon 30 days written notice.

County Board Chairperson		Date	<u>4-24-12</u>
County Board Clerk		Date	<u>4-24-12</u>
Club President		Date	<u>4-11-12</u>
Club Secretary		Date	<u>4-11-12</u>

RESOLUTION 2012-030

CLOSED SESSION
OF THE MORRISON COUNTY BOARD OF COMMISSIONERS
TO DISCUSS THE MORRISON COUNTY
SHERIFF'S SALARY APPEAL

WHEREAS, Michel Wetzel is currently elected as the Morrison County Sheriff; and

WHEREAS, the Morrison County Board of Commissioners set the Elected Officials Salaries for 2012 on January 10, 2012; and

WHEREAS, Sheriff Wetzel appealed the 2012 salary for the Sheriff as set by the Morrison County Board of Commissioners, as provided for in Minnesota Statutes, such that their exists pending litigation;

WHEREAS, pursuant to Minnesota Statute Section 13D.05, Subd. 3 (b), the County Board by Resolution may close a meeting under the attorney-client privilege to discuss pending litigation.

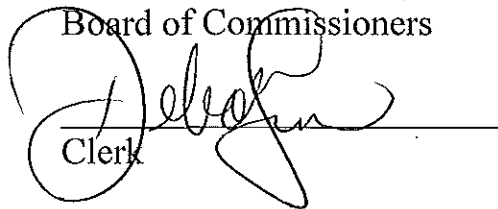
NOW THEREFORE, be it resolved:

The Morrison County Board of Commissioners hereby closes the County Board meeting on April 24 2012 to discuss the strategy, evaluation and the status of the Morrison County Sheriff's Salary Appeal with it's attorney.

Date: April 24, 2012



Chair, Morrison County
Board of Commissioners



Clerk