

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
JUSTICE CENTER BOARD ROOM
OCTOBER 25th, 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, October 25th, 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. Hearing none, Commissioner Peterson motioned, seconded by Commissioner Tveitbakk, to approve the Board agenda as presented. Motion carried.

Recognition of Citizens: None.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to approve the Board of minutes of October 11th, 2022, as written. Motion carried.

Motioned by Commissioner Nelson, seconded by Commissioner Peterson, to approve the Human Services warrants totaling \$229,643.12 and the following Commissioner warrants. Motion carried.

County Revenue	\$173,424.52
Road & Bridge	\$ 38,807.32
Solid Waste Facility	\$ 4,354.98
Justice Center Jail Bond Fund	\$ 475.00
Justice Center Cap. Improvement	\$ 475.00
Ditch Funds	\$ 21,944.36

Per diems and meal reimbursements in the amount of \$62.95 were also approved.

Human Services Director Julie Sjostrand presented the consent agenda from the October 18th, 2022, Human Service Committee meeting. On a motion by Commissioner Sorenson and seconded by Commissioner Peterson, the following recommendations of the Pennington County Human Service Committee for October 18th, 2022 (detailed minutes on record) are hereby adopted:

SECTION A

- I. To approve the September 20th, 2022, Human Service Committee meeting minutes.
- II. To approve the Agency's personnel action as presented.

- III. A. To approve the CY 2023 Rural Transportation Collaborative access transportation service contract with Tri-Valley Opportunity Council, Inc. as presented.
- B. To approve the CY 2023 Purchase of Service Agreement with the Occupational Development Center as presented.
- C. To approve the CY 2023 MFIP/DWP Employment Services Purchase of Service Agreement with the Career Force Center as presented.

SECTION B

- I. To approve payment of the Agency’s bills.

Mark Borseth - TRF Community Development Consultant, and Steve Narverud - TRF City Council member, discussed the proposed Angle Project and related economic development TIF plan. The original plans called for inclusion of a daycare facility; however, MAK Properties has been unsuccessful in securing an operator for the daycare. They are now seeking the county’s support of the project and TIF without the daycare facility. It was noted that an economic development TIF has a max limit of 9 years, and that ISD#564 has reapproved a resolution regarding the TIF plan. Discussion was held on prior TIF Districts and how the costs of construction have changed and slowed housing developments. Several Board members noted the shortage of daycare in the county and requested that the City negotiate with MAK Properties with that in mind, and the county supports the idea of a deed restriction on a secondary parcel of the property, so that only a daycare facility can be built there. Following discussion, the following resolution was motioned by Commissioner Peterson, seconded by Commissioner Nelson, and upon vote was unanimously carried.

**RESOLUTION APPROVING A TAX INCREMENT FINANCING PLAN
FOR TAX INCREMENT FINANCING DISTRICT NO. 1-14 - ANGLE
DEVELOPMENT IN DEVELOPMENT DISTRICT NO. 1 IN THE CITY
OF THIEF RIVER FALLS**

BE IT RESOLVED by the Board of Commissioners (the “Board”) of Pennington County, Minnesota (the “County”), as follows:

Section 1. Recitals

1.01. The City Council of the City of Thief River Falls (the “City”) has heretofore established Development District No. 1 and adopted the Development Program therefor. It has been proposed by the City that the City adopt a Modification to the Development Program (the “Development Program Modification”) for Development District No. 1 (the “Development District”) and establish Tax Increment Financing District No. 1-14 - Angle Development (an economic development tax increment financing district) (the “TIF District”) therein and adopt a Tax Increment Financing Plan (the “TIF Plan”) therefor (the Development Program Modification and the TIF Plan are referred to collectively herein as the “Program and Plan”); all pursuant to and in conformity with applicable law, including Minnesota Statutes, Sections 469.124 to

469.133 and Sections 469.174 to 469.1794, all inclusive, as amended, (the “Act”) all as reflected in the Program and Plan.

1.02. The City has represented that it investigated the facts relating to the Program and Plan and has caused the Program and Plan to be prepared.

1.03. The City is required by law, prior to the establishment of the TIF District and the adoption and approval of the proposed Program and Plan, to provide the county auditor of the County and the school district clerk with the proposed TIF Plan and the City’s estimate of the fiscal and economic implications of the proposed TIF District at least 30 days before the public hearing required by Minnesota Statutes, Section 469.175, subdivision 3.

1.04. The Board is permitted to submit written comments on the TIF Plan and the estimate of the fiscal and economic implications of the TIF District to the City.

1.05. This Board has received from the City the TIF Plan, including the fiscal and economic implications of the TIF District.

Section 2. Approval of the TIF Plan.

2.01. This Board has reviewed the TIF Plan, as presented to the Board on April 12, 2022, including without limitation the fiscal and economic implication of the TIF District contained therein, and hereby approves the TIF Plan without written comments and submitted to the City prior to its public hearing on April 19, 2022.

Peter Nelson – SWCD District Manager, presented a wetland delineation report regarding the area affected by the upcoming Kratka bridge project. 1.7 acres have been determined to be wetland. Motioned by Commissioner Peterson, seconded by Commissioner Sorenson, to approve the wetland delineation report as presented. Discussion was then held on funding and when the project will take place. Hearing no further discussion, the motion was carried.

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

Resolution to Adopt and Implement the Middle Snake Tamarac Rivers Watershed Comprehensive Watershed Management Plan

WHEREAS, Pennington County has been notified by the Minnesota Board of Water and Soil Resources that the Middle Snake Tamarac River Watershed Comprehensive Watershed Management Plan (Plan) has been approved according to Minnesota Statutes §103B.801 and Board Decision #18-14.

