

OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, December 27th, 2012, 5:00 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, December 27th, 2012 at 5:00 p.m. Members present: Cody Hempel, Donald Jensen, Neil Peterson, and Oliver "Skip" Swanson. Members absent: Darryl Tveitbakk.

Ken Yutrzenka, Human Services Director presented the consent agenda from the December 18th, 2012 Human Services meeting and made a recommendation that they be adopted.

On a motion by Commissioner Hempel and seconded by Commissioner Peterson, the following recommendations of the Pennington County Human Services Committee for December 18, 2012 (detailed minutes on record) are hereby adopted: Motion unanimously carried.

SECTION A

- I. Approval of the November 20, 2012, 2012 Human Service Committee meeting minutes.
- II. Approval of the Agency's personnel actions.
- III. A. 1. To approve the 2013 MFIP?DWP Employment Services Contract with the Minnesota Workforce Center.
2. To approve amendments to the Family Preservation Services and Comprehensive Mental Health contracts with Sanford Health as presented.
3. To approve the 2013 Intensive Rehabilitative Treatment Services (IRTS) Contract with Sanford Health.
4. To approve the Rural Transportation Collaborative transportation service contract with Tri-Valley Opportunity Council, Inc.
5. To approve the 2013 Supported Employment Services Purchase of Service Agreement with the Occupational Development Center.
B. To approve the 2013-2014 Pennington County Human Services Access Transportation Service Plan.

SECTION B

- I. To approve payment of the Agency's bills.

Meeting with the County Board was Cam Fanfulik who presented an update on the efforts of the Northwest Economic Development District and presented the Northwest Minnesota 2013 Comprehensive Economic Development Strategy report.

The following resolution was introduced by Commissioner Jensen, seconded by Commissioner Peterson and upon vote was unanimously approved.

WHEREAS, The seven counties of Northwest Regional Development Commission have been designated as an Economic Development Administration; and

WHEREAS, Pennington County has actively participated in that Economic Development District; and

WHEREAS, It is a requirement of the Economic Development Administration that the counties in the District approve the Comprehensive Economic Development Strategy (CEDS) each year in order for the Region to retain this status and the benefits which are available to a district as a result of this status; and

WHEREAS, Pennington County Commissioners have reviewed the 2013 Update of the Comprehensive Economic Development Strategy (CEDS) and agree with the development strategies set forth in that Program,

NOW, THEREFORE BE IT RESOLVED, That Pennington County adopt the 2013 Comprehensive Economic Development Strategy (CEDS) as an expression of the preferred approach to economic development in the district.

BE IT FURTHER RESOLVED, That Pennington County will continue to participate in the ongoing planning and development process represented by the Comprehensive Economic Development Strategy (CEDS).

Kevin Brown and Jeff Gauss presented a proposal to lease the Auditorium for use by the Epiphany Station. They would like at the minimum a one year lease. The County Board agreed to allow the Building Committee to negotiate a one year lease with the Epiphany Station. The first meeting was set for January 11th, 2013 11:00 a.m.

Don Dyrdal met with the County Board requesting information on the procedure to close a County Road and then presented information from Enbridge Pipelines regarding their plans to maintenance on Line 3 in Section 20 Norden Township that would close County Road #63. The maintenance dig was originally planned for November 12th, 2012 with work to take twenty days. They have now rescheduled the maintenance to next spring or summer. Mr. Dyrdal presented a letter outlining his reasons for objecting to rescheduling this work in the spring or summer because of his farmyard located in Section 20 would be cut off from his machinery lot located in Section 19 for that period of time causing significant financial impacts. Mr. Dyrdal asked the County Board to deny Enbridge's request to close County Road #63 at any time between April and November 2013. The

County Board made note of Mr. Dyrdal's concern and stated that the County Engineer and Highway Committee will discuss this further with Enbridge.

