

WORK SESSION (COUNTY BOARD ROOM):

REVIEW ELECTED DEPARTMENT HEAD COMPENSATION

REVIEW STAFFING OPTION FOR JAIL PROGRAM COUNSELOR

CALL MEETING TO ORDER

The meeting was called to order at 9:01 a.m. with the following commissioners present: Commissioners Wilhelm, Oslin, Reynolds, Tellinghuisen, and Peterson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVE THE AGENDA (ADDITIONS AND DELETIONS)

There were no additions or deletions to the agenda. A motion was made by Commissioner Wilhelm, seconded by Commissioner Peterson, and unanimously carried to approve the agenda as presented. Motion carried.

CONSENT AGENDA

Commissioner Wilhelm requested to remove agenda item 4.8: Consider Special Meeting. Commissioner Reynolds requested to remove agenda item 4.1: Consider Jail Food Service Amendment #9. A motion was made by Commissioner Wilhelm, seconded by Commissioner Tellinghuisen, and unanimously carried to approve the Consent Agenda as amended. Motion carried.

CONSIDER JAIL FOOD SERVICE AMENDMENT #9

Commissioner Reynolds had a question regarding the dollar amount, which was clarified by Jail Administrator Dustin Naumann. A motion was made by Commissioner Oslin, seconded by Commissioner Peterson, and unanimously carried to approve Jail Food Service Amendment #9. Motion carried.

CONSIDER HAVA GRANT PHASE 2

CONSIDER PUBLIC HEARING DATE FOR CLASSIFICATION OF TAX-FORFEITED PROPERTIES

NOVEMBER 2022 JAIL REPORT

REVIEW WARRANTS

CONSIDER APPROVAL OF EMPLOYMENT SERVICES SERVICE AGREEMENT WITH CENTRAL MN JOBS & TRAINING

CONSIDER SHERIFF'S OFFICE WELLNESS POLICY AND CONTRACT WITH LEXIPOL FOR OFFICER WELLNESS

CONSIDER SPECIAL MEETING

A motion was made by Commissioner Wilhelm, seconded by Commissioner Oslin, and unanimously carried to approve the agenda item for a special Board meeting on December 27, 2022. Motion carried.

CONSIDER PAYMENT TO COUNSEL FOR LEGAL SERVICES

CONSIDER DECEMBER 8, 2022 BOARD MEETING MINUTES

MILACA TIF DISTRICT NOTICE

REGULAR AGENDA

DOMESTIC VIOLENCE COURT PRESENTATION

The Pearl Crisis Center presented information regarding Domestic Violence Court.

LAND SERVICES OFFICE

CONSIDER RESOLUTION 12-20-22-01: CHARITABLE GAMBLING PERMIT

County Auditor-Treasurer Brenda Eklund reviewed the agenda item. A motion was made by Commissioner Wilhelm, seconded by Commissioner Tellinghuisen, and unanimously carried to adopt Resolution 12-20-22-01: Charitable Gambling Permit.

*Board of County Commissioners
Mille Lacs County, Minnesota*

Resolution No.: 12-20-22-01

AUTHORIZING CHARITABLE GAMBLING

BE IT RESOLVED, that the Mille Lacs County Board of Commissioners does hereby approve granting an Exempt Permit for Milaca Golf Club to hold a Raffle, in Milaca Township on the 8th day of April 2023.

CONSIDER RESOLUTION 12-20-22-02: APPROVAL OF GAMBLING

County Auditor-Treasurer Brenda Eklund presented the agenda item. A motion was made by Commissioner Wilhelm, seconded by Commissioner Peterson, and unanimously carried to adopt Resolution 12-20-22-02: Approval of Gambling.

*Board of County Commissioners
Mille Lacs County, Minnesota*

Resolution No.: 12-20-22-02

AUTHORIZING LAWFUL GAMBLING PERMIT

BE IT RESOLVED, that the Mille Lacs County Board of Commissioners does hereby approve granting a Gambling Permit to Mystic Riders Snowmobile Club to provide gambling at the Moonshine Bar and Grill LLC indefinitely.

