

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 10TH, 2015, 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 10th, 2015 at 10:00 a.m. Members present: Cody Hempel, Donald Jensen, Neil Peterson, and Oliver “Skip” Swanson. Members absent: Darryl Tveitbakk.

Vice Chairman Don Jensen called the Board meeting to order, beginning with reciting the Pledge of Allegiance.

Bryan Malone, Pennington County SWCD Manager, presented the Notice of Application, the Joint Application form for Wetland Replacement and Notice of Decision by the Local Unit of Government for the River Pointe Townhomes project to be located in Section 3, Township 153N, Range 43W in the City of Thief River Falls. Motioned by Commissioner Peterson, seconded by Commissioner Swanson, that Pennington County, as the Local Government Unit, approves the Notice of Decision on the Wetland Replacement Plan for the River Pointe Townhomes project. Motion unanimously carried.

Levy Bergstrom, County Feedlot Officer, presented the 2014 Annual Feedlot Officer Report and Performance Audit Report. He conducted six feedlot inspections in 2014. Motioned by Commissioner Peterson, seconded by Commissioner Swanson, to approve the 2014 Annual County Feedlot Report and authorize the County Board Chairman to sign the same. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to appoint Nancy Tofte to the position of Commissioner on the Thief River Falls Regional Airport Authority for a three-year term effective January 1st, 2015. Motion unanimously carried.

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

**DECLARING THE OFFICIAL INTENT OF PENNINGTON COUNTY
TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS
OF BONDS TO BE ISSUED BY THE COUNTY**

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the “Reimbursement Regulations”) providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, Pennington County, Minnesota (the “County”), expects to incur certain expenditures that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of one or more tax-exempt bonds;

WHEREAS, the County has determined to make this declaration of official intent (the “Declaration”) to reimburse certain costs from proceeds of bonds in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF PENNINGTON COUNTY AS FOLLOWS:

1. The County proposes to undertake certain upgrades to the mechanical and electrical systems and upgrades or additions to building facilities of the County, including the County Courthouse, Auditorium, and Human Services (together, the "Project").

2. The County reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of tax-exempt bonds in an estimated maximum principal amount of \$10,000,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or 5 percent of the proceeds of an issue; or (c) "preliminary expenditures" up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the County to finance the project for which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the County based on the facts and circumstances known to the County as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the bonds described in paragraphs 1 and 2 are consistent with the County's budgetary and financial circumstances. No sources other than proceeds of bonds to be issued by the County are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the County's budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

Howard Person, County Extension, informed the County Board that the County Ag Inspector group is requesting funding from the State of Minnesota to defray cost of noxious weed control.

Mr. Person then discussed the E-waste recycling done by Les's Sanitation. They are considering raising the rate charged for taking TV's, computer monitors, and other E-waste products to pay for the transportation costs. An alternative to raising rates is for the County to subsidize the transportation costs from SCORE funds. Motioned by Commissioner Hempel, seconded by Commissioner Swanson, to not subsidize the transportation costs of E-waste from SCORE funds. Motion unanimously carried.

Howard Person also discussed the Regional Solid Waste Plan and Minnesota Pollution Controls concerns.

County Engineer Mike Flaagan presented the State of Minnesota Agency Agreement between the Dept. of Transportation and Pennington County for Federal Participation in Advance Construction for SP 057-603-035, M.P. STPM-HSIP 5715(174). The following resolution was introduced by Commissioner Peterson, seconded by Commissioner Swanson, and upon vote was unanimously carried.

RESOLUTION

BE IT RESOLVED, that pursuant to Minnesota Statute Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the County of Pennington to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Pennington County Board Chairman and Pennington County Auditor are hereby authorize and directed for an on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 1000071”, a copy of which said agreement was before the County Board and which is made a part hereof by reference.

Engineer Flaagan then asked the County Board to approve advertising SP 057-603-035, SSTPM-HSIP 5715(174) for bids with the letting date to be set by MnDOT. Motioned by Commissioner Peterson, seconded by Commissioner Swanson, to authorize advertising for bids for SP 057-603-035, STPM-HSIP 5715(174). Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to authorize the County Engineer and County Auditor-Treasurer to advertise for bids for CSAH 057-603-036 (shouldering, crack sealing, and striping – CSAH#3). Motion unanimously carried.

Engineer Flaagan stated that the Town Bridge funding for the box culvert to be placed in County Ditch #62 under the River Falls Township Road has been approved. He will need to receive approval from River Falls Township.

The County Board then discussed leasing a motor grader off the State Contract. The lease of a John Deere 772GP would be \$24,000/year for six years with all repair covered by warranty. Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to lease a John Deere 772GP motor grader from RDO, Inc. as specified above. Motion unanimously carried.

County Sheriff Ray Kuznia made a recommendation to hire Seth Vettleson to the position of full-time Deputy Sheriff at the 2nd salary step of the Union contract. Motioned by Commissioner Hempel, seconded by Commissioner Swanson, to hire Seth Vettleson as a full-time Deputy Sheriff effective February 19th, 2015, at the 2nd salary step of the Union contract. Motion unanimously carried.

