

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
JUSTICE CENTER BOARD ROOM
OCTOBER 10TH, 2023 – 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, October 10th, 2023, at 10:00 a.m. Members Present: Seth Nelson, Bruce Lawrence, Neil Peterson, David Sorenson, and Roy Sourdif. Members absent: None.

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

The Chairman asked if there were any amendments to the agenda. The County Coordinator noted that Carter Nelson would like to be added to the agenda at 10:40 a.m. via Zoom. Motioned by Commissioner Sourdif, seconded by Commissioner Sorenson, to approve the Board agenda with the change presented. Motion carried.

Recognition of Citizens: None.

Motioned by Commissioner Nelson, seconded by Commissioner Lawrence, to approve the Board minutes of September 26th, 2023, as presented. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Sourdif, to approve the Auditor & Manual Warrants for September 2023 totaling \$1,650,972.67 and the following Commissioner warrants. Motion carried.

County Revenue	\$261,915.65
Road & Bridge	\$138,347.62
Solid Waste Facility	\$ 60.00

Per diems and meal reimbursements in the amount of \$3,726.44 were also approved.

Crystelle Philipp and Marit Martell of Hoffman, Phillip, and Martell, PLLC met with the Board and presented a review of the 2022 Pennington County Audit. The net position of governmental activities is \$78,158,262 and ending fund balances totaled \$21,945,396, an increase of \$4,165,585 due mainly to America Rescue Plan Act and County State Aid Highway funding. Items discussed included the county's sources of revenue, expenses by function, capital assets, and long-term debt. Findings of the audit included: segregation of duties and internal control, which is largely due to limited staffing, and it was noted that 11 ditches have deficit balances. Management in the County continues to work to improve and resolve these findings. The County Board thanked them for their report.

County Sheriff Seth Vettleison presented the following items:

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to schedule a Public Hearing regarding a Pennington County Ordinance on THC/Cannabis for November 14th, 2023, at 10:30 a.m. in the Justice Center Board Room. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Sorenson, to approve the hire of Rory Hinson as Part-Time Corrections Officer effective October 11th, 2023, contingent upon a successful background check. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to approve a Joint Powers Agreement between Pennington County and the State of MN/BCA for the county's participation in the Minnesota Internet Crimes Against Children (ICAC) Task Force, and also to approve the following resolution. The JPA is effective for five years from the date all required signatures are obtained. Motion carried.

RESOLUTION REGARDING MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC)

WHEREAS, the County of Pennington on behalf of its Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension, to utilize applicable state and federal laws to investigate and prosecute crimes committed against children and the criminal exploitation on children that is committed and/or facilitated by or through the use of computers.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of Pennington, Minnesota as follows:

1. That the State of MN Joint Powers Agreements by and between the State of Minnesota, acting through its Department of Public Safety, Bureau of Criminal Apprehension, and the County of Pennington on behalf of its Sheriff, are hereby approved. Copies of the Joint Powers Agreement are attached to this Resolution and made a part of it.
2. That the Chief Deputy Sheriff, Scott Mekash, or his or her successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.
3. That Neil Peterson, the Chair of the County of Pennington, and Kevin Erickson, the County Board Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

Sheriff Vettleson discussed a quote from Northwest Power Systems of TRF for installation of a snowplow on a truck in the Sentence to Serve dept. Motioned by Commissioner Sourdif, seconded by Commissioner Nelson, to approve a quote by Northwest Power Systems in the amount of \$3,635.60 for the wiring, mount, and installation of a snowplow for a pickup truck in the Sentence to Serve department. Motion carried.

County Engineer Mike Flaagan presented the following items via Zoom:

The 2023 bridge maintenance projects have been completed, and Engineer Flaagan recommended that final payment be made to Quality Spray Foam/DBA Anderson Excavating, in the amount of \$19,473.77. The following resolution was introduced by Commissioner Lawrence, seconded by Commissioner Sourdif, and upon vote was unanimously approved. Motion carried.

RESOLUTION

WHEREAS, Contract No. 2301, consisting of projects CP 57-23-07, CP 57-23-10-24, CP 57-23-09-7, CP 23-08-63, and CP 57-23-10-3, has in all things been completed, and the County Board being fully advised in these premises.