CONSIDER TAX ABATEMENT ON PROPERTY 16-005-0300

County Auditor-Treasurer Brenda Eklund presented the agenda item. Wilhelm approved, Tellinghuisen seconded.

CONSIDER SNAKE RIVER 1W1P IMPLEMENTATION OPTIONS

County Administrator Dillon Hayes presented the agenda item. A motion was made by Commissioner Oslin, seconded by Commissioner Peterson, and carried to authorize staff and elected officials acting on behalf of the Board to proceed with exploration of 1W1P implementation with the existing organizational structure of the SRWMB. Commissioner Reynolds opposed.

CONSIDER SAWMILL DEFINITION

Zoning Administrator Keenan Hayes reviewed the agenda item. Discussion took place regarding Conditional Use Permits and Planning Commission meeting requirements. A motion was made by Commissioner Oslin, seconded by Commissioner Wilhelm, and unanimously carried to approve the definition of a sawmill as a factory in which logs are sawed into lumber. Motion carried.

COUNTY SHERIFF'S OFFICE

CONSIDER RESOLUTION 12-20-22-03: LEGAL COUNSEL FOR SHERIFF-ELECT

Douglas Kelley from Kelley, Wolter & Scott P.A. presented the agenda item. A motion was made by Commissioner Wilhelm, seconded by Commissioner Oslin, and unanimously carried to adopt Resolution 12-20-22-03: Legal Counsel for Sheriff Elect. Motion carried.

***Board of County Commissioners
Mille Lacs County, Minnesota***

Resolution No.: 12-20-22-03

APPROVING LEGAL COUNSEL FOR SHERIFF-ELECT KYLE BURTON

WHEREAS, Mille Lacs County, County Attorney Joe Walsh and County Sheriff Don Lorge are named defendants in a federal lawsuit brought by the Mille Lacs Band of Ojibwe, James West, and Derrick Naumann in the United States District Court for the District of Minnesota, Court File No. 17-cv-5155 ("Lawsuit").

WHEREAS, this Lawsuit arises out of the official duties of the County Attorney pursuant to state law, including the duty to provide an opinion at the request of a county officer in relation to the official duties of the officer pursuant to Minn. Stat. § 388.051(1)(b) and the directive of the Attorney General's Office in the Letter of Christie B. Eller dated July 12, 2016.

WHEREAS, the County Sheriff-Elect will likely be added as a party to the Lawsuit after assuming the duties of the County Sheriff.

WHEREAS, the County Sheriff and Sheriff-Elect have in good faith followed the laws of the State of Minnesota as formally interpreted by the Mille Lacs County Attorney.

WHEREAS, the County Sheriff-Elect seeks to retain Doug Kelley of Kelley, Wolter & Scott, P.A. Attorneys at Law to defend the County Sheriff-Elect in the Lawsuit, contingent on Mille Lacs County agreeing to pay the fees of this representation.

WHEREAS, the Mille Lacs County Board is an independent elected board of five Commissioners with the power to "have the care of the county property, and management of the county funds and business . . . and make orders concerning them as it deems expedient." Minn. Stat. § 375.18(2).

WHEREAS, counties may "[m]ake all contracts and do all other acts in relation to the property and concerns of the county necessary to the exercise of its corporate powers." Minn. Stat. § 373.01.

WHEREAS, "[t]he powers of the county as a body politic and corporate shall only be exercised by the county board or in pursuance of a resolution adopted by the county board." Minn. Stat. §373.02.

NOW, THEREFORE, BE IT RESOLVED, by the Mille Lacs County Board of Commissioners that:

1. Mille Lacs County approves and ratifies the attached engagement letter executed by Doug Kelley of Kelley, Wolter & Scott, P.A. Attorneys at Law and Kyle Burton, County Sheriff-Elect.
2. Mille Lacs County agrees to pay the fees and expenses as described in the attached engagement letter, excluding fees and expenses incurred before the Board's approval of this Resolution, and including all fees and expenses incurred after the Board's approval of this Resolution and Sheriff-Elect Kyle Burton assuming the duties of County Sheriff and being added as a party to the Lawsuit after assuming the duties of County Sheriff, pursuant to the attached engagement letter until the Lawsuit is concluded regarding Kyle Burton as a party.
3. Mille Lacs County understands that, under the attached engagement letter, it is Kyle Burton who is the client of Doug Kelley of Kelley, Wolter & Scott, P.A. Attorneys at Law regarding this Lawsuit, not Mille Lacs County.