WHEREAS, Minnesota Statutes §103B.101, subd. 14 allows a local water management plan developed or amended, approved and adopted, according to chapter 103B to be replaced with a comprehensive watershed management plan but only to the geographic area of the Plan.

NOW, THEREFORE, BE IT RESOLVED, the county hereby adopts and will begin implementation of the approved Plan for the area of the county identified within the

Plan and the Plan replaces the local water management plan for that geographic area of the Plan for the duration of the state approved Plan.

BE IT FURTHER RESOLVED after the adoption of the Plan, the county shall amend existing water and related land resources plans and official controls as necessary to conform them to Plan.

BE IT FURTHER RESOLVED after the adoption of the Plan or amendments to the plan, Pennington County shall notify local units of government within the County. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the county for review as per Minnesota Statutes, Section 103B.321.

BE IT FURTHER RESOLVED that within 180 days, the county shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls and the Plan. Pennington County shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the Plan.

BE IT FURTHER RESOLVED if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the county's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

BE IT FURTHER RESOLVED after receiving the recommendations of the county, or a resolution of an appeal, a local unit of government has 180 days to initiate revisions to its plan or official controls. The new or revised plans and official controls must be submitted to the county for review and recommendations.

Commissioner Peterson left the Board meeting at 5:30 p.m.

At 5:30 the Chairman recessed the Board meeting and called the Public Hearing on the Pennington County Floodplain Ordinance Update to order.

Mr. Nelson discussed the timeline on the ordinance update, noting the process began back in 2016 and is now in its final stages. He presented slides showing old and new floodplain maps and estimates that 30 structures in the old floodplain will no longer be in the new floodplain. Engineer Flaagan commented that the new maps are much more accurate due to LIDAR aerial mapping. Mr. Nelson noted the mapping will be used to create new flood insurance rate maps. It was noted that Goodridge is not in a floodplain area and is unmapped, and the city of TRF will have their own floodplain ordinance.

Hearing no further comment on the ordinance update, at 5:41 the Chairman closed the Public Hearing, and the County Board meeting was called back to order.

Motioned by Commissioner Nelson, seconded by Commissioner Tveitbakk, to approve the updated Pennington County Floodplain Management Ordinance as presented (full ordinance on record). Motion carried.

County Engineer Mike Flaagan presented a resolution to advance state aid funds from 2023. The following resolution was introduced by Commissioner Sorenson, seconded by Commissioner Tveitbakk, and upon vote was unanimously carried.

COUNTY STATE AID HIGHWAY FUNDS ADVANCE RESOLUTION

WHEREAS, the County of Pennington is planning to implement County State Aid Street Project(s) in 2022 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account; and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account; and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account balance as of date 04/28/2022:	\$ 744,741.82
Less estimated disbursements:	
Project# SAP 57-606-006	<u>\$1,114,883.70</u>
Advance Amount (amount in excess of acct. balance)	\$ 370,141.88

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5&7 and Minnesota Rules 8820; and,

WHEREAS, the County acknowledges advance funds are released on first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Pennington in an amount up to \$370,141.88 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

Engineer Flaagan provided an update on the truck on order, noting that the truck will be sent to Bert's Truck Equipment on December 8th, 2022, for equipment installation. He hopes to have the truck on site by Christmas.

Mr. Flaagan discussed the county's bounty on beavers, noting that Red Lake County just increased their bounty to \$75.00. He recommended that our county increase our bounty from the current \$50.00. Motioned by Commissioner Tveitbakk, seconded by Commissioner Nelson, to increase the Pennington County bounty on beavers to \$75.00 per beaver. Motion carried. Mr. Flaagan noted that approximately 30-40 bounty payments have been issued to date in 2022.

Auditor-Treasurer Items:

Motioned by Commissioner Tveitbakk, seconded by Commissioner Sorenson, to set the date of the 2022 General Election Canvassing Board meeting for November 15th, 2022, at 2:00 p.m. in Meeting Room A. Motion carried.

County Coordinator Items:

The County Coordinator provided an update on the Government Center remodel project. Painting quotes for the Veteran's Service Office will be obtained soon. The Extension office area remodel is now complete.

Motioned by Commissioner Nelson, seconded by Commissioner Sorenson, to approve a quote by National Business Furniture in the amount of \$11,090.44 for furniture in the remodeled 1st floor breakroom of the Government Center. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Sorenson, to approve a quote by Met Life for supplemental, employee dental insurance effective January 1st, 2023. Motion carried.

Motioned by Commissioner Nelson, seconded by Commissioner Tveitbakk, to approve a quote by VSP Vision Care for supplemental, employee vision insurance (materials only) effective January 1st, 2023. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to approve the resignation/retirement of Mark Olson as Custodian I effective October 28th, 2022, and to send Mr. Olson a letter of thanks for his 27+ years of service to Pennington County. Motion carried. The Board wishes Mr. Olson well in his retirement.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Nelson, to approve the hire of Travis Forsberg as Custodian I effective October 31st, 2022. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Sorenson, to approve the reappointment of Rob Burkel to the NW Regional Library Board of Trustees for a 3-year term effective January 1st, 2023. Motion carried.

County Attorney Items: None.

Committee Reports / Commissioner Updates: None.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Nelson, to adjourn the Board meeting to November 8th, 2022, at 10:00 a.m. Motion carried.

ATTEST:

Kevin Erickson, County Coordinator
Pennington County

Bruce Lawrence, Chairman
Board of Commissioners