

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 12TH, 2013, 10:00 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, February 12th, 2013 at 10:00 a.m. Members present: Cody Hempel, Donald Jensen, Neil Peterson, Oliver "Skip" Swanson, and Darryl Tveitbakk. Members absent: none.

The Chairman called the meeting to order and the first item of business was the Pledge of Allegiance to the Flag.

County Engineer Mike Flaagan informed the County Board that Maintenance Foreman Godfred Svir had submitted his written notice that he would be retiring on April 26th, 2013.

Commissioner Jensen moved, seconded by Commissioner Peterson to accept the letter of retirement from Godfred Svir and to thank him for his many years of service in the Pennington County Highway Department. Motion unanimously carried.

Commissioner Jensen moved, seconded by Commissioner Peterson to authorize the County to advertise for applicants to fill the full-time position of Maintenance Foreman in the County Highway Department with the position to be filled in early April. Motion unanimously carried.

The County Engineer also reported on lobbying efforts of the Transportation Alliance and the meeting with ProWest regarding progress on the GIS mapping project.

Bryan Malone, Administrator of the Pennington County S.W.C.D., presented the application form for wetland Projects from the City of Thief River Falls to construct the Greenwood Trail. Moved by Commissioner Tveitbakk, seconded by Commissioner Jensen to approve the Wetland Exemption for the Greenwood Trail Project which impacts 1320 square feet of wetland and that falls under the De minimus Exemption amounts. Motion unanimously carried.

Bryan Malone reported that two more steps are needed to establish the wetland Bank site in Section 34 Township 153 North Range 40 West. We need to have a wetland delineation done on the site and a Boundary Survey. Bryan had obtained one proposal for each project. The County Board discussed the need for additional quotes.

Bryan Malone then presented the Board of Water & Soil Resources Natural Resources Block Grant Final Program Allocation and Contribution Report. Commissioner Jensen moved, seconded by Commissioner Peterson to approve the 2012 Natural Resources Block Grant Final Program Allocation and Contribution Report and authorize the chairman to sign the same. Motion unanimously carried.

The County Board then returned to the quote received from Widseth Smith Notting & Associates, Inc. of \$2600 to do the Wetland Bank Boundary Survey. Moved by Commissioner Tveitbakk, seconded by Commissioner Peterson to approve Widseth Smith Notting &

Associates, Inc. doing the Boundary Survey of the County Wetland Bank site in Section 24 township 153 North Range 40 West. Motion unanimously carried.

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

BE IT RESOLVED that Pennington County elects to use the classification and reclassification procedures as outlined in Minnesota Statutes 282.01 Subd 1 paragraphs g, h and i as allowed for classifying Tax Forfeited Lands.

The following resolution was introduced by Commissioner Tveitbakk, seconded by Commissioner Swanson and upon vote was unanimously carried.

RESOLUTION

WHEREAS, The County Board of Commissioners of the County of Pennington, State of Minnesota, desires to offer for sale certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes, and

WHEREAS, Said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01.

THEREFORE, Be it resolved that the Pennington County Board of Commissioners hereby certifies that all parcels of land have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subd. 8, and 282.018, and the 1991 Laws of Minnesota Ch. 354, Art. 10, Sec. 9, amending M.S. Sec. 282.018, subd. 2 (1990). The County Board of Commissioners hereby certifies that either the County Land Commissioner or the Soil and Water Conservation Board of the district in where the land is located has reviewed the attached land sale list and identified any and all nonforested marginal land and wetland.

BE IT FURTHER RESOLVED That the Pennington County Board of Commissioners hereby request approval from the Minnesota Department of Natural Resources for the sale of said lands.

