

OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 22nd, 2014, 5:00 PM

Pursuant to adjournment, the Pennington County Board of Commissioners met in the Pennington County Board Room in Thief River Falls, MN, on Tuesday, April 22nd, 2014 at 5:00 p.m. Members present: Donald Jensen, Neil Peterson, Cody Hempel, Oliver “Skip” Swanson, and Darryl Tveitbakk. Members absent: None

Ken Yutrzenka, Human Services Director, presented the Consent Agenda from the April 15th, 2014 Human Service Committee meeting. On a motion by Commissioner Tveitbakk, seconded by Commissioner Hempel, the following recommendations of the Pennington County Human Service Committee for April 15, 2014 are hereby adopted. Motion unanimously carried.

SECTION A

- I. To approve the March 18th, 2014 Human Service Committee meeting minutes.
- II. To approve amendments to the Mental Health Comprehensive Service Contract with Sanford Health, including: (1) establishment of the daily rate for mental health in-patient stays for county holds; (2) establishment of clinical supervision rates for the agency’s Targeted Case Management staff, and (3) provision of Children’s Crisis Services.

SECTION B

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

Ken Yutrzenka noted that the Human Service Department received two awards: one for timely reporting of the SNAP Program for 2012 and 2013, and another award from the Department of Human Services for having all financial reporting done on time and in perfect order for 2013. Motioned by Commissioner Swanson, seconded by Commissioner Tveitbakk, to acknowledge the award and congratulate the staff on the awards. Motion carried.

Ken Yutrzenka informed the County Board that Caitlin Chandler had submitted her resignation as Social Worker/Child Protection Services and asked to be allowed to hire a replacement for the position. Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to authorize the Human Services Director to post, interview, and hire a Social Worker/Child Protection Services. Motion unanimously carried.

County Assessor Adeline Olson presented an abatement for Gary & Sherry Page on parcels R10.03218100 and R10.03218300. The parcels should have been classified as Homestead-Ag., Son/Daughter-Mother/Father classification for taxes payable 2014. Motioned by Commissioner

Jensen, seconded by Commissioner Tveitbakk, to approve the abatement and recalculate under the Homestead-Ag., Son/Daughter-Mother/Father classification for 2014. Motion unanimously carried.

At 5:10 p.m. the following resolution was introduced by Commissioner Hempel, seconded by Commissioner Tveitbakk, and upon vote was unanimously carried.

RESOLUTION

WHEREAS, Pennington County has asserted a personnel matter involving the Pennington County Human Services Department; and

WHEREAS, the Pennington County Board will be seeking confidential legal advice from Kristi Hastings, the attorney retained to represent the County on litigation strategies and possible settlement proposals relative to the personnel matter with the purpose to avoid and/or minimize litigation concerning this matter; and

WHEREAS, the legal advice would be limited to litigation strategies, settlement proposals, with no other public business discussed.

WHEREAS, pursuant to Minnesota Statute §13D.05, Subd. 3(b), the Pennington County Board by motion, is permitted to close this open meeting to exercise its attorney-client privilege.

NOW, THEREFORE, BE IT RESOLVED, that the Pennington County Board of Commissioners by motion may close the County Board meeting on April 22nd, 2014 at 5:00 p.m. and recesses to seek confidential legal advice from Kristi Hastings concerning litigation strategies and possible settlement proposals relative to the personnel matter brought against the Pennington County Human Services Department.

At 5:30 p.m., Commissioner Hempel motioned, seconded by Commissioner Tveitbakk, to reopen the County Board meeting. Motion carried.

Helen Anderson and Connie Hagen, representing the Tobacco-Free Communities Program, presented information on E-cigarettes, Hookah pens, and other new tobacco products. Helen Anderson reported on the movie theater ads, radio ads, and media messages that were developed by the program. It was suggested that Pennington County allow their Tobacco Ordinance be sent to the Public Law Center for comments and suggestions to strengthen the ordinance and include regulation of E-cigarettes and other tobacco products. Motioned by Commissioner Tveitbakk, seconded by Commissioner Hempel, to allow Pennington County's Tobacco Ordinance be sent to the Public Law Center for review. Motion unanimously carried.

