

**OFFICIAL PROCEEDINGS  
PENNINGTON COUNTY BOARD OF COMMISSIONERS  
JUSTICE CENTER BOARD ROOM  
SEPTEMBER 13<sup>TH</sup>, 2022 – 10:00 A.M.**

Pursuant to adjournment, the Pennington County Board of Commissioners met in the Pennington County Justice Center Board Room in Thief River Falls, MN, on Tuesday, September 13<sup>th</sup>, 2022, at 10:00 a.m. Members Present: Seth Nelson, Bruce Lawrence, and Neil Peterson. Members absent: Darryl Tveitbakk, David Sorenson.

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

Chairman Lawrence asked if there were any amendments to the agenda. Hearing none, Commissioner Peterson motioned, seconded by Commissioner Nelson, to approve the Board agenda as presented. Motion carried.

Recognition of Citizens: None.

Motioned by Commissioner Nelson, seconded by Commissioner Peterson, to approve the Board of minutes of August 23<sup>rd</sup>, 2022, as written. Motion carried.

Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to approve the following Commissioner warrants. Motion carried.

County Revenue	\$114,825.06
Road & Bridge	\$ 73,926.07
Solid Waste Facility	\$ 1,074.30
Ditch Funds	\$ 2,364.08

Per diems and meal reimbursements in the amount of \$2,863.34 were also approved.

Charity Brault, Kermit Genereux, and Heather Harbott of the NW MN Multi-County HRA met with the Board and discussed their levy and funding avenues. Recent activities include a grant application for rental rehabilitation in the City of TRF, the residential down payment assistance program, and the housing assistance payment program. Ms. Brault noted that legislation allowing their levy authority sunsets in 2024, and they are requesting a letter of support from the six associated counties regarding an extension of their levy authority. Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to approve a letter supporting the HRA's effort to extend their levy authority for 10 years in the 2023 legislative session and authorize the Auditor-Treasurer to sign the same. Motion carried.

Grant Nelson – Ag Services/Solid Waste Coordinator, Cindi Kilen – Extension Office Manager, and Ashley Nerhus – Extension Educator/4-H, presented a quarterly update to the Board. Mr. Nelson has been working with landowners on noxious weeds, assisting the SWCD with drone work, proctoring pesticide tests, and taking soil samples. The Solid Waste Committee is discussing repairs needed to the transfer building and some

cleanup to be done, and the waste oil disposal sites in the county have been updated with ramps and pallets. Mr. Nelson noted that more than half of his work is for area counties, and he is glad to be a part of the committee researching drones.

Ms. Nerhus presented a 4-H summer report, noting that enrollment is up 42% from 2021. Recent activities include youth daytrips, 4-H engagement with the Latch Key program, youth mentoring other youth, youth showcase at the county and state fair, and what's next with 4-H and upcoming events.

Motioned by Commissioner Nelson, seconded by Commissioner Peterson, to approve the lease of a new Konica C300i color copier from Marco for Pennington County Extension at a cost of \$128.67/month, which includes a monthly service fee of \$30.00. Motion carried.

Ms. Kilen stated that she has been assisting Ms. Nerhus with the local and state fairs and the 4-H program. The Master Gardeners has planted and maintained local flower beds in the community and at Pioneer Village, and also held a garden tour held during Riverfest and the All-School Reunion. The Master Gardener program is accepting new applications on the University website until 10/01/22. The Home Council program met in August and held their annual Spring Fling. Ms. Kilen noted she does pressure canner gauge testing as well.

Peter Nelson – Pennington County SWCD District Manager, presented a resolution to submit, adopt, and implement the Clearwater watershed management plan. If approved by all affiliated counties, it will be submitted to the MN Board of Water and Soil Resources for review. The following resolution was introduced by Commissioner Peterson and seconded by Commissioner Nelson. Discussion followed with Mr. Nelson noting that roughly 11% of Pennington County is in the Clearwater Watershed District. Hearing no further discussion, the motion was carried.

### **Resolution to Submit, Adopt and Implement the Clearwater River Watershed Comprehensive Watershed Management Plan**

**WHEREAS**, Pennington County is a member of the Clearwater River Watershed One Watershed One Plan Policy Committee; and

**WHEREAS**, Pennington County has been an active participant in the development of the Clearwater River Watershed Comprehensive Watershed Management Plan (Plan); and

**WHEREAS**, Pennington County recommended the Clearwater River Watershed One Watershed One Plan Policy Committee submit the Plan for 60 day comment; and

**WHEREAS**, no major changes were requested by state agencies in the final comment period;

**WHEREAS**, the Plan will serve as a substitute for either the SWCD comprehensive plan or county local water management plan as per Ch 103C or 103B, respectively, for the duration of the state approved Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that Pennington County approves submission of the Plan to the Board of Water and Soil Resources (BWSR) Board. Contingent on recommendation of plan approval by the BWSR Northern Committee and subsequent BWSR approval, Pennington County hereby adopts and will begin implementation of the Plan for the area of the County identified within the Plan.