COMMUNITY AND VETERAN SERVICES OFFICE

CONSIDER ONAMIA SCHOOLS TRANSPORTATION AGREEMENT

Commissioner Tellinghuisen left the meeting prior to this agenda item. Community & Veterans Services Director Beth Crook presented the agenda item. A motion was made by Commissioner Oslin, seconded by Commissioner Wilhelm, and unanimously carried to approve the agreement with Onamia Schools for transportation services. Motion carried.

CONSIDER NEXUS MILLE LACS ACADEMY Host County Contract

Community & Veterans Services Director Beth Crook presented the agenda item. A motion was made by Commissioner Oslin, seconded by Commissioner Wilhelm, and unanimously carried to approve the contract for 2023 through 2024 and authorize staff to execute the required documents. Motion carried.

PUBLIC WORKS

CONSIDER RESOLUTION 12-20-22-04: ACCEPTANCE OF 2022 RESURFACING PROJECTS AND FINAL PAYMENT

Construction Services Manager Steve Lembke reviewed the agenda item. A motion was made by Commissioner Peterson, seconded by Commissioner Wilhelm, and unanimously carried to adopt Resolution 12-20-22-04: Acceptance of 2022 Resurfacing Projects and Final Payment. Motion carried.

***Board of County Commissioners
Mille Lacs County, Minnesota***

Resolution No.: 12-20-22-04

ACCEPTANCE OF 202201 RESURFACING PROJECTS

WHEREAS, project SAPs 048-609-007, 048-610-005, 048-611-024, 048-612-020, Contract No 202201, Resurfacing Projects by OMG Midwest Inc. dba Minnesota Paving & Materials, 14475 Quiram Drive Rogers, MN 55374; Located on CSAH 9, 10, 11, & 12 in Mille Lacs County has been completed; and

WHEREAS, the original contract cost was \$1,704,120.04 and the final cost is \$1,757,409.20 and;

NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs County Board of Commissioners, being fully advised, hereby accepts said completed projects for Mille Lacs County and authorizes final payment.

CONSIDER RESOLUTION 12-20-22-05: MNDOT FEDERAL AID PARTICIPATION AGREEMENT

Construction Services Manager Steve Lembke presented the agenda item. A motion was made by Commissioner Wilhelm, seconded by Commissioner Peterson, and unanimously carried to adopt Resolution 12-20-22-05: MNDOT Federal Aid Participation Agreement. Motion carried.

***Board of County Commissioners
Mille Lacs County, Minnesota***

Resolution No.: 12-20-22-05

STATE OF MINNESOTA AND MILLE LACS COUNTY AGREEMENT FOR FEDERAL PARTICIPATION IN CONSTRUCTION

BE IT RESOLVED that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Mille Lacs County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED that the County Board Chair and the County Administrator are hereby authorized and directed for and on the behalf of the Mille Lacs County to execute and enter in an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in Minnesota Department of Transportation Agency Agreement for Federal Participation in Construction, a copy of which said agreement was before the County Board and which is made part hereof by reference.

ADMINISTRATIVE SERVICES OFFICE

CONSIDER CHIPS & PUBLIC DEFENDER BIDS & CONTRACTS

County Administrator Dillon Hayes presented the agenda item. A motion was made by Commissioner Wilhelm, seconded by Commissioner Oslin, and unanimously carried to approve the low bids for the CHIPS custodial, CHIPS non-custodial, and Public Defender contracts. Motion carried.

