

**OFFICIAL PROCEEDINGS  
PENNINGTON COUNTY BOARD OF COMMISSIONERS  
JUSTICE CENTER BOARD ROOM  
MAY 24<sup>TH</sup>, 2022 – 5:00 P.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, May 24<sup>th</sup>, 2022, at 5:00 p.m. Members Present: Seth Nelson, Bruce Lawrence, Darryl Tveitbakk, David Sorenson, and Neil Peterson. Members absent: None.

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. Commissioner Peterson noted that Engineer Flaagan will not be in attendance, but his items will be presented by the Board. Commissioner Peterson motioned, seconded by Commissioner Nelson, to approve the Board agenda as presented. Motion carried.

Recognition of Citizens: None.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Sorenson, to approve the Board minutes of May 10<sup>th</sup>, 2022, as written. Motion carried.

Motioned by Commissioner Nelson, seconded by Commissioner Peterson, to approve the Human Services warrants totaling \$191,419.97 and the following Commissioner warrants. Motion carried.

County Revenue	\$67,914.92
Road & Bridge	\$17,261.76
Solid Waste Facility	\$ 1,359.00
Ditch Funds	\$ 100.00

Per diems and meal reimbursements in the amount of \$705.22 were also approved.

Human Services Director Julie Sjostrand presented the consent agenda from the May 17<sup>th</sup>, 2022, Human Services Committee meeting. On a motion by Commissioner Peterson and seconded by Commissioner Sorenson, the following recommendations of the Pennington County Human Services Committee for May 17, 2022 (detailed minutes on record) are hereby adopted:

**SECTION A**

- I. To approve the April 19<sup>th</sup>, 2022, Human Services Committee meeting minutes.
- II. To approve the agency's personnel action as presented.

**SECTION B**

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

Ms. Sjostrand discussed a mental health awareness event being held in Thief River Falls on August 23<sup>rd</sup>, 2022. She asked if the Board would consider a donation similar to their 2021 donation for the 'Be the Voice' event. Motioned by Commissioner Nelson, seconded by Commissioner Sorenson, to donate \$4,000 to the 2022 mental health awareness event being held August 23<sup>rd</sup>, 2022, to be funded via the County Board's travel budget. Discussion followed with the Auditor-Treasurer suggesting that if the event will be annual, the Board budget for such a donation in future years. Hearing no further discussion, the motion was carried.

Faye Auchepaugh presented invitations and flyers to the Board regarding events being held this Thursday through Saturday in celebration of Nordic Fest, a Scandinavian celebration. Activities include a speaker, representatives from the 99<sup>th</sup> Infantry Battalion, and a luncheon on Friday, May 27<sup>th</sup>, at 12:30 p.m.

Inter-County Nursing Services Director Kayla Jore presented a COVID-19 update. There were 44 positive cases in the last week, not including home tests that go unreported. ICNS will continue to offer vaccination clinics but only monthly during the summer. She noted there were few influenza cases this past winter season. ICNS is largely focusing on mental health now and will participate in the self-harm event being held at Lincoln High School on May 25<sup>th</sup>, 2022.

Emergency Management Director Erik Beitel stated that Engineer Flaagan, Commissioner Lawrence, and himself met with FEMA and the Homeland Security today regarding preliminary flood damage assessments. It's uncertain whether a federal disaster will be declared, we would qualify if so, but other programs may help cover some damages as well. Natural erosion isn't covered, so the issue of local homes threatened by riverside erosion will have to be approached differently. He noted that townships must formally report their flood damages and about half have done so. The five-year hazard mitigation plan that is being redone will need to incorporate flooding emergencies that we just experienced. The Board thanked Mr. Beitel for his report.

The following Highway Department item was presented on behalf of Engineer Flaagan:

Discussion was held on a truck ordered by the Highway Dept. in 2021 and scheduled for delivery in 2022. Due to increasing production costs, a \$2,900 surcharge was added earlier and another \$3,800 is being requested. It was noted that the manufacturer is behind by 100 units. Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to pay the requested surcharge of \$3,800 and move forward with the truck purchase. It was noted that the purchase amount is still within the budget. Motion carried.