NOW THEN, BE IT RESOLVED, that we do hereby accept said completed project for and on behalf of the Pennington County Highway Dept. and authorize final payment as specified herein.

Engineer Flaagan discussed a petition received to clean one-half mile of Joint Ditch #13 in Section 25 of Goodridge Township. Motioned by Commissioner Lawrence, seconded by Commissioner Sorenson, to approve the ditch cleaning petition as described above. Discussion followed with Mr. Flaagan noting that one landowner is affected, and he has signed the petition. There are some plugs in the ditch and the cleaning will be completed this fall. Hearing no further discussion, the motion was carried.

Engineer Flaagan noted there is approximately one week of paving work left on the CSAH #7 project, and the contractor will also fix the road just west of the Seven Clans Casino.

Engineer Flaagan brought up for discussion an Environmental Assessment Worksheet (EAW) he has completed regarding the Auditorium/Municipal building, which the county is considering for demolition. County Coordinator Kevin Erickson thanked Mr. Flaagan for his work on the EAW and noted that the report is required due to the building's placement on the National Register of Historic Places. The EAW serves to identify any environmental hazards that may be present as part of the proposed project. The EAW, if approved by the Board, would be published by the MN Environmental Quality Board and notice of report availability would be published locally. After a 30-day comment period, the county must decide on the need for an Environmental Impact Statement. Motioned by Commissioner Nelson, seconded by Commissioner Sorenson, to approve the EAW as written, regarding the Auditorium/Municipal building, located at 123 Main Ave. N., Thief River Falls, MN 56701. Motion carried.

Carter Nelson met with the Board via Zoom to continue discussion on Northland Village and the delinquent taxes and penalties owed. Commissioner Peterson voiced his opinion that forgiving the property taxes is not a direction he wants to see the county go. Commissioner Lawrence commented that such tax responsibility falls to the sale and the buyer/seller. He doesn't want the tax burden to fall back on other county taxpayers. Mr. Nelson asked if the county would consider waiving just the penalties owed on the property, to which the Board responded no. Mr. Nelson said the delinquent taxes and

penalties would take away from improvements he could make to the property, and it may affect his decision to purchase the property. He questioned the future of the property, if another buyer will come around, is the county willing and wanting the property to continue to deteriorate. The Board noted they are not the owners of the building/property and don't feel it is in the best interest of the county to waive any delinquent tax or penalties owed on the property. Mr. Nelson thanked the Board for their consideration of his requests.

Auditor-Treasurer Items: None

County Coordinator Items: None

Commissioner Peterson presented a letter from Dale Nelson stating that he is resigning from his position on the Red Lake Watershed Board of Managers at the end of 2023. Motioned by Commissioner Nelson, seconded by Commissioner Sorenson, to advertise for persons interested in filling a one-year vacancy on the Red Lake Watershed Board of Managers, effective January 2024. Discussion followed with Chairman Peterson wishing to express his thanks to Mr. Nelson for his 26+ years of service on the Red Lake Watershed Board of Managers. Motion carried.

County Attorney Items: None.

Committee Reports:

Commissioner Nelson noted that the Tamarac Mining Co. received a Department of Defense grant in the amount of \$21 million, and tribal people are engaging with the MN DNR regarding the Tamarac mining and contamination of water. He also noted that Twin Metals of Minnesota has submitted a plan to the MN DNR for exploration purposes to determine mineral resources around the Duluth area.

Commissioner Peterson noted that the Northern County Land Use Board is considering changing its name to "Northern Counties". Such a change would require an addendum to the Joint Powers Agreement.

Commissioner Peterson cited highlights from a recent Minnesota Rural Counties meeting, with discussion focusing on solid waste and MPCA delays with reporting information.

Motioned by Commissioner Sourdif, seconded by Commissioner Sorenson, to adjourn the Board meeting to October 24th, 2023, at 10:00 a.m. Motion carried.

ATTEST:

Kevin Erickson, County Coordinator
Pennington County

Neil Peterson, Chairman
Board of Commissioners