Sheriff Kuznia then made a recommendation that Sentence to Serve Crew Leader Dante Steele be placed into the position of Sentence to Serve Coordinator/Crew Leader to fill the vacancy created by Bob Cardinal’s retirement. Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to place Dante Steele into the position of Sentence to Serve Coordinator/Crew Leader effective February 16th, 2015. Motion unanimously carried.

Motioned by Commissioner Hempel, seconded by Commissioner Peterson, to authorize the County Sheriff to advertise for the position of full-time Sentence to Serve Crew Leader. Motion unanimously carried.

Sheriff Kuznia then presented the resignation of part-time Deputy Sheriff Al Melbye, effective at such time as a replacement is hired to work shifts and cover the duties he has been responsible for. Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to accept the resignation of Al Melbye and thanked him for his many years of service to Pennington County. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Swanson, to authorize the County Sheriff to advertise for a part-time Deputy Sheriff for Court Security and Transports. Motion unanimously carried.

Motioned by Commissioner Hempel, seconded by Commissioner Peterson, to approve hiring Brady Meunier as the part-time Juvenile Sentence to Serve Crew Leader. Motion unanimously carried.

Sheriff Kuznia presented two quotes for the lighting, siren system, etc. for the 2015 Chevy Tahoe patrol vehicle.

Stone's Mobile Radio	\$9,862.62
Code 4 Services, LLC	\$8,019.10

Motioned by Commissioner Peterson, seconded by Commission Hempel, to approve the quote of Code 4 Services LLC for the lighting, siren systems, etc. for the 2015 Chevy Tahoe Sheriff's vehicle. Motion unanimously carried.

Motioned by Commissioner Hempel, seconded by Commissioner Swanson, to authorize striping of the 2015 Chevy Tahoe patrol vehicle to be done by Fast Graphix of Thief River Falls. Motion unanimously carried.

Bruce Schwartzman, BKV Group, presented the bids received for the Courthouse mechanical system upgrade. It was explained that the bidders were allowed to bid via email or in person. Lee Plumbing and Heating contacted the Auditor-Treasurer's office by telephone before the bid deadline of 4:00 p.m. and stated they were having technical difficulties and could not send the bid via email. At 4:10 p.m. the bid was hand delivered to the Auditor-Treasurer's office.

Motioned by Commissioner Hempel, seconded by Commissioner Peterson, that the bid of Lee Plumbing and Heating be considered in substantial compliance with the bidding process and that they did not derive any advantage over other bidders by filing a late bid due to computer technology problems. Motion unanimously carried.

The mechanical systems upgrade bids received were as follows:

<u>ASBESTOS REMOVAL</u>	<u>Material</u>	<u>Labor</u>	<u>Total</u>	<u>Alternates</u>
ACCT, Inc.	\$ 6,430	\$32,670	\$39,100	None
Twell Environmental, Inc.	\$ 8,024	\$27,500	\$35,524	None
VCI Environmental, Inc.	\$11,370	\$26,530	\$39,900	None
<u>ELECTRICAL</u>	<u>Material</u>	<u>Labor</u>	<u>Total</u>	<u>Alternates</u>
Bergstrom Electric	\$18,825	\$17,675	\$36,500	\$ 6,400
Miller Electric	\$59,500	\$27,000	\$86,500	\$ 6,090
Skalsky Electric	\$32,000	\$49,000	\$81,000	\$27,000 (2)
<u>MECHANICAL UPGRADE</u>	<u>Material</u>	<u>Labor</u>	<u>Total</u>	<u>Alternates</u>
Peterson Sheet Metal	(combined)	(combined)	\$640,000	\$48,500 (3)
Lee Plumbing & Heating	\$229,819	\$140,465	\$370,284	None

Bruce Schwartzman will review the bids and come back with a recommendation for the next County Board meeting on February 24th, 2015.

The County Board then discussed various options to upgrade County facilities or add an addition to the Courthouse. The County Board narrowed the options to three and Bruce Schwartzman will provide further information on these plans at a future meeting.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to approve the Board minutes of January 27th, 2015 as presented. Motion unanimously carried.

Motioned by Commissioner Hempel, seconded by Commissioner Swanson, to approve payment of the Human Service warrants totaling \$168,278.26 and also the following Commissioner warrants. Motion unanimously carried.

WARRANTS	
County Revenue	\$115,034.17
Road & Bridge	\$ 12,265.56
Solid Waste Facility	\$ 705.50
Ditch Funds	\$ 1,383.48
Capital Improvement	\$ 1,403.62

Per diems and meal reimbursements in the amount of \$1228.35 were also approved.

Motioned by Commissioner Hempel, seconded by Commissioner Swanson, to adjourn the Board meeting to 5:00 p.m. on February 24th, 2015. Motion carried.

ATTEST:

Kenneth Olson, Auditor-Treasurer
Pennington County

Don Jensen, Vice-Chairman
Board of Commissioners