

OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
ORGANIZATIONAL MEETING
JANUARY 8th, 2013 – 10:00 A.M.

Pursuant to M.S. 375.07, the Board of Commissioners of Pennington County met in the County Board Room in the Courthouse in Thief River Falls, Minnesota, on Tuesday, January 8th, 2013 at 10:00 a.m. Members present: Oliver “Skip” Swanson, Cody Hempel, Darryl Tveitbakk, Don Jensen and Neil Peterson. Members absent: None.

The County Board proceeded to organize for the year 2013 with the County Auditor assisting by calling for nominations for Chairman. Commissioner Jensen nominated Commissioner Hempel as Chairman for 2013. Commissioner Jensen moved, seconded by Commissioner Peterson, that nominations cease and that a unanimous ballot be cast for Commissioner Hempel as Chairman. Motion unanimously carried.

Commissioner Hempel then called for nominations for Vice-Chairman. Commissioner Tveitbakk nominated Commissioner Peterson as Vice-Chairman. Commissioner Jensen moved, seconded by Commissioner Tveitbakk, that nominations cease and that a unanimous ballot be cast for Commissioner Peterson as Vice-Chairman. Motion unanimously carried.

Moved by Commissioner Tveitbakk, seconded by Commissioner Jensen that the County Board express their appreciation to Commissioner Swanson for serving as Chairman in 2012. Motion carried.

Moved by Commissioner Swanson, seconded by Commissioner Peterson, that the dates for the regular meetings of the Board will be the second Tuesday at 10:00 a.m. and the fourth Tuesday at 5:00 p.m. of each month unless otherwise called, with the exception of the January meeting that is set by law. Motion unanimously carried.

Moved by Commissioner Tveitbakk, seconded by Commissioner Peterson, and pursuant to MS471.96, elected and appointed officials of the County be designated as representatives of the County in their respective State Association and are eligible for reimbursement of expenses by-law with presentation of verified claims. Motion unanimously carried.

Moved by Commissioner Jensen, seconded by Commissioner Peterson, to appropriate and set aside in the Revenue Fund and authorize the Auditor to pay necessary expenses for postage, freight, telephone, water, lights, and other utilities as provided by MS375.16 as amended. Motion unanimously carried.

Moved by Commissioner Tveitbakk , seconded by Commissioner Jensen, that the County Board serve as a whole on the Road, Bridge, and Culvert Committee. Motion unanimously carried.

Moved by Moved by Commissioner Jensen, seconded by Commissioner Peterson, that the Human Services Committee consists of the County Board members and shall serve as a whole on the Human Services Committee. Motion unanimously carried.

Moved by Commissioner Jensen, seconded by Commissioner Peterson, to appoint Commissioner Hempel to the Law Library Committee for 2013. Motion unanimously carried.

Commissioner Swanson introduced the following resolution and moved for its adoption:

RESOLUTION

BE IT RESOLVED that the official newspaper of Pennington County shall be The Times for the year 2013, published weekly, each Wednesday, in Thief River Falls.

The foregoing resolution was duly seconded by Commissioner Jensen, and upon vote was unanimously adopted.

Moved by Commissioner Jensen, seconded by Commissioner Peterson, that Commissioners Swanson and Tveitbakk, along with Kenneth Olson, are appointed to the Building and Maintenance Committee to oversee the Courthouse; with the addition of Sheriff Kuznia for matters pertaining to the Law Enforcement Center, and Ken Yutrzenka for matters pertaining to the Welfare Building. Motion unanimously carried.

Moved by Commissioner Swanson, seconded by Commissioner Jensen, that Commissioner Peterson and Kenneth Olson be appointed to represent Pennington County on the Thief River Falls Airport Zoning Commission for the year 2013. Motion unanimously carried.

Commissioner Jensen introduced the following resolution and moved its adoption:

RESOLUTION

BE IT RESOLVED, that pursuant to the by-laws of the Association of Minnesota Counties; the following officers are named delegates of the County of Pennington, to-wit: Commissioners, Engineer, Treasurer, and Auditor. Other officers may be authorized by the Board to attend as non-voting members.

