

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
JUSTICE CENTER BOARD ROOM
NOVEMBER 14TH, 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, November 14th, 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. Hearing none, there was a motion by Commissioner Sorenson, seconded by Commissioner Sourdif, to approve the Board agenda as presented. Motion carried.

Recognition of Citizens: None.

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to approve the Board minutes of October 24th, 2023, as presented. Motion carried.

Motioned by Commissioner Nelson, seconded by Commissioner Sourdif, to approve the Auditor and Manual warrants of October 2023 totaling \$2,577,823.46 and the following Commissioner warrants. Motion carried.

County Revenue	\$163,697.27
Road & Bridge	\$ 52,113.12
Solid Waste Facility	\$ 75,155.68
Ditch Funds	\$ 8,565.00

Per diems and meal reimbursements in the amount of \$2,618.64 were also approved.

SWCD Water Resource Specialist Bryanna Greffthen presented the 2024-2025 MN PCA Feedlot Program Delegation Agreement Work Plan. She noted the county currently has 32 registered feedlots and with a 7% inspection rate she is required to complete 2.5 inspections in 2024. The plan includes communication with producers via a newsletter article, an article in AgWeek, Facebook posts, and factsheets. She plans to get each county feedlot on a 5-year inspection cycle. It was noted that few county feedlots have been out of compliance and she schedules the inspections with feedlot owners. Motioned by Commissioner Sorenson, seconded by Commissioner Sourdif, to approve the 2024-2025 MN PCA Feedlot Program Delegation Agreement Work Plan for Pennington County and authorize the Auditor-Treasurer to sign related permits/grant agreements. Motion carried.

Ashley Marquis and Grant Nelson of the Pennington County Extension Office presented a quarterly update. Ms. Marquis discussed the 4-H program and highlights, noting that there are 226 members in Pennington County, including 55 new members this past year.

Seven after-school programs are offered and have helped boost 4-H interest and membership. The dog project was new this past year and many members went on to the state dog show this fall. 130 youth showcased projects at the local fair, and the Ambassador Program for grades 7+ ran some day camps and learned how to make programs more member friendly. One local youth attended the 4-H National Conference and helped to create a 45-minute presentation. She noted there are currently 55 approved 4-H volunteers in our community. Ms. Nerhus expressed her appreciation to the Board for their support of the 4-H program. Commissioner Peterson stated that investment in the program is vital to keep youth engaged and involved in communities. Commissioner Lawrence noted that the Cloverbuds program is excellent for younger children, and Commissioner Nelson stated he is glad that 4-H is also now working with special needs youth.

Grant Nelson presented his update regarding agriculture and solid waste. There will be a workshop in the Joint Use Facility meeting room on February 29th, 2024, regarding the transitioning of farms; up to 40 participants will be allowed. Commercial applicator testing fees have increased to \$60.00, and private pesticide testing has been suspended as the testing questions are being revised. He noted a recent \$3M grant for 40 new weather stations in the state, with one planned for the western side of our county. He noted that the recycling contract with Waste Masters, aka Les's Sanitation, has expired and the Solid Waste Committee is working on a new contract. Mr. Nelson noted he is working on his tree inspector recertification, and the City of TRF is working on Dutch Elm tree removal. The Board thanked Ms. Nerhus and Mr. Nelson for their reports.

At 10:30 a.m. the Chairman recessed the Board meeting and opened the Public Hearing on a proposed Ordinance regarding Cannabis/THC in Pennington County. Present for the Hearing: Commissioners Sourdif, Lawrence, Peterson, Sorenson, and Nelson, Jennifer Herzberg, Lucas Fornshell, Mike Flaagan, Seamus Duffy, Seth Vettleson, April Scheinoha (TRF Times), and Kevin Erickson (via Zoom).