CONSIDER RESOLUTION 12-20-22-06: ELECTED DEPARTMENT HEAD COMPENSATION

County Administrator Dillon Hayes presented the agenda item. A motion was made by Commissioner Wilhelm, seconded by Commissioner Oslin, and unanimously carried to table the agenda item until the December 27, 2022 Board meeting. Motion carried.

CONSIDER RESOLUTION 12-20-22-07: COMMISSIONER COMPENSATION & PER DIEM

County Administrator Dillon Hayes presented the agenda item. A motion was made by Commissioner Oslin, seconded by Commissioner Peterson, and unanimously carried to adopt Resolution 12-20-22-07: Commissioner Compensation & Per Diem. Motion carried.

***Board of County Commissioners
Mille Lacs County, Minnesota***

Resolution No.: 12-20-22-07

***ESTABLISHING 2023 COUNTY COMMISSIONER COMPENSATION
AND PER DIEM RATES***

BE IT RESOLVED that the annual salary paid to each Mille Lacs County Commissioner for 2023 shall be \$22,728.32.

BE IT FURTHER RESOLVED that Commissioners may receive per diem payment in the amount of \$45 for meetings and conduct of official County business pursuant to statutory definition.

BE IT FURTHER RESOLVED that Commissioners may be allowed and paid for actual and necessary traveling expenses incurred while attending meetings of the County Board; or while performing official duties as County Commissioner; or while serving on a board, committee, or commission; or for expenses reasonably incurred by a Commissioner in performance of the Commissioner's official duties.

BE IT FURTHER RESOLVED that Commissioners shall not receive more than one per diem for any given day.

BE IT FURTHER RESOLVED that Commissioners shall not receive a per diem for any meeting that occurs at the Mille Lacs County campus on the same day and starts within two hours of a County Board meeting.

BE IT FURTHER RESOLVED that those citizens appointed to serve on Board-appointed advisory committees, excluding County employees, shall be entitled to receive a per diem of \$45 for meetings, plus expenses required for attendance at such meetings, under the jurisdiction of the County.

BE IT FURTHER RESOLVED that per diem and/or expenses will not be paid to individuals who serve on a committee whose bylaws state that their members will serve without compensation, or to those committees whose members are paid by another source.

BE IT FURTHER RESOLVED that all per diems and meeting expenses shall be paid through the Administrative Services Office and that claims must be filed within 90 days from the date of meeting.

CONSIDER RESOLUTION 12-20-22-08: COMMUNITY SUPERVISION FUNDING

County Administrator Dillon Hayes presented the agenda item. A motion was made by Commissioner Oslin, seconded by Commissioner Wilhelm, and unanimously carried to adopt Resolution 12-20-22-09: Community Supervision Funding. Motion carried.

**Board of County Commissioners
Mille Lacs County, Minnesota**

Resolution No.: 12-20-22-08

**ENDORSING THE EFFORTS OF THE COMMUNITY SUPERVISION WORK GROUP AND
URGING THE LEGISLATURE TO PASS A NEW FUNDING FORMULA AND SIGNIFICANT
APPROPRIATION DURING THE 2023 LEGISLATIVE SESSION**

WHEREAS, community supervision is a fundamental part of the criminal justice system in Minnesota and funding sufficient to ensure effective services is vital to public safety in all communities across the state; and

WHEREAS, community supervision includes services such as probation, supervised release, and intensive supervised release; and

WHEREAS, Minnesota's counties provide essential community supervision services both as mandated by M.S. Chapter 244.19 and also as delegated by the Department of Corrections under M.S. Chapter 401; and

WHEREAS, when the Legislature decided that community supervision was best delivered through a state-county partnership, it stated a clear intent that the state would provide significant funding to the counties for the operation of local programs; and

WHEREAS, over the past 20 years, Minnesota has become the state with the lowest level of corrections funding in the nation because the Legislature has not upheld its promise to provide adequate state resources to support community supervision; and

WHEREAS, the Legislature's failure to adequately fund community supervision has increased local property taxes on residents and businesses; and,

WHEREAS, a revised community supervision funding formula is necessary to ensure that all communities in Minnesota have enough state funding to provide a consistent standard for effective, evidence-based community supervision services, regardless of local capacity to pay; and