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

DRAFT RESOLUTION

WHEREAS, Minnesota Statutes 244.19 subdivision 6 outlines a process for state reimbursement to participating counties of 50% of the previous year's expenditure for their probation officer salaries, and

WHEREAS, 27 County Probation Officer counties and 28 Department of Corrections Contract counties participate in this process, and

WHEREAS, appropriations from the state have steadily decreased from 50% in 1996 to

an all-time low of 31% in FY 2012, and

WHEREAS, the 55 counties participating in this process have been forced to absorb the \$2,963,000 deficit in the FY 2012 reimbursement funding for their probation officers, and

WHEREAS, the 2013 legislative session will be establishing the FY 14 and FY15 appropriation for probation officer salary reimbursement for these 55 counties, and

WHEREAS, the Minnesota Association of County Probation Officers has been working with the Department of Corrections and legislative staff to ensure that an accurate FY 14 and FY 15 appropriation amount is determined, and

NOW, THEREFORE, BE IT RESOLVED, that the Pennington County Board of Commissioners strongly requests the 2013 Minnesota Legislature to appropriate sufficient funds to reimburse the 55 participating counties for the full 50% of the cost of their probation officer salaries.

The following resolution was introduced by Commissioner Swanson, seconded by Commissioner Tveitbakk and upon vote was unanimously carried.

**RESOLUTION APPROVING POST-ISSUANCE COMPLIANCE
PROCEDURE AND POLICY FOR TAX-EXEMPT GOVERNMENTAL BONDS**

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

Section 1. Recitals.

1.01. The County from time to time issues tax-exempt governmental bonds to finance various public capital improvements.

1.02. Under Sections 103 and 140 to 150 of the Internal Revenue Code of 1986, as amended (the “Code”) and related regulations, the County is required to take certain actions after the issuance of such bonds to ensure that interest on those bonds remains tax-exempt.

1.03. The County has determined to adopt written procedures regarding how the County will carry out its bond compliance responsibilities, and to that end has caused to be prepared a document titled Post-Issuance Compliance Procedure and Policy for Tax-Exempt Governmental Bonds (the “Policy”).

1.04. The Board has reviewed the Policy has determined that it is in the best interest of the County to adopt the Policy.

Section 2. Policy Approved.

2.01. The Board approves the Policy in substantially the form on file in the County Courthouse.

2.02. County staff are authorized to take all actions necessary to carry out the Policy.

The County Board then reviewed the Coast2Coast Rx Discount Card Program endorsed by the Association of Minnesota Counties. Moved by Commissioner Jensen, seconded by Commissioner Tveitbakk to approve the Coast2Coast Rx Card County Marketing Agreement as presented. Motion unanimously carried.

The County Board then reviewed the letter from County Coroner Richard Heinrichs announcing his resignation as County Coroner effective March 31, 2013.

Commissioner Swanson moved, seconded by Commissioner Peterson that the County Board appoint Dr. Sanjay Patel as County Coroner effective April 1st, 2013 for the remainder of the term ending January 5th, 2015. Motion unanimously carried.

Commissioner Tveitbakk moved, seconded by Commissioner Swanson to appoint Dr. Ashok Patel as Deputy Coroner effective April 1st, 2013. Motion unanimously carried.

Moved by Commissioner Tveitbakk, seconded by Commissioner Peterson to approve the minutes of January 15th, 2013 as written. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Jensen, to approve payment of the Human Services warrants totaling \$183,775.52 and also the following Commissioner warrants. Motion unanimously carried.

WARRANTS	
County Revenue	\$153,662.12
Road & Bridge	\$ 43,351.29
Solid Waste Facility	\$ 776.50
Ditch Funds	\$ 3,300.00
Capital Improvement Sp. Reserve	\$ 2,095.42

Per diems and meal reimbursements in the amount of \$1,883.43 were also approved.

The County Board then discussed the Emergency Manager Position and evaluation and performance reviews. The personnel committee will be working on both issues.

County Attorney Allan Rogalla made a request to have the vacated office space on the northeast end of the first floor for use by the Attorney General assigned to the upcoming murder trial. Commissioner Swanson moved, seconded by Commissioner Tveitbakk to give the County Attorney's Office the vacated space located in the northeast end of the first floor of the courthouse. Motion unanimously carried.

Moved by Commissioner Jensen, seconded by Commissioner Tveitbakk to adjourn to 5:00 p.m. February 26th, 2013. Motion carried.

ATTEST:

Kenneth Olson, Auditor
Pennington County

Cody Hempel, Chairman
Board of Commissioners