Sheriff Seth Vettleson presented and reviewed the proposed county 'Ordinance Regulating the Use of Cannabis and Cannabis Derived Products in Public Places'. He noted that state statute allows for, and the ordinance would establish, a petty misdemeanor offense and a fine up to \$300 for violation of the ordinance. Sheriff Vettleson noted that some but not all counties are adopting a cannabis ordinance. He noted that the proposed ordinance came from the Sheriffs Association and is what the statute allows following MN legislation allowing the adult use, possession, and personal growing of cannabis in MN effective August 1, 2023.

Hearing no other questions or concerns, the Chairman closed the Public Hearing at 10:33 a.m. and reopened the County Board meeting.

Motioned by Commissioner Lawrence, seconded by Commissioner Sorenson, to adopt the Pennington County Ordinance Regulating the Use of Cannabis and Cannabis Derived Products in Public Places (on file in the Auditor-Treasurer's office) as discussed and presented at the Public Hearing. Motion carried.

County Engineer Mike Flaagan presented the following items:

Rocksbury Township has requested county sponsorship for a grant application to the Local Road Improvement Program (LRIP) for 150th Ave and CR#62. The City of TRF has requested that the county include reconstruction of a portion of Kendall Ave. in the application. Mr. Flaagan noted the grants are capped at \$1.5M and would pay for construction costs, estimated at \$500K for Rocksbury Township, leaving a remainder of \$1M for Pennington County (75%) and the City of T.R.F. (25%). The following resolution was introduced by Commissioner Sourdif and seconded by Commissioner Nelson. Discussion followed on future maintenance of such roads by the city and county. Following discussion, the motion was carried.

PENNINGTON COUNTY RESOLUTION

WHEREAS, \$84.954 million in LRIP funding is available, with a cap of \$1.5 million for each project; and

WHEREAS, \$6 million is designated for grants to townships; and

WHEREAS, Rocksbury Township has requested county sponsorship for this project since the program requires the County to be the sponsor of a Township; and

WHEREAS, 150TH Avenue from C.S.A.H. 8 to C.R. 62 and C.R. 62 from Kendall to Hanson Drive have changed in function from local roads to collectors due to development of the City of Thief River Falls; and

WHEREAS, the City of Thief River Falls has requested that Pennington County include the reconstruction of Kendall Avenue from Greenwood to C.R. 62 as part of the grant application; and

WHEREAS, the Township understands that it will be responsible for all costs not covered by LRIP including but not limited to consultant engineering, right of way acquisition, construction administration and inspection, utility construction, as well as construction costs above the LRIP award; and

WHEREAS, Rocksbury Townships construction costs will be covered 100% and the remaining grant funds will be split 75% Pennington County and 25% City; and

WHEREAS, Rocksbury Township and Pennington County agree to maintain such improvements for the lifetime of the improvements.

THEREFORE, BE IT RESOLVED that Pennington County agrees to act as project sponsor for the project should the township be awarded LRIP funds, and that such sponsorship shall include the following responsibilities:

1. Be the fiscal agent on behalf of the community and have funds flow from MnDOT to the county to the contractor.
2. Request SAP/SP number for the project.
3. Ensure the project meets milestones and dates.
4. Assist Rocksbury Township in execution of a grant agreement.
5. Develop, review and/or approve the plan.
6. Submit plan, engineers estimate, and proposal to the DSAE.
7. Advertise, let, and award the project.
8. Submit pay requests to State Aid.

9. Communicate progress and updates with the DSAEs and State Aid State Programs Engineer.
10. Ensure that the project receives adequate supervision and inspection.
11. Assist with project close out.

THEREFORE, BE IT FURTHER RESOLVED, that Pennington County agrees to apply for a joint application with Rocksbury Township and the City of Thief River Falls for the reconstruction of C.R. 62, Kendall Avenue and 150th Ave.

Engineer Flaagan stated he would like to apply for a LRIP grant for C.R. #22 for the portion from C.S.A.H. #3 to T.H. #1. With a fertilizer plant being built there and other future developments that may follow, he would like to see the road built up from 7-ton to 10-ton. Motioned by Commissioner Sourdif, seconded by Commissioner Lawrence, to approve the County Engineer's application to the LRIP for a grant regarding County Road #22 from C.S.A.H. #3 to T.H. #1. Discussion followed with Mr. Flaagan noting that the LRIP grants are competitive and there is a chance we may get this one approved as well. Following discussion, the motion was carried.