WHEREAS, the Association of Minnesota Counties assembled the Community Supervision Work Group including county leaders and experts in community supervision from all three supervision delivery systems to study the needs of community supervision departments statewide and develop a single funding formula that is transparent, needs based, and equitable among county and state supervision providers; and,

WHEREAS, the Community Supervision Workgroup has taken up its charge to convene stakeholders across the three probation delivery systems to oversee a study to create a unified recommendation for an equitable and adequate funding formula and appropriation; and,

WHEREAS, the Board of Directors of the Association of Minnesota Counties that represents the diverse interests of Minnesota's 87 counties, voted to support a new funding formula that provides counties with the resources needed to keep communities safe.

NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs County Board of Commissioners endorses the efforts of the Community Supervision Work Group and urges the Legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

**CONSIDER RESOLUTION 12-20-22-09: SPONSORSHIP OF TRANSPORTATION
ALTERNATIVE PROGRAM FUNDING APPLICATION**

County Administrator Dillon Hayes presented the agenda item. A motion was made by Commissioner Wilhelm, seconded by Commissioner Peterson, and unanimously carried to adopt Resolution 12-20-22-09: Sponsorship of Transportation Alternative Program Funding Application.

**Board of County Commissioners
Mille Lacs County, Minnesota**

Resolution No.: 12-20-22-09

TRANSPORTATION ALTERNATIVES PROJECT SPONSORSHIP

WHEREAS, the Federal Highway Administration (FHWA) requires that states agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of the right of way ownership acquired without prior approval from the FHWA; and

WHEREAS, Transportation Alternative projects receive federal funding; and

WHEREAS, the Minnesota Department of Transportation (MnDOT) has determined that for projects implemented with alternative funds, this requirement should be applied to the project proposer; and

WHEREAS, the City of Wahkon is the project proposer for the Main Street Revitalization & Beautification Project, while the City of Wahkon is the project proposer and has agreed to assume full responsibility for the operation and maintenance of the property and facilities related to the aforementioned transportation alternatives project; and

WHEREAS, the City of Wahkon is in need of a sponsoring agent for the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Mille Lacs County Board of Commissioners on behalf of Mille Lacs County agrees to act as sponsoring agency for the project identified as Main Street Revitalization & Beautification Project seeking Transportation Alternatives Program Funding and has reviewed and approved the project as proposed. Sponsorship includes a willingness to secure from the City of Wahkon and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules, and regulations.

BE IT FURTHER RESOLVED, that the County Administrator is hereby authorized to act as agent on behalf of Mille Lacs County as the sponsoring agency.

CONSIDER REVISED TECHNICAL SUPPORT SPECIALIST JOB DESCRIPTION

Personnel Director Karly Feters presented the agenda item. A motion was made by Commissioner Oslin, seconded by Commissioner Wilhelm, and unanimously carried to approve the revised Technical Support Specialist job description removing the GIS-related job duties. Motion carried.

**CONSIDER TEAMSTERS MEMORANDUM OF AGREEMENT REGARDING 2023
CORRECTIONAL OFFICER RECRUITMENT/RETENTION INCENTIVES**

Personnel Director Karly Feters presented the agenda item. A motion was made by Commissioner Wilhelm, seconded by Commissioner Peterson, and unanimously carried to approve the Teamsters Memorandum of Agreement regarding 2023 Correctional Officer recruitment/retention incentives.

EMPLOYEE RECOGNITION CEREMONY

COMMITTEE REPORTS

Commissioner Oslin attended the AMC meeting. Commissioner Reynolds also attended the AMC meeting.

ADJOURN

11:41 a.m. Commissioner Oslin, Wilhelm unanimously carried to adjourn.

WORK SESSION (COUNTY BOARD ROOM):

COMMUNITY HEALTH BOARD MEETING

ISD #477 SCHOOL CARE ADJUSTMENT INCREASE

REVIEW GASB 87 IMPLEMENTATION

ATTEST:

Dillon Hayes
County Administrator

Genny Reynolds
County Board Chairperson