

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
THURSDAY, DECEMBER 30TH, 2021, 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 Thursday, December 30th, 2021, at 10:00 a.m. Members Present: Seth Nelson, Bruce Lawrence, Darryl Tveitbakk, and Neil Peterson. Members present via Zoom: David Sorenson (10:10 a.m.). Members absent: None

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

Chairman Peterson asked if there were any amendments to the agenda. The County Coordinator requested the addition of constituents Dean Philipp at 10:40 a.m. and Gary Heden at 10:55 a.m. Motioned by Commissioner Tveitbakk, seconded by Commissioner Nelson, to approve the Board agenda with the changes presented. Motion carried.

No citizens were present/recognized that were not on the Board agenda.

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to approve the County Board minutes of December 14th, 2021, as written. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Lawrence, to approve the Human Services warrants totaling \$175,589.71 and the following Commissioner warrants. Motion carried.

County Revenue	\$154,353.08
Road & Bridge	\$ 89,303.19

Meal reimbursements and per diems in the amount of \$2,497.54 were also approved.

Human Services Director Julie Sjostrand presented the consent agenda from the December 21st, 2021, Human Services Committee meeting. On a motion by Commissioner Nelson and seconded by Commissioner Tveitbakk, the following recommendations of the Pennington County Human Service Committee for December 21st, 2021 (detailed minutes on record) are hereby adopted:

SECTION A

- I. To approve the November 16, 2021, Human Service Committee Meeting minutes.
- II. To approve the agency's personnel action as presented.
- III.
 - A. To approve the CY 2022- 23 Children's Mental Health Screening State of Minnesota Department of Human Services County Grant Contract as presented.
 - B. To approve the CY 2022 – 23 MFIP/DWP Employment Services Purchase of Service Agreement with the Career Force Center as presented.
 - C. To approve the CY 2022 Behavioral Health (Community-Based Services/Residential/Temporary Confinement) Purchase of Service Agreements between Sanford Behavioral Health and Pennington County Human Services.
 - D. To approve the CY 2022 Pennington County Family Services/Children's Mental Health Collaborative Supportive Services Agreement with Northwestern Mental Health Center, Inc.
 - E. To approve the CY 2022 ACS/SWS Support Services Agreement between TriMin Systems and Pennington County Human Services.

SECTION B

I. To approve payment of the Agency's bills.

The County Coordinator presented the following items while awaiting arrival of the County Engineer:

Motioned by Commissioner Lawrence, seconded by Commissioner Tveitbakk, to accept a letter of resignation from Keith Iverson effective January 7th, 2022. Mr. Iverson is a FT Custodian I and was scheduled to transfer to FT Corrections Officer. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to approve a letter of support for the City of Thief River Falls in their application to the Economic Development Association for financial assistance to renovate the Huck Olson Memorial Civic Center. Discussion was held with the County Coordinator noting that there is no financial obligation to the County. Following discussion, the motion was carried.

The County Coordinator noted that Full-Time Custodian I, Tony Marsh, has completed his training for the Special Engineer (boiler) license and passed the examination on December 14th, 2021. With the Special Engineer license, Mr. Marsh meets the qualifications of Custodian II. Motioned by Commissioner Tveitbakk, seconded by Commissioner Lawrence, to approve the designation change of Tony Marsh from Full-Time Custodian I to Full-Time Custodian II effective December 27th, 2021. Motion carried.

Commissioner Sorenson joined the Board meeting at 10:10 a.m. via Zoom.

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to amend the resolution approved on November 23, 2021, regarding the transfer of municipal construction funds to the regular construction account to reflect a change in the transfer amount from \$95,500 to \$90,734.37. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

County Auditor-Treasurer Items:

Motioned by Commissioner Tveitbakk, seconded by Commissioner Nelson, to approve issuance of the following licenses for 2022:

Goodridge Municipal Liquor Store

Cigarette & Tobacco License

Kruse In of St. Hilaire

3.2 Off Sale Liquor License

Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Sorenson, to transfer \$122,187.72 from various ditch maintenance funds to the Road and Bridge Fund for work done by the Highway Department in 2021. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Tveitbakk, to authorize the County Auditor-Treasurer to make temporary transfers, as outlined by the Auditor-Treasurer, to bring ditch balances to a positive balance at the end of 2021. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Motioned by Commissioner Nelson, seconded by Commissioner Lawrence, to hold an Economic Development Tax Abatement Hearing on January 25th, 2022, at 5:30 p.m. on the following properties approved by the Thief River Falls City Council:

<u>Parcel Number</u>	<u>Owner</u>
25.06205300	Adrien Prestebak
25.12101310	Bryce Gillie
25.12102510	Lori Alvarado
25.00333290	Lester John Larson
25.12101610	Shelby Erickson
25.04300422	Donita Stepan

Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

County Engineer Mike Flaagan joined the meeting and presented the following items:

Motioned by Commissioner Nelson, seconded by Commissioner Lawrence, to accept a resignation letter from Full-time Highway Equipment Operator Jared Voecks effective January 4th, 2022. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Tveitbakk, to authorize the County Engineer to advertise for the position of Full-Time Highway Equipment Operator. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Engineer Flaagan expressed his thanks to Mr. Voecks for his good service to Pennington County and wished him well in his new position.