County Sheriff Ray Kuznia presented the Contract between the Land of the Dancing Sky Area Agency on Aging and the Northwest Sentence to Serve. Moved by Commissioner Jensen, seconded by Commissioner Peterson to approve Contract No. 314-13003B-107 "Chore Services for Older Americans Project" between the Land of The Dancing Sky Area Agency on Aging and Northwest Sentence to Serve for 2013. Motion unanimously carried.

Sheriff Kuznia then reviewed equipment to be installed on the new squad picky when received. Moved by Commissioners Jensen, seconded by Commissioner Peterson to approve the purchase and installation of a light bar, siren, prisoner cage, tool box and auto start for the new squad. Motion carried.

Sheriff Kuznia also discussed Pennington County applying for a grant to do a study on what the cost would be to switch over to the Armour System. This was held over.

Discussion was then held on the possibility of A'Viands making meals for the Heritage Center. More information was needed.

County Auditor Ken Olson stated that applications were taken until December 19th, 2012 for the appointment as Pennington County's representative on the Red Lake Watershed Board of Managers. Dale Nelson submitted his name for reappointment to a position and no other names were received. Moved by Commissioner Peterson, seconded by Commissioner Jensen to re-appoint Dale M. Nelson to a three year term effective January 10th, 2012 as Pennington County's representative on the Red Lake Watershed Board of Managers. Motion unanimously carried.

Moved by Commissioner Jensen, seconded by Commissioner Peterson to approve the following Ditch Levies for taxes payable 2013. Motion unanimously carried.

The County Board then reviewed the individual ditch levies as recommended by the Committee. Moved by Commissioner Jensen, seconded by Commissioner Peterson, that a levy be made for ditch maintenance purposes and property assessed to various ditches in 2012, payable 2013 in the following amounts. Motion was unanimously carried.

CD#1 R/S-0%	CD#16-20%	CD#21-25%	JD#13P/RL-2.0%
CD#32-5%	CD#33-25%	CD#35-30%	CD#36-10%
CD#37-30%	CD#38-30%	CD#39-20%	CD#41-1.5%
CD#42-35%	CD#43-25%	CD#44-5%	CD#45-10%
CD#46-10%	CD#47-20%	CD#53-20%	CD#55-80%
CD#57-30%	CD#58-10%	CD#59-20%	CD#62-30%
CD#70-4%	CD#71-10%	CD#73-10%	CD#74-15%
CD#75-30%	CD#77-5%	CD#96-3%	JD#1-25%
JD#11-10%	JD#13-30%	JD#15-20%	JD#18-2%

JD#25-3-1%
JD#30BrA-2%

JD#30-5%

JD#31-2%

JD#60-1%

Moved by Commissioner Peterson, seconded by Commissioner Jensen to transfer \$75,939.71 from various ditch maintenance funds to the Road & Bridge fund for work done by the Highway Department in 2013. Motion unanimously carried.

Moved by Commissioner Jensen, seconded by Commissioner Peterson, to authorize the County Auditor to make temporary transfers as outlined by the County Auditor to bring ditch balances and the tax forfeiture balance to a positive balance at the end of 2012. Motion unanimously carried.

Commissioner Jensen moved, seconded by Commissioner Peterson to approve the following Liquor & 3.2 off sale licenses. Motion unanimously carried.

- Kruse Inn – 3.2 off sale
- Carpenters Corner – Liquor License & Sunday Sales
- Thief River Golf Club – Club Liquor License & Sunday Sales
- Petro Pumper – 3.2 off sale
- Falls Stay-n-Play – 3.2 on sale

Due to the resizing of the General Obligation Drainage Bonds due to accepting prepayments and including the Thief River Falls Flood Reduction Project the County Board was presented with a revised resolution for issuance and sale of General Obligation Drainage Ditch Bonds.

