

**OFFICIAL PROCEEDINGS  
PENNINGTON COUNTY BOARD OF COMMISSIONERS  
TUESDAY, MARCH 22<sup>ND</sup>, 2016, 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, March 22<sup>ND</sup>, 2016 at 5:00 P.M. Members present: Donald Jensen, Neil Peterson, Darryl Tveitbakk, Oliver “Skip” Swanson and Cody Hempel. Members absent: None.

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

Social Worker Supervisor Julie Sjostrand presented the consent agenda recommendations from the March 15<sup>th</sup>, 2016 Human Service Committee meeting. On a motion by Commissioner Peterson, seconded by Commissioner Hempel, the following recommendations of the Pennington County Human Service Committee for March 15<sup>th</sup>, 2016 are hereby adopted. Motion unanimously carried.

SECTION A

- I. To approve the February 16, 2016 Human Service Committee meeting minutes.
- II. To allow the agency to host a Social Work student for a 12 week internship beginning late May, 2016.

SECTION B

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

Motioned by Commissioner Peterson, seconded by Commissioner Hempel to approve the Amendment to County Participation Agreement effective July 1<sup>st</sup>, 2016 between UCare Minnesota and Pennington County Human Services. Motion unanimously carried.

The County Board read a letter from the Commissioner of the Minnesota Department of Human Services commending the staff for perfect performance in meeting DHS Human Service financial reporting requirements for calendar year 2015.

Peter Nelson, Pennington County Soil and Water Conservation District, presented a resolution to set a process for review of the Red Lake Watershed “One Watershed, One Plan”.

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

**RESOLUTION FOR FORMAL REVIEW AND PUBLIC HEARING PROCESS FOR THE RED LAKE RIVER WATERSHED “ONE WATERSHED, ONE PLAN”**

**WHEREAS**, the County of Pennington, County of Red Lake, County of Polk, the Pennington Soil and Water Conservation District, the Red Lake County Soil and Water Conservation District, the West Polk Soil and Water Conservation District, and the Red Lake Watershed District have made and entered into a Memorandum of Agreement to develop a comprehensive watershed management plan through the Board of Water and Soil Resources One Watershed, One Plan Pilot Program, and

**WHEREAS**, the Memorandum of Agreement created a Policy Committee for development of the watershed-based plan, made up of one elected or appointed member of each governing board, and

**WHEREAS**, the Memorandum of Agreement states that each party will be responsible for initiating a local review and comment process including required public hearings, and

**WHEREAS**, through the planning process the Policy Committee has determined it would be unnecessarily burdensome for each party to be responsible for individual review and comment processes including public hearings, and

**WHEREAS**, the One Watershed, One Plan Operating Procedures for Pilots require the Policy Committee to submit the draft plan to the plan review authorities for a 60-day formal review period, and

**WHEREAS**, the One Watershed, One Plan Operating Procedures for Pilots require the Policy Committee to schedule and hold a public hearing on the draft plan prior to submitting the final draft plan to the Board of Water and Soil Resources for approval, and

**WHEREAS**, the One Watershed, One Plan Operating Procedures for Pilots require only one public hearing with consideration for more than one hearing in a large watershed.

**WHEREAS**, the Policy Committee recommends more than one public hearing due to the size of the Red Lake River Watershed.

**NOW, THEREFORE, BE IT RESOLVED**, that the Red Lake Watershed District staff, acting on behalf of the Policy Committee, will be responsible for submitting the draft plan to the plan review authorities for a 60-day formal review period, and

**BE IT FURTHER RESOLVED**, that there will be three public hearings on the draft plan, with each County Board and the Red Lake Watershed District Board participating in at least one of the hearings. Said hearings to be held in conjunction with the regularly scheduled, or special, Board of Commissioners meetings, one each in Pennington, Red Lake, and Polk Counties.

