



Board of County Commissioners Agenda Request

4A

Agenda Item #

Requested Meeting Date: December 8, 2015

Title of Item: Central Minnesota Community Corrections

<input checked="" type="checkbox"/> REGULAR AGENDA <input type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Nathan Burkett, County Administrator		Department: Administration
Presenter (Name and Title): Nathan Burkett, County Administrator		Estimated Time Needed: 10 min
Summary of Issue: <p>After meeting with the Administrators of Crow Wing and Morrison Counties, discussing with the County Attorney and Labor Attorney, I recommend that Aitkin County support Morrison County's request to waive the requirements contained in this resolution.</p> <p>Dissolving the existing joint powers agreement will be a cleaner method to ensure clear division of assets and liabilities of CMCC and limiting each county's exposure to potential issues going forward. Waiving these requirements will save all parties time and assist us to move forward quickly to set up appropriate structures</p> <p>This resolution ONLY waives the time requirement, and the requirement to hold a special meeting in the joint powers agreement. It does not agree to any terms of dissolution, or guarantee dissolution.</p> <p>I would also like to request that the Board confirm the formation of an informal advisory committee related to Corrections in Aitkin County. I recommend that we include Judge Solien (or designee), Sheriff Turner (or designee), County Attorney Ratz (or designee) and HHS Director Burke (or designee), CMCC Associate Director Liz DeRuyck as well as two commissioners - Commissioner Westerlund and Wedel have served on the CMCC Executive Committee and I would recommend them.</p>		
Alternatives, Options, Effects on Others/Comments: 		
Recommended Action/Motion: Pass resolution Consensus on Corrections Workgroup		
Financial Impact: Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.

By Commissioner: xx

20151208-0xx

Central Minnesota Community Corrections, Waiver of Certain Joint Powers Agreement Provisions

WHEREAS, On December 1, 2015 the Morrison County Board of Commissioners passed a resolution requesting that the Central Minnesota Community Corrections Joint Powers Board consider dissolution of Central Minnesota Community Corrections; and

WHEREAS, Article 10 of the Central Minnesota Community Corrections Joint Powers Agreement requires that a 30 day written notice must be provided to member counties before a resolution to dissolve may be considered by the Joint Powers Board and that a special meeting must be held for the purpose of considering a resolution to dissolve; and

WHEREAS, Morrison County has requested that Crow Wing and Aitkin County waive these provisions of the Joint Powers Agreement so that a resolution to dissolve Central Minnesota Community Corrections may be considered at the December 16, 2015 regular Joint Powers Board meeting.

BE IT RESOLVED, in accordance with the request of Morrison County, the Aitkin County Board of Commissioners agrees to waive the requirement for 30 days' notice and the requirement to hold a special meeting as called for in Article 10 of the Central Minnesota Community Corrections Joint Powers Agreement, Article 10.

Commissioner xx moved the adoption of the resolution and it was declared adopted upon the following vote

FIVE MEMBERS PRESENT

All Members Voted Yes

STATE OF MINNESOTA)
County of Aitkin) ss.
Office of County Auditor,)

I, Kirk Peysar, Auditor, of the County of Aitkin, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 8th day of December A.D., 2015, and that the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL OF OFFICE at Aitkin, Minnesota, this 8th day of December A.D. 2015

KIRK PEYSAR, County Auditor
BY _____, Deputy



Morrison County will provide cost effective, high quality services to county residents in a friendly and respectful manner.

County Administrator
Deb Gruber
Government Center
213 S.E. 1st Avenue
Little Falls, Minnesota 56345-3196
320-632-0293
Toll Free: 1-866-401-1111
Fax: 320-632-0294
Email: debgr@co.morrison.mn.us

December 2, 2015

Nathan Burkett, Aitkin County Administrator
J. Mark Wedel, Aitkin County Board Chair
Aitkin County Administration
217 2nd Street NW, Rm 134
Aitkin, MN 56431

Dear Administrator Burkett and Chair Wedel:

Enclosed please find a certified copy of a resolution adopted by the Morrison County Board of Commissioners on December 1, 2015. The resolution is to petition the Central Minnesota Community Corrections Joint Powers Board to terminate the Agreement. Morrison County wishes to execute parameters identified in article 10 of the Joint Powers Agreement to terminate Central Minnesota Community Corrections.