County Sheriff Ray Kuznia presented the following LEC items:

An RFP was recently conducted for a new food service vendor for Corrections and Meals on Wheels, and proposals were received from Summit and Skillet Kitchen. After a full review of the bid prices and overall quality, Sheriff Kuznia is recommending the approval of Skillet Kitchen as the new food service vendor. Mr. Kuznia noted that Summit is the current vendor and has requested to term their contract effective October 1<sup>st</sup>, 2022. Motioned by Commissioner Nelson, seconded by Commissioner Peterson, to approve the bid of Skillet Kitchen, to approve a 12-month, renewable contract with Skillet Kitchen for Correctional and Meals on Wheels food service effective 10/01/22, and to authorize termination of the current contract with Summit effective 10/01/22. Motion carried.

Mr. Kuznia discussed the Lead Records Clerk and Records Clerk positions in his department, currently held by Maria Srnsky and Krystal Carlson, respectively. He is recommending the positions be reclassified as Legal Secretary/Paralegal as they now assist the Deputies and Investigator with many admin duties. Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to approve the reclassification of the Lead Records Clerk and Records Clerk positions to Legal Secretary/Paralegal effective January 1<sup>st</sup>, 2023. Motion carried.

Sheriff Kuznia noted that the LEC budget for 2023 should be at 0% after supplement funding via the American Rescue Plan. The Board commended the Sheriff and his department for their work on the budget.

Julie Sjostrand – Human Services Director, and Stacy Anderson – Fiscal Supervisor, presented the 2023 Human Services proposed budget. The budget includes the purchase of a vehicle and COLA salary increases but is still coming in at a 0% increase. The Board took their budget under advisement and commended the department for their work on the budget.

Mike Flaagan – County Engineer, and Lori Marquis – Highway Accountant, met with the Board regarding the following items:

Engineer Flaagan discussed a motor grader lease for 2023 and presented the following two quotes received. The prices listed are annual lease payments for a six-year lease:

RDO Equipment Co.	\$53,562.18
Ziegler / CAT	\$55,848.69

Mr. Flaagan recommended the bid of RDO Equipment Co. and would like to order the motor grader asap as prices are set to increase after September 2022. The expected delivery date is June 2023. Motioned by Commissioner Peterson, seconded by

Commissioner Nelson, to approve the bid of RDO Equipment Co. in the annual amount of \$53,562.18 for the six-year lease of a 2023 John Deere 770G motor grader. Motion carried. Mr. Flaagan noted that the leasing of motor graders has and continues to work well for the County.

Mr. Flaagan and Ms. Marquis discussed the 2023 proposed budget for the Highway Dept. They noted that the increase is mainly due to cost of fuel, equipment, and COLA salary increases. Discussion was held on dept. equipment, equipment rotation, and mowing of ditches this fall season. It was noted that their budget is up about \$200,000 from 2022, however, supplemental ARPA funding can be used to help reduce the budget and effect on the levy. The Board thanked them for their work on the budget and took it under advisement.

Engineer Flaagan stated that the Red Lake County Engineer has resigned, and while they pursue a new engineer, they have proposed an agreement with Pennington County for engineering services on an interim basis at a monthly cost of \$10,000. Such costs would be split between the Engineer, Assistant Engineer, and Pennington County. Mr. Flaagan noted that the Red Lake County Board approved the contract at their meeting held this morning. Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to approve an agreement with Red Lake County in which Pennington County will provide interim engineering services at a cost of \$10,000 per month, effective upon agreement signature. Discussion followed with Mr. Flaagan noting the agreement includes a 10-day right to terminate by either party. He plans to spend roughly 12 hours/week assisting RLC but will be available to Pennington County while there. Following discussion, the motion was carried.

Engineer Flaagan provided an update on spring flooding damages. He noted approximately \$200,000 in FEMA-related damages, mainly related to emergency graveling of roads and damage under the golf course bridge for sloping. Other bridges in the county have slope damage but are covered under other Federal programs. Mr. Flaagan stating that they are still awaiting delivery of some larger culverts from True North Steel.