Engineer Flaagan recommended final payment on the CD#96 stabilization project in the amount of \$600,524.25 to Davidson Construction. He noted that a portion of the slope will need work following recent snow and rain, but that occurred after the project work was complete; repair will likely take place in the spring. The following resolution was introduced by Commissioner Lawrence, seconded by Commissioner Sorenson, and upon vote was unanimously carried.

RESOLUTION

WHEREAS, CP #57-22-07 (C.D.#96 Stabilization) 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 Department and authorize final payment as specified herein.

Engineer Flaagan noted that the 2023 county-wide striping project has been completed and he is recommending final payment in the amount of \$69,712.42 to Sir Lines A Lot. The following resolution was introduced by Commissioner Nelson, seconded by Commissioner Sourdif, and upon vote was unanimously carried.

RESOLUTION

WHEREAS, CP #57-23-06 (County-wide striping) 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 Department and authorize final payment as specified herein.

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to approve an agreement with Houston Engineering Inc. for construction/professional services

regarding the Kratka Bridge replacement project. Discussion followed with Engineer Flaagan noting an agreement price of \$63,158, which includes up to 350 hours of technician work, mileage, etc. Following discussion, the motion was carried.

Engineer Flaagan discussed quotes on a pickup following cancellation of our order from Thief River Ford. No trucks are currently available locally with the specifications needed. C&M Ford in Hallock, MN has a Ford F-250 Super Duty in stock and quoted a price of \$53,700. Motioned by Commissioner Lawrence, seconded by Commissioner Sourdif, to approve the purchase of a 2023 Ford F-250 Super Duty from C&M Ford in Hallock, MN at the quoted price of \$53,700. Motion carried.

Engineer Flaagan noted that the Army Core of Engineers held a public meeting yesterday regarding the local dam and very few people were in attendance.

Engineer Flaagan discussed tractor leases, noting that the quotes received were not for what we requested. He recommended we reject all quotes at this time and we'll continue to use our current tractors at this time. Motioned by Commissioner Nelson, seconded by Commissioner Sorenson, to reject all tractor lease bids received. Motion carried.

Mr. Flaagan noted that the annual Towards Zero Deaths (TZD) conference is in underway in Rochester, MN and he plans to attend virtually. Local Key Club members will be putting on a presentation at the conference.

Engineer Flaagan noted that with the weather conditions his road crew is still out blading roads and will continue to do so as long as conditions permit.

Auditor-Treasurer Items:

The following resolution was introduced by Auditor-Treasurer Herzberg, motioned by Commissioner Lawrence, seconded by Commissioner Sorenson, and upon vote was unanimously carried.

RESOLUTION

BE IT RESOLVED, that Northern State Bank of Thief River Falls, MN be designated as a depository of public funds of Pennington County, MN for the term of two years from the date of approval, November 14th, 2023.

Motioned by Commissioner Lawrence, seconded by Commissioner Sourdif, to accept a letter of resignation from Travis Forsberg as Full-Time Custodian I effective November 14th, 2023, and to thank Mr. Forsberg for his service to the County. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Sorenson, to authorize advertising for the position of one Full-Time Custodian I. Motion carried.

County Coordinator Items:

Motioned by Commissioner Sorenson, seconded by Commissioner Sourdif, to approve the quote by Ashton's Mowing Service and Snow Removal for 2023-2024 snowplowing at the Human Services parking lot in the amount of \$65.00 per occurrence. Motion carried.

County Attorney Items: None.

Committee Reports: None.

Motioned by Commissioner Sourdif, seconded by Commissioner Sorenson, to adjourn the Board meeting to November 28th, 2023, at 10:00 a.m. Motion carried.

ATTEST:

Kevin Erickson, County Coordinator
Pennington County

Neil Peterson, Chairman
Board of Commissioners