The foregoing resolution was duly seconded by Commissioner Swanson, and upon vote was unanimously carried.

Moved by Commissioner Jensen, seconded by Commissioner Peterson, to appoint Commissioner Hempel to represent Pennington County on the Thief River Falls Chamber of Commerce Board. Motion unanimously carried.

Moved by Commissioner Peterson, seconded by Commissioner Jensen, to appoint Commissioner Swanson to the Inter-County Community Council Board for a one-year term beginning January 1, 2013. Motion unanimously carried.

Moved by Commissioner Swanson, seconded by Commissioner Peterson, that Commissioner Jensen be appointed to the Northwest Regional Development Commission Transportation Committee. Motion unanimously carried.

Moved by Commissioner Swanson, seconded by Commissioner Tveitbakk, to appoint Kenneth Olson as MCCC delegate with Angela Philipp as alternate. Motion unanimously carried.

Moved by Commissioner Swanson, seconded by Commissioner Peterson, to appoint Commissioner Tveitbakk to the Job's Inc. Advisory Board with Commissioner Hempel as alternate. Motion unanimously carried.

Commissioner Jensen moved, seconded by Commissioner Tveitbakk, to appoint Commissioners Hempel and Peterson to serve on the County Extension Committee for 2013. Motion unanimously carried.

Moved by Commissioner Swanson, seconded by Commissioner Jensen, that Commissioner Peterson be appointed to the Pennington County Historical Society Board. Motion unanimously carried.

Moved by Commissioner Swanson, seconded by Commissioner Peterson, that Commissioner Jensen be appointed to the Comprehensive Local Water Plan Joint Powers Board. Motion unanimously carried.

Commissioner Swanson moved, seconded by Commissioner Jensen, to appoint Commissioners Peterson and Tveitbakk to the Solid Waste Committee for 2013. Motion unanimously carried.

Commissioner Swanson moved, seconded by Commissioner Tveitbakk, to appoint Commissioners Peterson and Commissioner Jensen to the Highway Committee for 2013. Motion unanimously carried.

Commissioner Peterson moved, seconded by Commissioner Tveitbakk, to appoint Commissioner Swanson to the Household Hazardous Waste Joint Powers Board with Commissioner Jensen as alternate. Motion unanimously carried.

Commissioner Jensen moved, seconded by Commissioner Peterson that Commissioner Swanson be appointed to the Land of the Dancing Sky Area Agency on Aging Board and Region I Aging Advisory Committee. Motion unanimously carried.

The County Board reviewed the insurance premiums for the County's Workmen's Compensation, Property, Liability and error and omission policies. The insurance policies are all through the Minnesota Counties Intergovernmental Trust. Commissioner Swanson moved, seconded by Commissioner Tveitbakk, to approve the insurance premium rates for 2013 and authorize the County Auditor to pay as presented. Motion unanimously carried.

Commissioner Swanson moved, seconded by Commissioner Tveitbakk, to appoint Commissioner Hempel as Pennington County's representative at the Multi-Events Center meetings. Motion unanimously carried.

Commissioner Tveitbakk moved, seconded by Commissioner Peterson, to re-appoint Kenneth Olson to the Regional Insurance Advisory Board of the Northwest Service Cooperative with Angie Philipp as alternate. Motion unanimously carried.

The County Board reviewed a list of Committee, Boards, and meetings that would allow for a per diem to be paid. Moved by Commissioner Tveitbakk, seconded by Commissioner Swanson, to approve the following list of committees, boards, and meetings as meetings authorized to charge a per diem of attending on behalf of Pennington County. Motion unanimously carried.