Auditor-Treasurer Items:

Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to appoint the following Auditor-Treasurer office staff to the Mail Ballot, Absentee Ballot, and UOCAVA Ballot Board for the 2022 General Election. Motion carried.

Julie Stennes  
Jessica Dybedahl  
Danielle Miller

The County Auditor-Treasurer reviewed the following proposed, 2023 department budgets: County Board, District Court, TZD, Law Library, Court Administration, Auditor-Treasurer, Elections, Officer Imprest, Data Processing, County Attorney, Drug Forfeiture, County Recorder, County Recorder Technology Account, Technology,

County Assessor, Government Center, Custodial, Capital Improvement, County Coroner, Veteran's Service Office, Motor Vehicle, Justice Center Building, Crime Victim Services, Emergency Management, Auditorium, Snowmobile Trails, County Extension, Conservation, Natural Resources Block Grant, Aquatic Species, Human Services Building, Unallocated, Dept 804 (ARPA funding), Bonds.

The Auditor-Treasurer reviewed the 2023 proposed levy, which has calculated to \$11,689,107, or 4.7428%. She noted the levy could go below 3% if ARPA funding is used to supplement the Highway Dept. budget for 2023.

County Coordinator Items:

Motioned by Commissioner Nelson, seconded by Commissioner Peterson, to approval a proposal by Lawrence Builders for the Government Center 1<sup>st</sup> floor remodel project in the amount of \$15,350, with the bid including suspended ceiling materials and installation, and installation of carpet, LVT tile, and kitchen cabinetry. Motion carried.

Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to approve a proposal by Northern Woodwork, Inc. in the amount of \$5,200 for new kitchen cabinets and countertops for the Government Center 1<sup>st</sup> floor remodel project. Motion carried.

The County Coordinator noted that interviews for the vacant positions of DMV Deputy Registrar and Custodian I will be held on September 19<sup>th</sup>, 2022.

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

### **RESOLUTION ON SPECIAL SESSION**

**WHEREAS**, the people of Minnesota have critical infrastructure needs, including the replacement and upgrade of roads, bridges, and airport facilities that cannot be delayed, and

**WHEREAS**, without additional funding through a bonding bill, counties will have to drastically raise taxes on residents and businesses to pay for necessary infrastructure projects that have been made even more expensive due to inflation and procurement shortages, and

**WHEREAS**, the Minnesota Legislature failed to pass a bonding bill in the 2022 legislative session, and

**WHEREAS**, County Program Aid (CPA) is an essential aid program to Minnesota Counties, helping to restrain local property taxes, and

**WHEREAS**, the CPA appropriation has not kept up with the County's needs and inflation, making it more difficult for Counties to provide public safety, core infrastructure, Human Services, libraries, and other services without imposing significant levy increases or service cuts, and

**WHEREAS**, the Legislature failed to pass a tax bill in the 2022 legislative session that would have increased CPA appropriation, and

**WHEREAS**, the state of Minnesota has a multi-billion-dollar surplus, and  
**WHEREAS**, additional funds are required to match millions of dollars in available federal funds.

**BE IT RESOLVED** the Board of Commissioners of Pennington County, Minnesota urges through this resolution to Governor Tim Waltz to declare a special session and to have lawmakers work in a bi-partisan way to pass a bonding bill and a tax bill that includes a CPA increase, and

**BE IT FURTHER RESOLVED** that this resolution be transmitted to US 7<sup>th</sup> Congressional Representative Michelle Fischbach, Senator Amy Klobuchar, Senator Tina Smith, Speaker of the House Melissa Hortman, Senator Majority Leader Jeremy Miller, House Minority Leader Kurt Daudt, Senate Minority Leader Melissa Lopez Franzen, Senator Mark Johnson, Representative John Burkel, and Governor Timothy Walz.

County Attorney Items:

County Attorney Seamus Duffy noted that a request was made to move the trial for Reinbold vs. State but it was denied by Judge Yon. The trial start date has been changed to September 21<sup>st</sup>, 2022 and will continue through October 7<sup>th</sup>, 2022.

Committee Reports/Commissioner Updates:

Commissioner Peterson reminded the Board that the AMC Fall Policy Conference is being held this week. It was noted that Commissioner Sorenson will not be able to attend due to a death in the family, which is also why he is not in attendance today.

Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to adjourn the Board meeting to September 27<sup>th</sup>, 2022, at 5:00 p.m. Motion carried.

ATTEST:

Kevin Erickson, County Coordinator  
Pennington County

Bruce Lawrence, Chairman  
Board of Commissioners