

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, AUGUST 12TH, 2014, 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, August 12th, 2014 at 10:00 a.m. Members present: Neil Peterson, Cody Hempel, Oliver “Skip” Swanson, Darryl Tveitbakk, and Donald Jensen. Members absent: None.

The Pledge of Allegiance was recited.

Human Services Director Ken Yutrzenka and Fiscal Supervisor Scott Sommers met with the County Board to review the 2015 Human Services Budget.

Ken Yutrzenka discussed filling the Development Disability Social Worker position. Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to authorize the Human Service Department to advertise for, interview, and fill the Development Disability Social Worker position. Motion unanimously carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Jensen, to approve up to 10 hours of overtime for Fiscal Supervisor Scott Sommers. Motion unanimously carried.

County Engineer Mike Flaagan and Highway Accountant Lori Marquis presented the 2015 County Highway Department Budget.

Engineer Flaagan discussed the turn back of one and one-half miles of County Road #67 to Bray Township.

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

RESOLUTION REVOKING COUNTY ROAD

WHEREAS, the Pennington County Board of Commissioners agrees to revoke one and one-half (1.5) miles of Pennington County Road No. 67; and

WHEREAS, pursuant to MN Statute 163.11 Subd. 5a, a public hearing was held on March 11th, 2014 at the Bray Township Hall to discuss said revocation; and

WHEREAS, the Bray Township Board has requested the Pennington County Board of Commissioners pay two years of maintenance money (\$8,358.00) in lieu of Pennington County maintaining the one and one-half (1.5) miles for two more years.

NOW, THEREFORE, BE IT RESOLVED, That pursuant to State Statute 163.11, the Board of County Commissioner of Pennington County does hereby revoke a portion of County Road No. 67 to Bray Township, described as follows: (CR No. 67) Beginning at the intersection of Pennington County Road No. 58 (120th St NW) and Pennington County Road No. 67 (170th Ave. NW) at approximately the Northwest corner of Section 26, Township 153 North, Range 45 West, thence in a northerly direction along the established centerline of the public road CR No.

67, and on or near the west line of Section Twenty-three (23) and Section Fourteen (14), of said Township and Range a distance of One and One-Half (1.50) miles, more or less to the point where the road becomes a Bray Township road.

The County Engineer noted that he had received two quotes for gravel crushing in the Wold Pit and recommends the low quote of \$89,800 from Schenky, Inc. for crushing 40,000 yards into Class 1 gravel. Motioned by Commissioner Jensen, seconded by Commissioner Tveitbakk, to award the gravel crushing contract to Schenky, Inc. Motion unanimously carried.

Engineer Flaagan made a recommendation that Terry Peterson be hired for the position of Maintenance Foreman. Motioned by Commissioner Jensen, seconded by Commissioner Tveitbakk, to hire Terry Peterson for the position of Maintenance Foreman effective August 18th, 2014. Motion unanimously carried.

The following bids for SAP 057-598-053 (Bridge Replacement on CR #59 between Section 13 and 24 in Sanders Township) were opened on August 11th, 2014 at 9:00 a.m.

Olson Construction TRF, Inc.	\$75,785.00
Spruce Valley Corporation	\$91,624.50
Triple D Construction	\$73,552.00

Motioned by Commissioner Jensen, seconded by Commissioner Swanson, to award the bid for SAP 057-598-053 to Triple D Construction in the amount of \$73,552.00 as the lowest and best bid received. Motion unanimously carried.

The County Board discussed setting a date and time to hold a County Ditch #16 meeting with landowners to discuss options to clean or repair the system. The County Board will set the date and time at a future meeting.

Motioned by Commissioner Hempel, seconded by Commissioner Swanson, to approve issuance of a duplicate check without issuance of an indemnifying bond for original warrant #166723 issued to Glenice Johnson on September 14th, 2012 in the amount of \$210.00. Motion unanimously carried.

The Pennington County Veteran's Service Officer has received a County Veteran's Service Officer Operational Enhancement Grant from the State of Minnesota - Department of Veteran's Affairs that will be used for expenses related to the transportation of Veterans needing to access their benefits. The grant has a base amount of \$7,500 per County plus an additional amount based on the County Veteran population, as determined by the USVA.