- Airport Advisory Committee
- AMC Legislative Review Committee
- Annual Township meetings
- Area Transportation Plan
- Association of Minnesota Counties Meetings
- Budget Committee
- Building and Maintenance Committee
- BWSR Wetland Meetings
- Chamber of Commerce
- Comprehensive Local Water Plan Joint Powers Board
- Extension Committee
- Family Service Collaborative
- Feedlot meetings
- Gravel Tax Committee
- Highway Committee
- Household Hazardous Waste Meetings
- Insurance Committee
- Inter-County Community Council
- Job's Inc. Board
- Joint City/County Meetings
- Juvenile Training Center Board
- Law Enforcement Radio Committee
- Law Enforcement Union Negotiation Committee
- Law Library Committee
- Legislative Hearing & Issues
- Minnesota Rural Counties Caucus
- MNDOT County – Joint Facilities Committee
- Multi-Events Center
- Northern Counties Land Use Coordinating Board
- Northland Community and Technical College
- Northwest Minnesota Joint Powers Board

Northwest Regional Library Board
Northwest Regional Radio Board
NWRDC Committee on Aging
NWRDC Transportation Committee
Pembina Trail RC&D
Pennington County Housing Loan Fund
Pioneer Village Board
Red Lake Watershed Meetings
Red River Basin Joint Powers Board
Red River Valley Development
Road, Bridge, and Culvert Committee
Rocksbury Joint Zoning Board
Solid Waste Committee
Technology Committee
Thief River Falls Regional Airport Authority
Thief River Forward
Special County Board Meetings
Thief River Falls Library Board
Human Service Committee
Welfare Union Negotiation Committee

Also any other Committees that are established by the County Board or appointments made or meeting attended while representing Pennington County.

Motioned by Commissioner Swanson, seconded by Commissioner Peterson, to appoint Commission Tveitbakk to the Northwest Regional Library Board for 2013. Motion unanimously carried.

Motioned by Commissioner Swanson, seconded by Commissioner Tveitbakk to appoint John W. Johnson to the Northwest Regional Library Board for 2013. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Tveitbakk, to appoint Commissioner Jensen to the Minnesota Rural Counties Caucus for 2013, with Commissioner Swanson as alternate. Motion unanimously carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to appoint Commissioners Swanson and Jensen to the Northern Counties Land Use Board for 2013. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Peterson, to appoint Commissioner Swanson as Pennington County's representative on the Northwest Regional Radio Board with Commissioner Tveitbakk as alternate. Motion unanimously carried.

Motioned by Tveitbakk, seconded by Commissioner Peterson, to appoint Commissioner Swanson to the Pennington County Affordable Housing Fund Advisory Board. Motion unanimously carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson to appoint Commissioner Swanson to the Northwest Regional Development Commission Board for a four-year term, effective January 1st, 2013. Motion unanimously carried.

The following resolution was motioned by Commissioner Jensen, seconded by Commissioner Peterson, and upon vote was unanimously carried.

RESOLUTION

BE IT RESOLVED, that an employee that has been given a County vehicle for their use and the employee chooses to use their own vehicle anyway, the employee will not be reimbursed the County mileage rate unless the vehicle assigned to them is inoperable.

BE IT FURTHER RESOLVED, that the meal reimbursement for travel outside the County shall not exceed \$15 for breakfast, \$20 for a noon meal and \$30 for an evening meal; that meal reimbursement shall be made for the exact expenditure and not the maximum amount allowed; itemized receipts, not totals receipts, must be attached to the claim form or no reimbursement will be made; no alcoholic beverages or tips will be reimbursed,

BE IT FURTHER RESOLVED, that there shall be no reimbursement for meals within the County of Pennington,

BE IT FURTHER RESOLVED, that the meal reimbursement without lodging shall be submitted on a claim form, with receipt (s) attached, to be processed through payroll whereby withholding tax and FICA will be deducted and that meal reimbursements with overnight lodging will not enter into the payroll system,

BE IT FURTHER RESOLVED, that the County Auditor and Welfare Director are hereby given the authority to adjust the amounts of reimbursement if the above policy is not followed,

BE IT FURTHER RESOLVED that this meal and mileage policy shall be effective January 1st, 2013 and shall be reviewed at the County Board's discretion.

Motioned by Commissioner Jensen, seconded by Commissioner Peterson, to appoint Commissioner Hempel to the Inter-County Nursing Service Board. Motion unanimously carried.