Bill Craig and Howard Person met with the County Board presenting the Comprehensive Solid Waste Management Plan for Pennington County. A Public Notice of Intent to Approve Pennington County’s Solid Waste Management Plan will be going to The Times tomorrow. There is a 30 day comment period before adoption of the plan. Howard Person then introduced Bill Craig to the County Board members. Bill Craig will be assuming the duties of the Pennington County Solid Waste Officer.

The County Board then discussed the Ag Coordinator position that Bill Craig has been hired for. The University of Minnesota will not approve the 20% Ag Extension Agent agreement, so Mr. Craig will become a full-time county employee split 50/50 with Marshall and Pennington Counties.

Laura Stengrim, the Director of the Thief River Falls United Way and Director of the Convention and Visitor's Bureau, discussed the transition from the United Way to the TRF Area Community Fund. They are requesting an appointment to the TRF Area Community Fund Advisory Board. Motioned by Commissioner Swanson, Seconded by Commissioner Tveitbakk to appoint Commissioner Hempel to the TRF Area Community Fund Advisory Board. Motion unanimously carried.

County Engineer Mike Flaagan met with the County Board recommending that the bidders for 2016 fuel supply, culvert supplies and equipment rental be approved as submitted.

Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk that the bid from Farmer's Union Oil Co. for fuel supplies is approved as submitted. Motion unanimously carried.

	Gasohol	No. 1 Low Sulphur	No. 2 Low Sulphur	Diesel Sulphor
Farmers *	\$.10	\$.10	\$.10	\$.10
Union Oil **	\$.10	\$.10	\$.10	\$.10

\*Delivered

\*\*Dealer Pump

Motioned by Commissioner Peterson, seconded by Commissioner Swanson to approve the bid of True North Steel for culvert supplies as submitted and the County Engineer was directed to use the low bid for specific culverts. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk to approve the equipment rental bids as received from the following persons or businesses and the County Engineer was directed to use the lowest bid available. Motion unanimously carried.

- Brummund Excavating
- Garry Gravel
- Olson Construction TRF, Inc.
- K & K Trucking, Inc.
- Sellin Bros., Inc.
- Thygeson Construction, Inc.
- Wright Construction
- Triple D Construction
- Lunke's Inc.
- Davidson Construction, Inc.
- Nelson Excavating

Beito Repair  
Art Laudal & Son, Inc.  
Kotrba Ditching, Inc.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel to approve the 2016 Township Road Maintenance Agreements and authorize the Chairman and Auditor to sign the same. Motion unanimously carried.

The County Engineer noted that the rate charged to townships for motor grader services is currently \$90 per hour and may need to increase for next year.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson to authorize the County Engineer and County Auditor to advertise for bids on SP 057-070-005, which includes lighting at the intersection of CSAH #7 and State Highway #59, at the intersection of CSAH #20 and State Highway #59, and at the intersection of CSAH #20 and CSAH #3. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel to authorize the County Engineer and County Auditor to advertise for bids for SP 057-070-006 which includes rumble striping on County State Aid #7. Motion unanimously carried.

The Annual Pennington County Township Association meeting is scheduled for March 31<sup>st</sup>, 2016 at 7:00 P.M. in the Joint Use Facility Meeting Room.

The City of Thief River Falls is having a meeting on March 28<sup>th</sup>, 2016 at 7:00 P.M. with the residents of County Road #62 to discuss cost of extending sewer and water to that area along with annexation.

Road restrictions are currently posted. The County Engineer asked to change CSAH #10 to a 9-ton route as it is currently posted 7-ton. The County Board agreed to the change.

County Auditor-Treasurer Ken Olson informed the County Board that six warrants issued to Northwestern Mutual were lost in the mail and replacement warrants are being requested. Motioned by Commissioner Hempel, seconded by Commissioner Tveitbakk to approve the issuance of replacement warrants for the following warrants lost in the mail without issuance of an indemnifying bond. Motion unanimously carried.