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

RESOLUTION OF PENNINGTON COUNTY

BE IT RESOLVED, by the Pennington County Board of Commissioners, that the County enter into the attached Grant Contract with the Minnesota Department of Veterans Affairs (MDVA) to conduct the following program: County Veterans Service Office Operational Enhancement Grant

Program. The grant must be used to provide outreach to the county's veterans; to assist in the reintegration of combat veterans into society; to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among veterans; and to enhance the operations of the county veterans service office, as specified in the Minnesota Laws 2013 Chapter 142 Article 4. This Grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED, by the Pennington County Board of Commissioners that the County Board Chairman and the County Veteran's Service Officer be authorized to execute the attached Grant Contract for the above-mentioned Program on behalf of the County.

Motioned by Commissioner Swanson, seconded by Commissioner Jensen, to designate Commissioner Hempel as Pennington County's representative on the Northland College Advisory Committee. Motion unanimously carried.

Red Lake Watershed District Administrator Myron Jesme, and President Dale Nelson, presented the 2013 RLWD Annual Report. Also discussed was the Red Later Watershed Ditch #14 (formerly CD#1 R/N) project and the 2015 levy.

The 'One Watershed One Plan' pilot project was then discussed. They will need one Commissioner from each County involved in the project to be on a policy committee.

Matt Fisher from the Board of Water and Soil Resources (BWSR) introduced himself to the County Board.

Bryan Malone, Peter Nelson, and Levy Bergstrom, representing the Pennington County SWCD, met with the County Board. Peter Nelson made a request that the Board request a waiver of the 5-year update requirement of local water management plans to focus their efforts on the 'One Watershed One Plan' pilot program.

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

RESOLUTION

WHEREAS, Minnesota Statutes, Chapter 103B.301 to 103B.355, Comprehensive Local Water Planning and Management, authorizes Minnesota Counties to develop and implement a comprehensive local water management plan, and

WHEREAS, the Pennington County Board of Commissioners adopted the Pennington County Comprehensive Local Water Management Plan on July 27, 2010, and

WHEREAS, the BWSR Board Order approving the current Pennington County Comprehensive Local Water Management Plan requires amendment of the Goals, Objectives, and Action Items, commonly called the "5-year update", by May 26, 2015, and

WHEREAS, the BWSR's Plan Extension Policy supports waivers of the 5-year update requirement of local water management plans for organizations to participate in and more effectively utilize the Minnesota Pollution Control Agency's watershed-based 10-year approach

of monitoring, assessment, and development of Watershed Restoration and Protection Strategy (WRAPS) documents, and

WHEREAS, the WRAPS schedules for watersheds in Pennington County are as follows, and

Watershed	% of County	Scheduled Completion Date
Red Lake River	72.5%	August 2015
Thief River	13.1%	June 2015
Clearwater River	9.2%	April 2018
Grand Marais Creek	3.1%	August 2016
Snake River	2.1%	April 2017

WHEREAS, the Plan Extension Policy further supports waivers of the 5-year update requirement in order to synchronize water management planning efforts between partners in order to develop and complete watershed-based plans through the One Watershed One Plan Program, and

WHEREAS, Pennington County has been selected as part of the group to pilot the One Watershed One Plan Program in the Red Lake River Watershed, and

WHEREAS, Pennington County has determined it is in their best interest to focus their efforts on the One Watershed One Plan Pilot Program.

NOW THEREFORE BE IT RESOLVED, that the Pennington County Board of Commissioners requests a waiver of the requirement to complete the 5-year update to the current Pennington County Comprehensive Local Water Management Plan.

The Pennington County SWCD has received a Clean Water Fund Grant from the Board of Soil and Water Resources to complete an inventory on legal County ditches for side water inlets and buffers. The grant is for \$91,300 and requires a 25% local match of \$22,825. The SWCD requests that the County and the SWCD enter into a Memorandum of Agreement and that the County provide 50% of the required match at \$11,412.50. Levy Bergstrom has been selected to head up this project.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to approve the following Memorandum of Agreement, contingent on County Attorney approval. Motion unanimously carried.

