

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 12TH, 2011, 9:00 A.M.**

Pursuant to adjournment, the Pennington County Board of Commissioners met in the Pennington County Board Room in Thief River Falls, MN, on Tuesday, April 12th, 2011 at 9:00 a.m. Members present: Cody Hempel, Donald Jensen, Neil Peterson, Oliver “Skip” Swanson, and Darryl Tveitbakk. Members absent: none.

County Engineer Mike Flaagan opened the following bids for SAP 57-606-05 and SAP 57-607-13. Also present was Lou Tasa, District State Aid Engineer and representatives of the companies bidding the projects.

SAP 57-606-05

Sellin Bros.	\$803,257.68
Red Lake Builders	\$693,499.34
Davidson Construction	\$812,870.38
RJ Zavoral & Sons	\$730,227.48
Olson Construction, TRF	\$679,489.95
Gladen Construction Inc.	\$672,096.87
Dennis Drew Inc.	\$667,113.56

SAP 57-607-13

Minn-Dak Asphalt	\$749,245.40
Knife River Materials	\$733,715.50
Central Specialties	\$839,708.10

The bids will be taken back to the County Highway Dept. to be checked for accuracy and placed on a bid abstract. The County Board will take action on the bids later today.

Engineer Flaagan then reviewed quotes for centerline striping. The following quotes were received.

Traffic Marking Surfacing	6.5¢/foot - \$12,942.28 total
Sonni Specialties	8.3¢/foot - \$16,526.30 total
Triple A Striping	8.7¢/foot - \$17,322.74 total

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to approve the bid of Traffic Marking Surfacing of 6.5¢/foot for centerline striping. Motion unanimously carried.

The County Engineer asked that three bridges in Pennington County be classified as deficient and that they be submitted to the State for State Transportation Bond Funds. There was discussion held on who would be responsible for the local share of costs for Bridge LO301, County Ditch #96 or the Township. The following resolution was introduced by Commissioner Peterson, seconded by Commissioner Swanson, and upon vote was unanimously carried.

**DEFICIENT BRIDGES REQUIRING
REPLACEMENT OR REHABILITATION**

WHEREAS, the County of Pennington has determined that the following deficient bridges on the CSAH, County Road and Township systems are a high priority and require replacement or rehabilitation within the next five (5) years; and

Bridge No.	Road No.	Estimated Project Cost	Town Bridge	Bond	Proposed Year
LO 301	Twp 152	\$40,000	\$40,000		2011
LO 257	CR 59	\$75,000		\$75,000	2012
LO 274	CR 85	\$75,000		\$75,000	2011

WHEREAS, local roads play an essential role in the overall state transportation network and local bridges are the critical component of the local road systems; and

WHEREAS, State support for the replacement or rehabilitation of local bridges continues to be crucial to maintaining the integrity of the local road systems and is necessary for the County and the Townships to proceed with the replacement or rehabilitation of the high priority deficient bridges described above; and

WHEREAS, Pennington County intends to proceed with replacement or rehabilitation of these bridges as soon as possible when State Transportation Bond Funds are available.

NOW, THEREFORE, BE IT RESOLVED, that Pennington County commits that it will proceed with the design and contract documents for these bridges immediately after being notified that funds are available in order to permit construction to take place within one year of notification.

At 9:30 a.m. the County Board Chairman called the Hearing on the Five Year Road & Bridge Plan to order as advertised. In attendance was Lou Tasa – District State Aid Engineer, Scott D’Camp – Reporter from The Times, and County Engineer Mike Flaagan. The County Engineer then presented the Five-Year Road & Bridge Construction Plan starting with 2011 to 2015. The County Board asked that improvements to CSAH #1 be included in the last year of the plan. With no other comments being heard the Five-Year Road & Bridge Plan Hearing was adjourned at 9:55 a.m. and the County Board meeting was called back to order.

It was mentioned that the first Gravel Tax Committee meeting had been held and discussion continues.

A Road, Bridge, and Culvert Committee meeting was set for April 27th, 2011 at 8:00 a.m. at the County Highway Dept. The Committee will be doing a tour of Roads and Culverts needing attention.

The County Engineer then presented a revised Beaver Bounty Policy noting it had been approved by the MN DNR. Motioned by Commissioner Swanson, seconded by

Commissioner Peterson, to approve the following Beaver Bounty Policy. Motion unanimously carried.

BEAVER BOUNTY POLICY

1. The Trapper shall be registered through the Pennington County Highway Dept. to receive a bounty.
2. If the removal occurs outside the trapping season, the Trapper needs to be permitted by the DNR.
3. During trapping season the Trapper will receive \$25.00, otherwise the bounty is \$50.00. The County will keep the tail for identification.
4. The Trapper shall notify the County where the trapping will occur. This information will be used to determine which ditch system will be charged for the beaver removal.
5. The permit will only be valid for two weeks (calendar days). If beavers are still present, the Trapper will need to apply for another permit.
6. The Trapper is to obtain landowner approval before trapping can occur.
7. The Trapper must follow all Minnesota DNR rules and regulations and possess this permit during trapping.

Funding for the program will be capped at \$5,000 per year.

Ken Yutzenka, Human Services Director, presented a grant contract from the State of Minnesota Dept. of Human Services Disability Services Division authorizing Pennington County up to \$3,396.00 to purchase laptop computers and docking stations to complete assessments for MnCHOICES. Ken Yutzenka said they could purchase three laptops, docking stations, and other upgrades with this grant. Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to approve the State of Minnesota Dept. of Human Services County Grant Contract as presented. Motion unanimously carried.