Motioned by Commissioner Swanson, seconded by Commissioner Peterson, to appoint Commissioners Jensen and Tveitbakk to the Personnel Policy and Labor Negotiation Committee for 2013, with Commissioner Jensen to chair the committee. Motion unanimously carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to appoint Commissioner Hempel to the Thief River Forward Committee. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Swanson, to appoint Commissioner Hempel to the Pennington County Safety Committee. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Peterson, to appoint Commissioners Hempel and Tveitbakk to the Technology Committee. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Swanson, to appoint Commissioner Peterson to the Gravel Tax Committee. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk, to appoint Commissioners Jensen and Swanson to the Law Enforcement Committee. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Swanson, to appoint Commissioner Peterson to the Red River Basin Joint Powers Board. Motion unanimously carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to appoint Commissioner Swanson to the Thief River Falls/Rocksburg Township Joint Zoning Board. Motion unanimously carried.

Motioned by Commissioner Swanson, seconded by Commissioner Peterson to appoint Commissioner Jensen as Pennington County's representative on the Thief River Falls Regional Airport Board. Motion carried.

Bruce Schwartzman representing the BKV Group presented the Pennington County Facility Assessments Final Report. Kathy Norlock, Court Administrator was also present for this report. Mr. Schwartzman reviewed the report recommendations for the Courtroom Bench and Technology Upgrades. The total estimated project cost is in the range of \$250,000. Moved by Commissioner Tveitbakk, seconded by Commissioner Jensen to proceed with design and construction documents for the courtroom to finalize cost of the project and complete construction with the project not to exceed \$250,000. Motion unanimously carried.

The review of the remaining items on the Pennington County Facility Assessments was held over for later in the meeting.

County Sheriff Ray Kuznia presented a quote from Reliance Telephone, Inc. for purchase and installation of a camera in the old Medical Room for \$545. Commissioner Jensen moved, seconded by Commissioner Peterson to approve installing the camera in the Pennington County Jail Facility as quoted by Reliance Telephone, Inc. Motion unanimously carried.

The Sheriff then presented Stones Mobile Radio Inc.'s proposal to replace the state wide emergency radio base station with a used Motorola MTR 2000 base station that will transmit on the VLAW31 VHF channel. Total cost is \$4,836.23. Commissioner Swanson moved, seconded by Commissioner Jensen to approve the quote of Stones Mobile Radio Inc. for purchase and installation of a used Motorola 2000 base station for the state wide emergency radio system. Motion unanimously carried.

Moved by Commissioner Jensen, seconded by Commissioner Peterson to approve the purchase of three 110 chargers for the Fire Departments walkie talkies at \$160/charger. Motion unanimously carried.

The Sheriff then reviewed correspondence from A'Viands regarding providing meals to the Heritage Center. The proposal includes 20 cents per meal for operating costs and 15 cents per meal for equipment care. Moved by Commissioner Swanson, seconded by Commissioner Jensen to enter into a contract with A'Viands for use of the Law Enforcement Center Kitchen for preparing meals for the Heritage Center as proposed. Motion unanimously carried.

Moved by Commissioner Tveitbakk, seconded by Commissioner Swanson to reissue a warrant to Advance Tire and Auto for lost warrant #166798 issued September 28, 2012 for \$85.00 without furnishing an indemnifying bond. Motion unanimously carried.

Commissioner Jensen moved, seconded by Commissioner Peterson to approve Amendment Number Four to the Food Service Management Agreement Between Pennington County and A'Viands, LLC effective January 1, 2013. Motion unanimously carried.

County Engineer Mike Flaagan presented the Agreement between the Pennington County Joint Use Facility and UCare Minnesota to provide dental service to UCare members via a mobile clinic at the Joint Use Facility during the period October 7th thru the 11th, 2013. Commissioner Jensen moved, seconded by Commissioner Peterson to approve the agreement with UCare Minnesota. Motion unanimously carried.

The County Engineer noted he had received a petition to clean one mile of County Ditch #41. Estimated cost would be six thousand. Commissioner Jensen moved, seconded by Commissioner Peterson to accept the petition to clean one mile of C.D. #41 and approve the cleaning of the portion of the ditch. Motion carried.

