

**OFFICIAL PROCEEDINGS**  
**PENNINGTON COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, JANUARY 25<sup>TH</sup>, 2011, 1:00 P.M.**

Pursuant to adjournment, the Pennington County Board of Commissioners met in the Pennington County Board Room in Thief River Falls, MN, on Tuesday, January 25<sup>th</sup>, 2011 at 1:00 p.m. Members present: Cody Hempel, Donald Jensen, Neil Peterson, and Darryl Tveitbakk. Members absent: Oliver "Skip" Swanson (attending the State Radio Board Conference in St. Cloud, MN)

Ken Yutrzenka, Human Services Director, presented the consent agenda from the January 18<sup>th</sup>, 2011 Human Services Committee meeting. On a motion by Commissioner Tveitbakk and seconded by Commissioner Hempel, the following recommendations of the Pennington County Human Services Committee for January 18<sup>th</sup>, 2011 (detailed minutes on record) are hereby adopted:

**SECTION A**

- I. Approval of the December 21<sup>st</sup>, 2010 Human Services Committee meeting minutes.
- II.
  - A. Renewal of Guardianship Services contract with Lutheran Social Service of Minnesota for CY2011 at the agreed upon negotiated rate.
  - B. To enter into the NW8 DD/CCT Alliance Operations Agreement to include Kittson, Mahnomen, Marshall, Norman, Pennington, Polk, Red Lake, and Roseau Counties.
  - C. To allow up to four Agency staff to attend the MSSA (Minnesota Social Service Association) annual training conference scheduled for March 21<sup>st</sup>-24<sup>th</sup>, 2011 in Minneapolis.

**SECTION B**

- I. Approval for payment of the Agency's bills.

County Engineer Mike Flaagan met with the County Board and presented the following items.

The Engineer's Detailed Survey Report on Red Lake Watershed Project #170A, a lateral to County Ditch #75, is now available in the County Auditor's office.

Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk, to authorize the County Engineer and County Auditor to advertise for equipment rental, fuel, and culvert bids to be opened on March 8<sup>th</sup>, 2011. Motion unanimously carried.

Engineer Flaagan reported on the testimony that he and other County Engineers made in support of HF#1 putting a time limit on the Minnesota DNR to act on permits.

Motioned by Commissioner Hempel, seconded by Commissioner Peterson, to approve the software maintenance contract with Affiliated Computer Systems (ACS) for the Highway Cost Accounting Systems. Motion unanimously carried.

It was noted that the Red Lake Watershed District would like to update the county Board on the CD#1 project. Also, Lou Tasa of the Minnesota Dept. of Transportation would also like to meet with the County Board. Both items will be placed on the February 8<sup>th</sup>, 2011 County Board Agenda.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to approve a 3.2 Off-Sale License for Petro Pumper for 2011. Motion unanimously carried.

County Recorder Ken Schmalz met with the County Board to discuss the issuance of passports. The U.S. Dept. of State has determined that any office that issues birth certificates or driver's licenses cannot also process passport applications. In order to keep the service available to the residents of Pennington County another office would need to provide this service. He has had conversations with the County Treasurer in this regard. The County Recorder's Office can continue processing passport applications until May, 2011.

At 1:45 p.m. the following resolution was introduced by Commissioner Tveitbakk, seconded by Commissioner Peterson, and upon vote was unanimously carried.

**RESOLUTION**

**WHEREAS**, a Pennington County employee has asserted a complaint against the Pennington County Recorder which remains unsolved; and

**WHEREAS**, the Pennington County Board will be considering an allegation or allegations against the County Recorder made by a County employee; and

**WHEREAS**, the Pennington County Board of Commissioners seeks to retain and receive legal advice from an attorney which would represent the County (client) and discuss strategies with respect to the investigation of an and all claims; and

**WHEREAS**, pursuant to Minnesota Statute §13d.05, Subd. 2(b), the Pennington County Board, by resolution, may close the meeting as required by this Minnesota Statute.

**NOW, THEREFORE, BE IT RESOLVED**, that the Pennington County Board of Commissioners hereby closes the County Board meeting on January 25<sup>th</sup>, 2011 and recesses to a discussion in the County Board room in the Pennington County Courthouse, Thief River Falls, MN pursuant to Minnesota Statute §13d.05, Subd. 2(b), with the Attorney for the County to consider the allegations made against the County Recorder and to discuss the strategies for investigating any and all claims made by the Pennington County employee.

At 2:00 p.m. Commissioner Hempel motioned, seconded by Commissioner Peterson, to reopen the County Board meeting. Motion unanimously carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to contract with Kristi Hastings of the Pemberton Law Office to investigate the complaint against the County Recorder as per the County policy. Motion unanimously carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to approve the minutes of December 28<sup>th</sup>, 2010 and January 4<sup>th</sup>, 2011 as written. Motion unanimously carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to approve payment of the Human Services warrants totaling \$201,150.90; the Auditor and Manual warrants for December, 2010 totaling \$1,028,387.47; and also the following Commissioner warrants. Motion unanimously carried.

WARRANTS

County Revenue	\$81,723.80
Road & Bridge	\$31,434.54
Solid Waste Facility	\$ 9,132.38

Per diems and meal reimbursements in the amount of \$764.99 were also approved.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Hempel, to adjourn the Board meeting to February 8<sup>th</sup>, 2011 at 10:00 a.m. Motion unanimously carried.

ATTEST:

Kenneth Olson, Auditor  
Pennington County

Donald Jensen, Chairman  
Board of Commissioners