

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 12TH, 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, May 12th, 2015 at 10:00 a.m. Members present: Cody Hempel, Darryl Tveitbakk, Donald Jensen, and Neil Peterson. Members absent: Oliver “Skip” Swanson.

The meeting was called to order and the Pledge of Allegiance was recited.

Deputy Sheriff Blaize Zimmerman presented the following recommendations to fill positions in the County Sheriff’s office.

Motioned by Commissioner Jensen, seconded by Commissioner Peterson, to hire Misty Manderud for the position of Full-Time Office Manager effective May 15th, 2015 at step one of the County pay scale. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Peterson, to transfer Jill Kolstoe from the County Highway Dept. to the Sheriff’s Office Part-Time Legal Secretary position effective May 18th, 2015 at her current hourly wage. Jill Kolstoe will remain part-time in the County Attorney’s Office. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Jensen, to hire Tiffany Lund for the position of Part-Time Dispatch effective May 25th, 2015 at the starting wage per Union contract, contingent upon successful completion of a background check. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to hire Jake Beito for the position of Part-Time Deputy Sheriff effective May 22nd, 2015 at the starting wage per Union contract, contingent upon successful completion of background checks and required testing. Motion unanimously carried.

Ken Yutzenka, Human Services Director, presented the resignation of Shelly Haugen – Eligibility Worker. Motioned by Commissioner Jensen, seconded by Commissioner Peterson, to accept the resignation of Shelly Haugen – Eligibility Worker. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to post for the vacant Human Services position of Eligibility Worker. Motion unanimously carried.

County Engineer Mike Flaagan discussed the need for a hearing to turn-back County Roads to River Falls Township. Motioned by Commissioner Peterson, seconded by Commissioner Jensen, to hold a Public Hearing on June 4th, 2015 at 7:00 p.m. at the St. Hilaire City Hall to discuss the turn-back of County Roads to River Falls Township. Motion unanimously carried.

The Road, Bridge, and Culvert Committee will meet on May 29th, 2015 at 7:00 a.m. at the County Highway Department and will proceed to tour County roads, bridges, and ditches.

The County Board discussed the Five-Year Road and Bridge Plan and any revisions. Motioned by Commissioner Jensen, seconded by Commissioner Peterson, to approve the Five-Year Road and Bridge Plan as revised. Motion unanimously carried.

The County Engineer will be meeting with the TRF Chamber of Commerce on May 14th, 2015 to review the Five-Year Road and Bridge Plan and the one-half cent sales tax.

County Engineer Mike Flaagan presented the Railroad Highway Grade Crossing Closure Agreement with the Soo Line Railroad Company DBA Canadian Pacific. The County will be responsible for removing the roadway surface and approaches located within the Railroad's right-of-way at County Road #55 and install permanent barricades. Motioned by Commissioner Peterson, seconded by Commissioner Jensen, to approve and authorize the Chairman to sign the Railroad Highway Grade Crossing Closure Agreement between Pennington County and the Soo Line Railroad DBA Canadian Pacific to close and remove the crossing on County Road #55 in River Falls Township. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Peterson, to accept the petition to clean County Ditch #35 along Sections 35, 12, and 13 in Smiley Township and proceed with the work. Motion unanimously carried.

Motioned by Commissioner Hempel, seconded by Commissioner Peterson, to approve the 2014 Highway Department Annual Report. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Jensen, to allow the City of Goodridge to close CSAH #29 for the Goodridge Centennial events. Motion unanimously carried.

The County Engineer will be having pre-construction meetings on May 14th, 2015 and construction projects should begin soon after. Cleaning is currently taking place in County Ditch #21 and County Ditch #71.

Bryan Malone, Pennington County SWCD District Administrator, discussed the next step in establishing a wetland bank on the County-owned property in Section 34 of Highlanding Township. It has been determined that there will be 45.13 Wetland Bank acres available. Motioned by Commissioner Hempel, seconded by Commissioner Jensen, to approve the Conservation Easement Contact Information Form Private Wetland Bank and authorize the County Board Chairman to sign on behalf of Pennington County. Motion unanimously carried.

Deb Sletten, MCIT Loss Control Consultant, presented the 2014 Annual Report of the Property and Casualty and Worker Compensation Insurance Pool. The County Board thanked Deb Sletten for the report.

County Attorney Al Rogalla reviewed the leases for use of the Auditorium and Old Arena that expire June 30th, 2015. Motioned by Commissioner Hempel, seconded by Commissioner Peterson, to authorize the County Attorney to send a letter to the current lease holders to see what their intentions are and if they wish to renew their lease agreements. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Jensen, to approve payment of the Human Services warrants totaling \$171,220.08, the Auditor and Manual warrants for April, 2015 totaling \$1,136,316.87, and also the following Commissioner warrants. Motion unanimously carried.

WARRANTS

County Revenue	\$50,808.62
Road & Bridge	\$36,622.50
Solid Waste Facility	\$ 2,356.58
Ditch Funds	\$ 6,105.00
Capital Imp. Special Rev.	\$ 4,210.09

Per diems and meal reimbursements in the amount of \$2,749.95 were also approved

Motioned by Commissioner Hempel, seconded by Commissioner Jensen, to approve the Board minutes of April 28th, 2015 as written. This includes the Hearing on the Five-Year Road and Bridge Plan. Motion unanimously carried.

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

**RESOLUTION 15-CB-14
OPPOSING NEW STATE LEGISLATION MANDATING 50' BUFFER STRIPS**

WHEREAS, the Governor and Legislature of the State of Minnesota have proposed legislation mandating establishment of buffers adjacent to perennial water; and

WHEREAS, said buffers would require a 50' wide strip of perennially-rooted vegetation adjacent to all perennial waters; and

WHEREAS, said buffers must be in place by September 1st, 2016, or within one year of designation of new perennial waters designated by the Commissioner of Natural Resources; and

WHEREAS, the Commissioner of Natural Resources must establish and maintain an inventory map of each county that shows the waters that are subject to the buffer requirement; and

WHEREAS, exemptions from buffer requirement would be allowed for areas adjacent to perennial waters including such areas used for public or private water access or recreational use areas; and

WHEREAS, soil and water conservation districts must implement the buffer requirement with duties including planning, technical assistance to landowners, follow up complaints, approval of alternative practices, and tracking progress of implementing the buffer requirement. The soil and water conservation district may delegate all or part of the implementation to another local unit of government by written agreement; and

WHEREAS, the Commissioner of Natural Resources may issue orders that require violations of said regulations be corrected or administratively assessing monetary penalties for violations; and

WHEREAS, financial assistance for landowner reimbursement may be in the form of local, state, or federal cost share grants, contracts, or loans that may be available to establish buffers.

NOW, THEREFORE, BE IT RESOLVED, that Pennington County opposes any state mandate on buffer strips that haven't taken into account the geographical differences in the state and the differences in the lay of the land locally where local elected officials can make the decisions with landowner input.

Motioned by Commissioner Hempel, seconded by Commissioner Peterson, to adjourn the Board meeting to May 12th, 2015 at 5:30 p.m. at the Joint Use Facility (Highway Dept.) Meeting Room. Motion carried.

ATTEST:

Kenneth Olson, Auditor-Treasurer
Pennington County

Darryl Tveitbakk, Chairman
Board of Commissioners