Warrant #175642	11/13/15	Warrant #101624	12/09/15
Warrant #175824	11/25/15	Warrant #101590	11/25/15
Warrant #175867	12/11/15	Warrant #101515	11/13/15

At 6:00 the County Board Chairman called the Public Hearing on the adoption of a Capital Improvement Plan and the issuance of General Obligation Capital Improvement Plan Bonds to order as advertised.

Representatives of KTRF Radio and The Times were present at the hearing. The five-year Capital Improvement Plan is one project, the construction of a new Justice Center including courtrooms, law enforcement facilities and other related administrative offices. The facility will also include a jail which will not be funded pursuant to this Capital Improvement Plan. The maximum amount of bonds to be issued under the Capital Improvement Plan is \$6,200,000. Hearing no question, the Hearing was closed and the County Board meeting brought back to order.

Commissioner Tveitbakk introduced the following resolution, seconded by Commissioner Hempel and upon vote was unanimously carries.

**RESOLUTION ADOPTING A CAPITAL IMPROVEMENT PLAN AND  
PROVIDING PRELIMINARY APPROVAL TO THE ISSUANCE OF BONDS  
THEREUNDER**

**WHEREAS**, pursuant to Minnesota Statutes, Chapter 475, as amended, and Section 373.40, as amended (collectively, the “Act”), counties are authorized to adopt a capital improvement plan and carry out programs for the financing of capital improvements; and

**WHEREAS**, Pennington County, Minnesota (the “County”) has caused to be prepared the “2016 through 2021 Five-Year Capital Improvement Plan” (the “Capital Improvement Plan”); and

**WHEREAS**, on the date hereof, the Board of Commissioners of the County (the “Board”) conducted a duly noticed public hearing regarding adoption of the Capital Improvement Plan pursuant to the requirements of the Act and the issuance of general obligation bonds thereunder in a maximum principal amount of \$6,200,000, to provide for the undertaking of certain capital improvements described in the Capital Improvement Plan, including but not limited to the construction of a new justice center to include a new courthouse, law enforcement facilities, and other related administrative offices (the “Project”); and

**WHEREAS**, in considering the Capital Improvement Plan, the Board has considered for the Project and for the overall Capital Improvement Plan:

1. the condition of the County’s existing infrastructure, including the projected need for repair and replacement;
2. the likely demand for the improvement;
3. the estimated cost of the improvement;
4. the available public resources;
5. the level of overlapping debt in the County;
6. the relative benefits and costs of alternative uses of the funds;
7. operating costs of the proposed improvements; and
8. alternatives for providing services more efficiently through shared facilities with other local government units.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF PENNINGTON COUNTY, MINNESOTA:**

1. The Capital Improvement Plan is hereby approved.

2. County staff is hereby authorized to do all other things and take all other actions as may be necessary or appropriate to carry out the Capital Improvement Plan in accordance with any applicable laws and regulations.

3. The County gives preliminary approval to the issuance of general obligation bonds in the maximum principal amount of \$6,200,000; provided, however, that if a petition requesting a vote on issuance of the bonds signed by voters equal to five percent (5%) of the votes cast in the County in the last County general election is filed with County Auditor-Treasurer by April 21, 2016, the County may issue the bonds only after obtaining approval of a majority of voters voting on the question at an election.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to approve the minutes of the March 8<sup>th</sup>, 2016 Board meeting as written. Motion unanimously carried.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to approve payment of the Human Services warrants totaling \$112,053.78, the Auditor and Manual warrants for February, 2016 totaling \$1,186,557.03, and also the following Commissioner warrants. Motion unanimously carried.

WARRANTS

County Revenue	\$40,782.15
Road & Bridge	\$ 2,397.75
Capital Improvement	\$40,000.00

Per diems and meal reimbursements in the amount of \$1,038.65 were also approved.

Motioned by Commissioner Hempel, seconded by Commissioner Tveitbakk, to adjourn to 10:00 A.M. Tuesday, April 12<sup>th</sup>, 2016. Motion unanimously carried.

ATTEST:

Kenneth Olson, Auditor-Treasurer  
Pennington County

Donald Jensen, Chairman  
Board of Commissioners