MEMORANDUM OF AGREEMENT

This agreement is made between the Pennington Soil and Water Conservation District, hereinafter called the District, and Pennington County, hereinafter called the County.

Purpose: The District received a Clean Water Fund grant from the Board of Water and Soil Resources (BWSR) to complete an inventory on legal County ditches for side water inlets and buffers. The total grant is \$91,300 with a 25% local match requirement (\$22,825). The grant expires December 31, 2016. The inventory will prioritize locations for side water inlets and buffers along County ditches that will aid with implementing these practices to control erosion

and sedimentation, improve water quality, and maintain the efficiency of the drainage system. The County Ditch Authority has authority to implement side water inlets and buffers under Minnesota Statutes 103E.021 subd. 6.

The District Agrees:

1. To create a prioritized inventory of side water inlets and buffers by conducting site evaluations on legal County ditch systems.
2. To meet with the County to coordinate project plans and goals and to inform the County on progress of the ditch inventory.
3. To provide the County maps and/or GIS shapefiles of the priority sites for side water inlets and buffers on County ditches.
4. To provide the County Ditch Authority information and training needed to use the ditch inventory.

The County Agrees:

1. To provide the District access to County ditch records and County ditch systems.
2. To the District completing a ditch inventory to target high priority areas for side water inlets and buffers and to pursue voluntary landowner implementation of these practices.
3. To assist the District with questions regarding County ditch records.
4. To provide 50% of the required local match amount by cash or in-kind services.

Bryan Malone then presented a Minnesota Wetland Conservation Act Notice of Decision on the Greenwood Street Realignment and Frontage Road extension through Barron’s Addition. Road ditch wetlands created in upland areas are exempt from the Wetland Conservation Act. Motioned by Commissioner Jensen, seconded by Commissioner Tveitbakk, that the County, as the Local Government Unit (LGU), approves the Minnesota Wetland Conservation Act Notice of Decision for the Barron Addition/Greenwood St. Realignment Project. Motion unanimously carried.

Bryan Malone also noted that Levy Bergstrom would be taking over the Feedlot Officer duties. A project tour has been scheduled for August 20th, 2014 at 5:00 p.m., sponsored by the SWCD.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Jensen, to approve the minutes of July 22nd, 2014 as written. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to approve payment of the Human Service warrants totaling \$232,761.94, and also the following Commissioner warrants. Motion unanimously carried.

WARRANTS	
County Revenue	\$264,244.05
Road and Bridge	\$102,234.75
Solid Waste Facility	\$ 600.00
Ditch Funds	\$ 21,562.50

Per diems and meal reimbursements in the amount of \$2,001.64 were also approved.

The Personnel Committee reported on a meeting regarding the Pine to Prairie Task Force. The City of Thief River Falls and the County would share the cost of an officer and squad car with estimated cost to each of \$37,731.50. There is the possibility of a grant that could reduce the first year's cost. Motioned by Commissioner Swanson, seconded by Commissioner Tveitbakk, to support joining the Pine to Prairie Violent Crime and Drug Task Force, with the City of Thief River Falls and Pennington County sharing an officer. Motion unanimously carried.

Commissioner Hempel noted that interviews for the position of Economic Development Director will start on Thursday, August 14th, 2014.

County Auditor/Treasurer Ken Olson reminded the County Board that the Tobacco Ordinance Hearing was set for August 26th, 2014 at 5:30 p.m. and the County Canvassing Board is set to meet Friday, August 15th, 2014 at 11:00 a.m.

Ken Olson also reported that the County received a Bond rating increase from Standards and Poors from A+ to AA-; County Program Aid for 2015 has been reduced \$7,778 to \$726,469; the insurance dividend for 2014 is \$64,490; and that the part-time Motor Vehicle employee will be leaving and the Personnel Committee will need to discuss filling that position.

A Personnel Committee meeting was scheduled for August 21st, 2014 at 4:00 p.m.

Motioned by Commissioner Hempel, seconded by Commissioner Swanson, to adjourn the Board meeting to August 26th, 2014 at 5:00 p.m. Motion carried.

ATTEST:

Kenneth Olson, Auditor-Treasurer
Pennington County

Neil Peterson, Chairman
Board of Commissioners