The following resolution was presented by Commissioner Hempel, who moved its adoption:

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION DRAINAGE DITCH BONDS, SERIES 2013A IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$1,045,000

BE IT RESOLVED By the Board of Commissioners of Pennington County, Minnesota (the “County”), as follows:

1. Background. It is hereby determined that:

(a) The County is authorized by Minnesota Statutes, Chapters 103D, 103E and 475, as amended (collectively, the “Act”), to issue general obligation bonds to finance improvements to a drainage system. The County Board has determined to issue general obligation drainage ditch bonds in the approximate aggregate principal amount of \$1,045,000, in order to finance the construction of drainage improvements for the Red Lake Watershed District (the “District”) to Drainage Ditch No. 14 (Project No. 171) and improvements to the District (Thief River Falls Flood Drainage Reduction Project No. 171A).

(b) As authorized by the Act, contracts have been or will be let for the construction of drainage improvements for the District to Drainage Ditch No. 14, RLWD Project No. 171, and improvements related to the Thief River Falls Flood Reduction Project, RLWD Project No. 171A (collectively, the “Improvements”), and assessments have been or will be levied for the Improvements.

(c) It is necessary and expedient to the sound financial management of the affairs of the County to issue its General Obligation Drainage Ditch Bonds, Series 2013A (the “Bonds”), in the proposed aggregate principal amount of \$1,045,000, pursuant to the Act, to provide financing for the Improvements.

(d) The County is authorized by Section 475.60, subdivision 2(9) of the Act to negotiate the sale of the Bonds, it being determined that the County has retained an independent financial advisor in connection with such sale. The actions of the County staff and the County’s financial advisor in negotiating the sale of the Bonds are ratified and confirmed in all respects.

2. Sale of Bonds. To finance the Improvements, the County will issue and sell the Bonds in the proposed aggregate principal amount of \$1,045,000, pursuant to the Act. The Bonds will be issued, sold and delivered in accordance with the terms of the Notice of Sale attached hereto as EXHIBIT A (the “Notice of Sale”).

3. Authority of Financial Advisor. Northland Securities, Inc. is authorized and directed to advertise the Bonds for sale in accordance with the Notice of Sale. The Board of Commissioners will meet at 5:00 P.M. on Tuesday, January 22, 2013, to consider proposals on the Bonds and take any other appropriate action with respect to the Bonds.

4. Authority of Bond Counsel. The law firm of Kennedy & Graven, Chartered, as bond counsel for the County, is authorized to act as bond counsel and to assist in the preparation and review of necessary documents, certificates and instruments relating to the Bonds. The officers, employees and agents of the County are hereby authorized to assist Kennedy & Graven, Chartered in the preparation of such documents, certificates, and instruments.

5. Covenants. In the resolution awarding the sale of the Bonds, the Board of Commissioners of the County will set forth the covenants and undertakings required by the Act.

6. Official Statement. In connection with the sale of the Bonds, the officers or employees of the County are authorized and directed to cooperate with Northland Securities, Inc., and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the County upon its completion.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Peterson, and upon vote being taken thereon the following commissioners voted in favor of the motion: Jensen, Swanson, Hempel and Peterson and the following voted against: None

Whereupon the resolution was declared duly passed and adopted.

Moved by Commissioner Hempel, seconded by Commissioner Jensen to approve the Financial Advisory Service Agreement By And Between Pennington County, Minnesota and Northland Securities, Inc. Motion unanimously carried.

The County Board then prioritize legislative issue presented by the Minnesota Rural Counties Caucus.

Commissioner Peterson moved, seconded by Commissioner Hempel to approve the minutes of December 11th, 2012 as written. Motion carried.

Moved by Commissioner Hempel, seconded by Commissioner Peterson to approve payment of Human Services warrants totaling \$108,425.17 and also the following Commissioner warrants. Motion unanimously carried.

WARRANTS

County Revenue	\$81,072.66
Solid Waste Facility	\$ 70.00
Road & Bridge	\$152,886.52
Ditch Funds	\$6,719.00

Commissioner Hempel moved, seconded by Commissioner Jensen to adjourn. Motion carried.

ATTEST:

Kenneth Olson, Auditor
Pennington County

Oliver "Skip" Swanson, Chairman
Board of Commissioners