Moved by Commissioner Jensen, seconded by Commissioner Peterson to pay the Transportation Alliance Dues for 2013 in the amount of \$1,565. Motion carried.

The Chairman declared the County Board meeting will recess until 1:00 p.m.

At 1:00 p.m. the County Board meeting was called back into session.

Bruce Schwartzman, BKV Group then reviewed the Auditorium Assessment, Courthouse Mechanical and Electrical Assessment and Courthouse Expansion Option.

It was discussed that a public meeting should be held to provide information to the citizens of Pennington County about these options. Moved by Commissioner Tveitbakk, seconded by Commissioner Peterson, to authorize Bruce Schwartzman, BKV Group to put together supporting information regarding the Final Report on the Pennington County Facility Assessment for a public informational meeting to be held at a future date to be decided. Motion unanimously carried.

Moved by Commissioner Peterson, seconded by Commissioner Tveitbakk, to approve payment of the Human Services warrants totaling \$113,249.96, the Auditor and Manual warrants for December 2012 totaling \$2,727,354.68, and the following Commissioner warrants. Motion carried.

WARRANTS	
County Revenue	\$269,381.15
Road & Bridge	\$23,542.21
Solid Waste Facility	\$1,569.00
Highway Bond Fund	\$130,087.50
Minimum Security Facility	
Bond	\$67,237.50
Ditch Funds	\$23,005.00

Commissioner Peterson moved, seconded by Commissioner Tveitbakk to approve the minutes of December 27th, 2012 as written. Motion carried.

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

**RESOLUTION SUPPORTING LOCAL DEPUTY REGISTRAR
MAINTENANCE OF LOCAL DRIVER LICENSE AND STATE I.D. SERVICES**

WHEREAS, the State of Minnesota has long established a public/private deputy registrar system to provide citizens convenient locations to conduct local driver license and title registration services for motor vehicles and DNR recreational vehicles; and,

WHEREAS, the State of Minnesota in 1949 established a user service fee on motor vehicle related transactions to be retained by the deputy registrar to cover the costs of providing the local service; and

WHEREAS, deputy registrar office is not subsidized by the State of Minnesota and relies solely on this user service fee revenue to maintain their office operation including all salaries, rent, equipment, utilities, and associated office costs; and

WHEREAS, the State of Minnesota has shifted increased costs and responsibilities for driver license transactions onto the deputy registrar such as regular replacement schedules of computers and associated electronic equipment, printing of previously supplied state forms, and expanded auditing tasks such as identification triple check and commercial driver medical forms which require additional time and carry additional risks and potential liability for agents that was preciously the responsibility of the State; and,

WHEREAS, the State of Minnesota requires a 15 year retention schedule of all driver license transaction documents in a secure storage facility at cost to the deputy; and,

WHEREAS, Minnesota statute 171.061 subdivision 4 (b) specifically states that the filing fee for driver license transactions by the deputy agent “shall cover all expenses involved in receiving, accepting, or forwarding to the department the applications and fees required”; and,

WHEREAS, the user service fee that should fully support the cost for providing driver license transactions no longer covers the operational costs to maintain deputy registrar offices. Public deputy registrars must use property tax levy proceeds to subsidize this service. Rural areas with lower volumes are in jeopardy of losing this service; and,

WHEREAS, the last user fee increase for driver license agents was enacted in 2005;

NOW, THEREFORE, BE IT RESOLVED the county of Pennington supports the State Legislature in authorizing a user service fee increase in the year 2013 to maintain local driver license and state identification card service to the citizens of Minnesota.

Passed and adopted this 8th day of January, 2013.

Chairman Hempel then discussed items he would like to see worked on this year including: Designating unassigned funds, long range staff planning, Department Head Meeting, employee evaluations, and working more efficiently.

Moved by Commissioner Jensen, seconded by Commissioner Tveitbakk to adjourn to 5:00 p.m. January 22nd, 2013. Motion carried.