

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 27TH, 2015, 5:00 P.M.**

Pursuant to adjournment, the Pennington County Board of Commissioners met in the Pennington County Board Room in Thief River Falls, MN, on Tuesday, October 27th, 2015 at 5:00 P.M. Members present: Darryl Tveitbakk, Oliver “Skip” Swanson, Donald Jensen, Neil Peterson and Cody Hempel. Members absent: None.

The meeting was called to order by Chairman Commissioner Tveitbakk and the Pledge of Allegiance was recited.

Meeting with the County Board was Bruce Schwartzman, representing the BKV Group. Mr. Schwartzman noted that BKV has wrapped up the Schematic Design Phase for the Justice Center. They have met with the Department of Corrections a number of times regarding the design of the jail. The squad car garages have been removed in the current plan but could be put back in the plan at an approximate cost of \$180,000. Mr. Schwartzman then introduced Travis Fuechtmann and Pete Filippi from the Contegrity Group which is a construction management company.

Mr. Filippi and Mr. Fuechtmann gave an overview of how their company provides construction management and provides a job site superintendant. They also provided a list of other counties they have worked for in out-state Minnesota. The Contegrity Group will provide a proposal for their services at a future County Board meeting.

Bruce Schwartzman then reviewed a proposal from Northern Technologies, Inc. to do geotechnical exploration on the proposed County Justice Center site. He also submitted a proposal from Houston Engineering to do an Alta Survey of the proposed site to obtain the property lines, grades and existing utilities on the site. He also asked that the County Board approve that BKV be authorized to continue to the Design Development Phase.

Motioned by Commissioner Swanson, seconded by Commissioner Peterson to approve the following items:

1. Northern Technologies, Inc. Agreement to do geotechnical exploration on the proposed Justice Center site - \$6,950.
2. Houston Engineering Agreement for an Alta Survey - \$4,000.
3. Authorizing the BKV Group to continue with the Design Development Phase - \$189,000. Motion unanimously carried.

Commissioner Peterson left the meeting at 5:55 P.M.

Ken Yutrzenka, Human Services Director, presented the consent agenda from the October 20th, 2015 Human Service Committee meeting and recommends it be approved. On a motion by Commissioner Swanson, and seconded by Commissioner Jensen, the following recommendations of the Pennington County Human Service Committee for October 20th, 2015 are hereby adopted. Motion unanimously carried.

SECTION A

- I. To approve the September 15th, 2015 Human Service Committee meeting minutes.
- II. To approve the agency's personnel items as presented.

SECTION B

- I. To approve payment of the agency's bills.

The following Proclamation declaring Wednesday, October 28th, 2015 as County Financial Worker and Case Aide Day was acknowledged.

WHEREAS, County Financial Workers and Case Aides are dedicated to providing outstanding services to the people of Minnesota through their administration of public assistance programs; and

WHEREAS, County Financial Workers and Case Aides are responsible for the prudent expenditure of millions of dollars annually and must meet high standards of job performance in determining eligibility for public assistance; and

WHEREAS, The duties performed by County Financial Workers and Case Aides require that they be well versed in a number of areas in order to effectively provide services to clients and the general public; and

WHEREAS, The nature of federal and state legislation necessitates that County Financial Workers and Case Aides continually expand their knowledge, skills, and expertise related to their profession; and

WHEREAS, It is important to recognize the valuable service County Financial Workers and Case Aides provide to Minnesota's citizens.

Erik Beitel, Emergency Management Director, presented the Mutual Aid Agreement for approval. Motioned by Commissioner Swanson, seconded by Commissioner Hempel to approve the Region Three Homeland Security and Emergency Management Joint Powers Board Mutual Aid Agreement as presented and authorize the Chairman and Vice Chairman to sign the same. Motion unanimously carried.

Bryan Malone – SWCD Administrator, Jeff Fagerstrom – Northwest Minnesota Housing Cooperative and Mark Borseth – Thief River Falls Engineering Department met with the County Board regarding the Wetland Delineation Report provided by Widseth, Smith Nolting (WSN) on property that the Northwest Minnesota Housing Cooperative plans to purchase from William Ness and plot into lots for a future housing development. Motioned by Commissioner Hempel, seconded by Commissioner Swanson to approve

the Wetland Delineation Report from WSN on the property in Section 35 of North Township owned by William Ness. Motion unanimously carried.

Motioned by Commissioner Swanson, seconded by Commissioner Jensen to approve the issuance of a replacement warrant for lost warrant number 175113 issued August 28th, 2015 to Kruse In in the amount of \$32.59 without furnishing of an indemnifying bond. Motion unanimously carried.

Motioned by Commissioner Swanson, seconded by Commissioner Hempel to nominate Elvera Cullen for an additional two-year term on the Northwest Regional Development Commission representing Public Interest At Large. Motion unanimously carried.

Motioned by Commissioner Jensen, seconded by Commissioner Swanson to nominate Christine Anderson as Pennington County's representative on the Northwest Regional Enterprise Fund Board for a three-year term. Motion unanimously carried.

The following resolution was introduced by Commissioner Jensen, seconded by Commissioner Hempel 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 construction of jail (\$6M) and court services (\$8M) buildings and remodeling of the Courthouse for a total estimated cost of \$20M (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 \$20M. 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 of 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.

County Engineer Mike Flaagan recommends finalizing of the 2015 road projects.

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

WHEREAS, Contract No. 1506 has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and in behalf of the Pennington County Highway Department and authorize final payment as specified herein.

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

WHEREAS, Contract for re-pavement of River Bend Trail has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and in behalf of the Pennington County Highway Department and authorize final payment as specified herein.

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

WHEREAS, Contract No. 1504 has in all things been completed, and the County Board being fully advised in the premises, now then be it resolved; that we do hereby accept said completed project for and in behalf of the Pennington County Highway Department and authorize final payment as specified herein.

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

BE IT RESOLVED, that the Pennington County Board of Commissioners approve the agreement with the Minnesota Department of Transportation and CP Rail providing \$150,000 each for the closure of the railroad crossing across County Road #79 in Rocksbury Township and CR #81 in Wyandotte Township and realignment of the county roads to improve safety.

Mike Flaagan then asked to obtain new cell phones from Verizon before the end of October. The County Board referred this request to the Technology Committee as Jennifer Herzberg was getting quotes from both cell carriers.

It was decided there would be no Road, Bridge and Culvert Committee tour this fall.

Motioned by Commissioner Hempel, seconded by Commissioner Jensen, to approve the minutes of the October 13th, 2015 Board meeting as written. Motion unanimously carried.

Motioned by Commissioner Hempel, seconded by Commissioner Jensen, to approve payment of the Human Services warrants totaling \$101,233.89, and also the following Commissioner warrants. Motion unanimously carried.

WARRANTS

County Revenue	\$76,472.04
Road & Bridge	\$14,035.18
Ditch Funds	\$12,750.00
Capital Improvement	\$ 7,225.93

Per diems and meal reimbursements in the amount of \$49.75 were also approved.

Motioned by Commissioner Hempel, seconded by Commissioner Swanson to adjourn to 10:00 A.M. November 10th, 2015. Motion unanimously carried.

ATTEST:

Kenneth Olson, Auditor-Treasurer
Pennington County

Darryl Tveitbakk, Chairman
Board of Commissioners