County Sheriff Ray Kuznia presented the following items:

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to approve the hire of Alexander Yorba as Full-Time Corrections Officer effective December 31st, 2021. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Commissioner Lawrence questioned the status of our jail staff following the hire of Mr. Yorba. Sheriff Kuznia replied that two Corrections Officer positions remain open at this time.

Motioned by Commissioner Lawrence, seconded by Commissioner Tveitbakk, to approve an amendment to the Food Service Management Agreement between Pennington County and Summit Food Service, LLC, thereby extending the contract for one year beginning January 1st, 2022, and approving an increase in charges by roughly 5.5% due to rising food costs. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Sheriff Kuznia noted that effective January 1st, 2022, a nurse will assist in the jail 5 days per week. This change is needed and has been budgeted for in 2022 and is in comparison to the 4 days per week of service in 2021.

Inter-County Nursing Service Director Kayla Jore presented an update on COVID-19. She noted that cases are lower at this time, but she is expecting an increase due to upcoming holiday gatherings. She noted one recent COVID-19 related death in the county. ICNS continues to hold vaccine clinics weekly

and about 58% of county resident 5+ years old have been vaccinated. Omicron is becoming the dominant strain in MN, and early evidence shows symptoms are less severe, but normal treatments are not effective. She noted Omicron appears to evade the vaccine to some degree and she is highly recommending booster shots. Recent changes to the CDC guidelines reduced isolation/quarantine time from 10 days to 5 days, and those asymptomatic following the 5-day quarantine can return to work provided they wear a face covering or mask for the 5 days following. The Board thanked her for the update.

Constituent Dean Philipp met with the Board regarding one of his tenants, stating they were receiving rent assistance through the county but payments to him stopped in October 2021. He said the tenant will be evicted soon and that the county will be at fault and responsible for that. He contacted the '211' service for their assistance with the rent but said they were of no assistance to him, and he believes the county is responsible to pay the rent he is owed. The County Board stated that applicants through Human Services or other agencies must first qualify for programs and then continue to follow the requirements, and rent-assistance is often for a limited-time and can terminate should the applicant no longer qualify or demonstrate a need. County Attorney Seamus Duffy noted that the County is not under contract with Mr. Philipp nor responsible to pay any rent owed by his tenants; such rental contracts are between Mr. Philipp and his tenants, not the County.

Mr. Philipp also discussed the proposed investment project by M.A.K. properties and the assistance they are asking for. He said the County has no need for housing or for a babysitting facility that is included in the project. The County Board noted that they have met with M.A.K. to hear about their proposed project, but they have not approved any abatement or other assistance. Mr. Philipp noted that the City of TRF has approved some assistance to M.A.K., to which the County Board replied that those are decisions made by the city and not the county.

Constituent Gary Heden met with the Board to continue discussion on his property and the snow removal issue. He stated the issue is the snow isn't being plowed to the curb, so it is hard to park along the street, and he is also getting snow that could easily be pushed past his property. County Engineer Mike Flaagan noted that the plows must keep a short distance away from curbs to avoid damaging them, that occurs with any street. Commissioner Nelson said he has driven by Mr. Heden's property several times following recent snowfalls and the issue has greatly improved with no need for further plowing. Mr. Heden disagreed and continued to escalate the conversation, finally prompting the County Sheriff to inform him that he cannot be disorderly and yelling at a public meeting, and that he has made his case with the Board on this issue and cannot continue. Mr. Heden then left the Board meeting.

The County Coordinator discussed the recent OSHA Emergency Temporary Standard (ETS) whereas Pennington County, as an employer of 100+ people, must implement an employee policy by January 3rd, 2022, to either 1) mandate the COVID-19 vaccination, or 2) vaccinate or allow employees to test weekly and wear a face covering. Mr. Erickson noted that the Personnel Committee and Department Heads met on the issue and are recommending approval of latter policy. Such policy sets a deadline of February 28th, 2022, to be fully vaccinated by CDC standards, and any employees not fully vaccinated by February 7th, 2022, or that choose not to vaccinate, must test weekly and wear a face covering. County Attorney Seamus Duffy noted that the ETS is headed to the Supreme Court for their review, which could implement a stay to the requirements, however we must comply with the law as it stands. Following discussion, there was a motion by Commissioner Tveitbakk, seconded by Commissioner Lawrence, to approve the 'Pennington County Vaccination, Testing, and Face Covering Policy' as presented, effective

January 3rd, 2022. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to adjourn the meeting to January 4th, 2022, at 10:00 a.m. Motion carried.

ATTEST:

Kevin Erickson, County Coordinator
Pennington County

Neil Peterson, Chairman
Board of Commissioners

DRAFT