County Attorney Alan Rogalla made a request that the County Board rule whether or not a County Elected Official is a County Employee under MN Statutes Chapter 13 - Data Practices Act. The decision will determine how we respond to data practice request concerning Elected Officials. Commissioner Swanson motioned to designate County Elected Officials as County Employees in regards to the Data Practices Act. Motion died due to lack of a second.

Motioned by Commissioner Hempel, seconded by Commissioner Tveitbakk, to not consider County Elected Officials as County Employees when referring to the Data Practices Act. Motion carried with Commissioner Swanson voting against.

County Sheriff Ray Kuznia presented the Joint Powers Agreement between Pennington County and the State of Minnesota Dept. of Corrections authorizing the placement of State Offenders in the Pennington County Work Release program. The agreement is effective July 1st, 2011 to June 30th, 2012. Motioned by Commissioner Swanson, seconded by Commissioner Peterson, to approve the Joint Power Agreement between

Pennington County and the MN Dept. of Corrections for Work Release services for July 1st, 2011 to June 30th, 2012. Motion unanimously carried.

The County Sheriff then presented the 2012-2013 Institution Community Work Crew (ICWC) Boarding Contract Amendment. Motioned by Commissioner Swanson, seconded by Commissioner Peterson, to approve the 2012-2013 ICWC Board Contract Amendment between Pennington County and the MN Dept. of Corrections and authorizes the Chairman to the sign the agreement as presented. Motion unanimously carried.

Sheriff Kuznia then presented a lease for new recording equipment for the dispatch terminal. The recording equipment will be paid with 911 grant funds and will replace the current leased equipment at approximately the same price. Motioned by Commissioner Swanson, seconded by Commissioner Peterson, to approve the lease of a CyberTech 12 channel analog recorder from the Loffler Information Technology Services, LLC at a cost of \$329/month. Motion unanimously carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Hempel, to approve the hiring of David R. Olson for the position of part-time Deputy Sheriff effective April 18th, 2011 per recommendation of the County Sheriff. Motion unanimously carried.

Sheriff Kuznia then discussed having an online auction of surplus County equipment, etc. The County Board agreed to have an online auction and discussed a date in June. Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to enter into an agreement with McMullen Sales and Service to conduct an online auction of County surplus items beginning June 13th, 2011 and ending on June 20th, 2011. Motion unanimously carried.

Motioned by Commissioner Swanson, seconded by Commissioner Hempel, to approve the Board minutes of March 22nd, 2011 as written. Motion unanimously carried.

Motioned by Commissioner Swanson, seconded by Commissioner Peterson, to approve a Fireworks Permit Application received from Zambelli Fireworks International on behalf of the Red Lake Gaming/Seven Clans Casino for a fireworks display on July 4th, 2011. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to approve the Revised Joint Power Agreement – Quin County Community Health Board as presented. Motion unanimously carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to approve payment of the Human Services warrants totaling \$214,908.70, the Auditor and Manual warrants for March, 2011 totaling \$1,007,046.33, and also the following Commissioner warrants. Motion unanimously carried.

WARRANTS

County Revenue	\$123,403.50
Road & Bridge	\$ 59,643.81
Solid Waste Facility	\$ 939.50

Per diems and meal reimbursements in the amount of \$2,608.63 were also approved.

Motioned by Commissioner Swanson, seconded by Commissioner Tveitbakk, to have Building and Grounds Supervisor Jim Seibel check into rebate options for changing lights in County buildings. Motion unanimously carried.

Robert Goede then gave the Minnesota Counties Intergovernmental Trust (MCIT) Annual Report to members. MCIT is a group of counties and associated members collectively pooling resources to manage risk and reduce the cost of operations by providing cost effective coverage and quality risk management services. The County Board thanked Mr. Goede for the report.

County Engineer Mike Flaagan then returned with the bid abstracts. The County Engineer recommends that the Knife River Materials bid for SAP 57-607-13 be accepted. Motioned by Commissioner Swanson, seconded by Commissioner Peterson, to award the bid for SAP 57-607-13 to Knife River Materials for \$733,715.50 as the lowest and best bid received. Motion unanimously carried.

Engineer Flaagan stated that discrepancies were found in the bid from Dennis Drews Inc. on SAP 57-606-05 resulting in a recalculated bid of \$684,723.72. The County Engineer recommends the bid of Gladen Construction Inc. be accepted as the lowest and best bid received. Motioned by Commissioner Tveitbakk, seconded by Commissioner Hempel, to award the bid for SAP 57-606-05 to Gladen Construction Inc. for \$672,096.87 as the lowest and best bid received. Motion unanimously carried.

County Assessor Adeline Olson presented an Application for Abatement pursuant to the Local Option to Disaster provisions. The mobile home was destroyed by fire on March 14th, 2011 resulting in a reduction of \$5,100 in market value on parcel#10.03016902 for taxes payable 2012. Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to approve the abatement of \$5,100 of market value on parcel #10.03016902 for taxes payable 2012 pursuant to Local Option to Disaster provisions. Motion unanimously carried.

The County Assessor discussed an issue with the tax amount on parcel#25.00107010 owned by Pennington Health Service. The amount increased due to change in land use from agricultural to commercial and an increase in value when utilities were installed on the property. The County Board felt the County Assessor had classified the property correctly.

County Auditor Kenneth Olson made a request for overtime for his employees for installing the updated financial system and rewriting of personnel policies and a pay

equity study. Motioned by Commissioner Swanson, seconded by Commissioner Tveitbakk, to approve the overtime request. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to adjourn the Board meeting to April 26th, 2011 at 5:00 p.m. Motion carried.

ATTEST:

Kenneth Olson, Auditor
Pennington County

Don Jensen, Chairman
Board of Commissioners