County Extension agent Howard Person informed the County Board that Les's Sanitation is increasing their sanitation pickup fees be 3%. He also discussed the continuing problems with

people throwing their regular garbage into the recycling containers. It was suggested that video cameras be placed to watch the recycling containers.

Howard Person also noted that the Wheat and Soybean Growers will reimburse the University of Minnesota for Howard's time assisting with research and trial plots. The County will not be billed for the time Howard spends on the research plots.

County Sheriff Ray Kuznia presented the Joint Powers Agreement for the NW MN Regional Emergency Communications Board. This was formerly known as the NW Regional Radio Board.

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

Adoption Resolution
NW MN Regional Emergency Communications Board

WHEREAS, Pennington County is a participating member in the NW MN Regional Radio Board formed pursuant to Minnesota Statutes 471.59 and 403.39; and

WHEREAS, this Joint Powers Agreement amendment creates the NW MN Regional Emergency Communications Board pursuant to Minnesota Statutes 403.392; and

WHEREAS, these amendments were approved by the Board of February 12, 2014 to facilitate the incorporation of NG911 technology, public safety wireless broadband technologies, and other emerging public safety communications technologies.

NOW, THEREFORE, BE IT RESOLVED, the Pennington County Board of Commissioners approved the modifications to the Joint Powers Agreement recommended by the NW Regional Radio Board and attached hereto; and

BE IT FURTHER RESOLVED, the Board Chair is hereby authorized to execute the Joint Powers Agreement.

Ray Kuznia also discussed grant funds that may be available for upgrading the LEC radio to the ARMER statewide system.

County Engineer Mike Flaagan presented copies of the 2013 County Highway Department report to the County Board for their review.

The County Engineer presented the agreement for the CSAH #3 Grade Crossing Rehab Project with North Shore Track Services, Inc. The contract price is \$75,300. Motioned by Commissioner Jensen, seconded by Commissioner Tveitbakk, to approve the contract with North

Shore Track Services, Inc. to complete the CSAH #3 Grade Crossing Rehab Project as proposed. Motion unanimously carried.

Engineer Flaagan reviewed the bids opened April 8th, 2014 for SAO 57-614-003 and SAP 57-631-007 and recommends that the County Board accept the low bid of Minn-Dak Inc. Motioned by Commissioner Jensen, seconded by Commissioner Tveitbakk, to approve the low bid of Minn-Dak Inc. of \$1,341,581.56 as the lowest and best bid received for SAP 57-631-007 and SAP 57-614-003. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to appoint Mike Flaagan as County Engineer for a four-year term effective May 1st, 2014. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to approve the employment contract with County Engineer Mike Flaagan for a four-year period effective May 1st, 2014. Motion unanimously carried.

Motioned by Commissioner Hempel, seconded by Commissioner Jensen, to approve a rental agreement with Evergreen Implement for lease of a skidsteer for the County Highway Department. Motion unanimously carried.

The County Engineer noted that a petition to clean County Ditch #21 is being organized and will be presented soon.

A Road, Bridge, and Culvert Committee meeting was scheduled for May 6th, 2014 at 8:00 a.m.

Motioned by Commissioner Jensen, seconded by Commissioner Tveitbakk, to approve the County Board minutes of April 8th, 2014 as written. Motion carried.

Motioned by Commissioner Hempel, seconded by Commissioner Tveitbakk, to approve payment Human Services warrants totaling \$87,313.94, the March Auditor and Manual warrants totaling \$793,423.67, and also the following Commissioner warrants. Motion unanimously carried.

WARRANTS

County Revenue	\$48,808.84
Road & Bridge	\$14,766.19
Capital Improvement Special Reserve	\$ 3,797.67

Per diems and meal reimbursements in the amount of \$13.95 were also approved.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to adjourn the Board meeting to May 13th, 2014 at 10:00 a.m. Motion carried.

ATTEST:

Kenneth Olson, Auditor-Treasurer
Pennington County

Neil Peterson, Chairman
Board of Commissioners