County Sheriff Kuznia presented the following law enforcement items:

Sheriff Kuznia noted that Lake of the Woods County is changing to a 72-hour jail and he presented a proposed, one-year agreement to house their inmates following the 72-hour limit. The contract calls for 3 daily beds at \$55.00/bed (\$125/bed for special needs classification inmates). Medical costs will be reimbursed by LOTW County. Motioned by Commissioner Tveitbakk, seconded by Commissioner Sorenson, to approve a Purchase of Service Agreement with Lake of the Woods County for the housing of Lake of the Woods County inmates as stated above, effective June 1<sup>st</sup>, 2022. Discussion followed and it was noted that the County Attorney Seamus Duffy has reviewed and approved the Agreement. The Sheriff noted that jail staffing shortages are a leading cause of jail facilities moving to short term facilities. Following discussion, the motion was carried.

Motioned by Commissioner Nelson, seconded by Commissioner Tveitbakk, to approve the resignation of PT Dispatcher/Jailer Angella Amiot effective May 16<sup>th</sup>, 2022. Discussion followed with the Sheriff stating he wants to fill the vacant Correction Officer positions before advertising for the Dispatcher/Jailer position. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to authorize the County Sheriff to advertise for the position of Part-Time Dispatcher/Jailer when he deems appropriate. Motion carried.

Auditor-Treasurer Items:

The following resolution was introduced and motioned by Commissioner Tveitbakk, seconded by Commissioner Sorenson, and upon vote was unanimously carried.

#### **RESOLUTION**

**BE IT RESOLVED**, that the Pennington County Board of Commissioners hereby appoint the following Deputy County Auditor-Treasurer staff, who have met the statutory requirements to act as Election Judges, to the Absentee Ballot Board for all elections held in the year 2022.

Julie Stennes  
Jessica Dybedahl  
Taylor Engelstad

**BE IT FURTHER RESOLVED**, that the foregoing Deputy Auditor-Treasurer staff also serve as the Mail Ballot Board and UOCAVA Absentee Ballot Board as recommended by the County Auditor-Treasurer.

County Coordinator Items: None

County Attorney Items: None

Committee Reports/Commissioner Updates:

Commissioner Peterson noted that the proposed changes to Payments in Lieu of Tax (PILT) were not approved at the latest legislative session.

Commissioner Tveitbakk noted that there will be a Clearwater One Watershed, One Plan meeting tomorrow to go over public comments on the plan. He also noted that the latest legislative session did result in approved funding for expanding broadband services.

Commissioner Lawrence discussed the recent purchase of Les's Sanitation, Inc. by Waste Masters LLC and related lease agreement with Pennington County. It was noted that the County Attorney worked with Attorney Nathan Hasse on the agreement. Motioned by Commissioner Nelson, seconded by Commissioner Peterson, to approve the following agreement. Motion carried.

#### **AMENDMENT AND ASSUMPTION OF LEASE AGREEMENT**

**WHEREAS**, the County of Pennington and Les's Sanitation, Inc. executed an Operating and Facility Space Agreement for recycling services in Pennington County on April 1<sup>st</sup>, 2018, hereinafter "Agreement"; and

**WHEREAS**, the Les's Sanitation, Inc. was sold to Waste Masters LLC and subsequently dissolved; and

**WHEREAS**, Waste Masters LLC did acquire all rights and interests to any contracts from Les's Sanitation, Inc. and has assumed all such contracts; and

**WHEREAS**, Pennington County and Waste Masters LLC have never formally amended the Operating and Facility Space Agreement recognizing Waste Masters LLC as the new party.

**NOW, THEREFORE**, for valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

Waste Masters LLC agrees to assume all obligations and responsibilities of Les's Sanitation, Inc. in the Operating and Facility Space Agreement dated April 1, 2018. Pennington County hereby accepts the assumption of Waste Masters LLC.

The Operating and Facility Space Agreement dated April 1, 2018, is hereby amended to remove Les's Sanitation as a party to the Agreement and substitute Waste Masters LLC.

The Terms of the Operating and Facility Space Agreement dated April 1, 2018, except as amended herein, is hereby affirmed.

Commissioner Tveitbakk informed the Board that the Building Committee recently met with architect firm SEH, Inc. regarding the layouts for the Human Services remodel project. The 1<sup>st</sup> floor project will be done first (breakroom remodel and east side flooring) and SEH will finalize the plan within a month. Asbestos testing in the remodel areas is complete and the County Coordinator is working on an abatement plan and obtaining quotes. STS will assist with clearing out the remodel areas.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Nelson to adjourn the Board meeting to June 14<sup>th</sup>, 2022, at 10:00 a.m. Motion carried.

ATTEST:

Kevin Erickson, County Coordinator  
Pennington County

Bruce Lawrence, Chairman  
Board of Commissioners