Morrison County agrees to waive the 30-day written notice and the Joint Powers Board meeting held solely for the purpose of deciding the termination petition and respectfully requests Crow Wing County and Aitkin County to do the same. The enclosed resolution is to be presented at a scheduled Joint Powers Board meeting, December 16, 2015, 10:00 a.m. at the Police Department in Brainerd, MN.

Throughout the years, it has been a pleasure working with you in a joint Community Corrections Organization. Through careful consideration, we feel this is the best course of action. We wish you well in your future endeavors. If there are any questions or concerns, please feel free to contact me.

Sincerely,

Deb Gruber
County Administrator

cc. Nicole Kern, Central Minnesota Community Corrections
Timothy J. Houle, Crow Wing County Administrator
Paul Koering, Crow Wing County Board Chair

Enclosure: Resolution

Resolution #2015- 069
 To Petition the Central Minnesota Community Corrections
 Joint Powers Board to Terminate the Agreement

WHEREAS, Crow Wing and Morrison Counties established a joint Community Corrections Agency in 1974, and Aitkin County entered into this agency by a formal Joint Powers Agreement on January 1, 1992 to form Central Minnesota Community Corrections (hereinafter collectively referred to as CMCC); and

WHEREAS, the Joint Powers Agreement governing CMCC is intended to encompass the counties of Crow Wing, Morrison and Aitkin; and

WHEREAS, on November 10, 2015 Crow Wing County adopted a resolution to withdraw from CMCC and integrate probation service delivery with Community Services; and

WHEREAS, the notice provided by Crow Wing County to Aitkin and Morrison Counties indicates an effective date of withdraw to be July 1, 2016; and

WHEREAS, article 10 of the Joint Powers Agreement identifies it may be terminated by written agreement of two thirds of all participating counties and identifies that the 30 day written notice must be provided to the participating counties and the Joint Powers Board must hold a special meeting for the sole purpose of deciding on the terminating position; and

WHEREAS, CMCC Joint Powers Board has a meeting scheduled on December 16, 2015; and

NOW THEREFORE BE IT RESOLVED, that Morrison County has weighed the current options and wishes to execute parameters identified in article 10 and petition to the Joint Powers Board to terminate CMCC; and

BE IT FURTHER RESOLVED, that Morrison County agrees to waive the 30 day written notice and the Joint Powers Board meeting held solely for the purpose of deciding the termination petition and respectfully requests Crow Wing County and Aitkin County to do the same; and

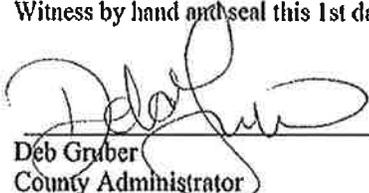
BE IT FURTHER RESOLVED, Morrison County Clerk to the County Board is hereby directed and authorized to send this resolution to CMCC to consider termination of the agreement and dissolution of CMCC at the December 16, 2015 CMCC Joint Powers Board meeting.

STATE OF MINNESOTA }
 COUNTY OF MORRISON }

I, Deb Gruber, County Administrator, Morrison County, Minnesota hereby certify that I have compared the foregoing copy of the resolution of the County Board of said County with the original record thereof on file in the Administration Office of Morrison County in Little Falls, Minnesota as stated in the minutes of the proceedings of said board at a meeting duly held on this 1st day of December 2015, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Commissioner	Yes	No	Abs	Mot	2nd
Jelinski	✓				
Johnson	✓			✓	
Winscher	✓				
Wilson	✓				✓
Maurer	✓				

Witness by hand and seal this 1st day of December 2015.



 Deb Gruber
 County Administrator