

**PENNINGTON COUNTY  
BOARD OF COMMISSIONER'S MEETING  
JUSTICE CENTER – COUNTY BOARD ROOM  
TUESDAY, OCTOBER 25<sup>TH</sup>, 2022, 5:00 P.M.**

**AGENDA**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Amendments to the Agenda**

**4. Recognition of Citizens** – Individual's present may address the Board about items not on the regular agenda; no action on these items is required at this time.

**5. Approval of the Board minutes; bills**

**6. Regular Agenda**

- |      |  |
|------|--|
| 5:05 | Julie Sjostrand – Human Services Director<br>- Consent Agenda                                    |
| 5:10 | Mark Borseth – TRF Community<br>Development Consultant<br>- The Angle project update; resolution |
| 5:20 | Peter Nelson – SWCD District Manager<br>- Kratka Bridge project - WCA Decision                   |
| 5:30 | Public Hearing – Floodplain Ordinance  |
| 5:50 | Mike Flaagan – County Engineer   |
| 6:05 | Ray Kuznia – County Sheriff<br>- LEC items   |

**7. County Auditor-Treasurer Items**

**8. County Coordinator Items**

- a. Govt Center remodel update; furniture quote**
- b. 2023 insurance: dental & vision proposals**
- c. Personnel item**
- d. Other**

**9. County Attorney Items**

**10. Committee Reports / Commissioner Updates**

**11. Adjournment**

**(This agenda is subject to change)**

**OFFICIAL PROCEEDINGS  
PENNINGTON COUNTY BOARD OF COMMISSIONERS  
JUSTICE CENTER BOARD ROOM  
OCTOBER 11<sup>th</sup>, 2022 – 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 11<sup>th</sup>, 2022, at 10:00 a.m. Members Present: Seth Nelson, Bruce Lawrence, Darryl Tveitbakk, and Neil Peterson. Members present via Zoom: Dave Sorenson (non-voting).

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. The County Coordinator noted that Kayla Jore will join Sarah Lefebvre at 10:05 a.m. and thus will not present at 11:00 a.m. Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to approve the Board agenda with the change presented. Motion carried.

Recognition of Citizens: None.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to approve the Board of minutes of September 27<sup>th</sup>, 2022, as written. Motion carried.

Motioned by Commissioner Nelson, seconded by Commissioner Peterson, to approve the following Commissioner warrants, to include per diems/meal reimbursements for Commissioner Neil Peterson totaling \$1,129.27. Motion carried.

County Revenue	\$145,353.32
Road & Bridge	\$ 79,954.44
Ditch Funds	\$ 4,000.00

Per diems and meal reimbursements in the amount of \$3,030.00 were also approved.

Sarah Lefebvre of Sanford Health and Kayla Jore of Pennington & Red Lake Public Health & Home Care, met with the Board regarding Community Strong, a coalition made up of members from the county, city, schools, etc. The vision statement is a community that strives, promotes, and seeks out mental and emotional well-being. They discussed the groups strategies, plans, and desired outcomes. Funding sources were discussed, including an application by Sanford Health for a 3-year grant in the amount of approximately \$100,000 per year. The programs estimated annual budget is \$100,000. Local events include ‘Safe-Talk’, a 4-hour training to be held at the Goodridge school to recognize symptoms of depression or suicide, and a mental health awareness event that will be held in conjunction with an upcoming Goodridge/TRF basketball game.

Ms. Jore also presented a Covid-19 update for Pennington County. Case numbers are ranging from 80-110 in the past three months. 56% of people eligible for vaccination

have had the two-shot series but only 4% are up to date with booster shots. A new Omicron booster is available this fall. Flu shots and other vaccinations are being highly recommended as well. Ms. Jore noted that R.S.V. cases are rising among children and this is common as the cold and flu season arrives. She is expecting the CDC to soon approve COVID-19 booster shots for the age 5+ group. Chairman Lawrence questioned how we stand with COVID cases in comparison to other counties. With only lab-proven positive tests to go off of, with no way of knowing home testing results, it's hard to compare our county with others. She noted that the Omicron booster is a Moderna product, but it can be taken by Pfizer vaccination recipients. Ms. Jore noted that their business name has now officially changed from Inter-County Nursing Service to 'Pennington & Red Lake Public Health & Home Care'. The Board thanked Ms. Jore for her report.

County Engineer Mike Flaagan discussed two pickup trucks budgeted for 2023. With no state bid available, he obtained local bids from Thief River Ford and Northern Motors (Westside Motors/Dodge was unable to quote) and is recommending we order one Chevrolet ½ ton pickup and one Chevrolet ¾ ton pickup now to secure the lower pricing. Running boards and a block heater would also be added to each vehicle at a cost of \$895.00 each. Mr. Flaagan noted that Sentence to Serve is in need of a crew cab truck, so when the new ½ ton truck arrives, the old truck will be sold to Sentence to Serve at its book value, along with a snowplow. Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk, to order one Chevrolet ½ ton pickup and one ¾ ton pickup truck from Northern Motors at the quoted prices of \$47,020.00 and \$48,135.00, respectively. Discussion followed with Mr. Flaagan confirming that these purchases will be funded with the 2023 budget. Hearing no further discussion, the motion was carried.

Mr. Flaagan noted he is awaiting quotes on tractors budgeted for in 2023, and he hopes to have the quotes in time for the October 25<sup>th</sup>, 2022, County Board meeting.

Mr. Flaagan noted he is awaiting an update from I-State regarding the truck on order.

Engineer Flaagan noted he is working on a Memorandum of Understanding with the I.U.O.E. Local #49 union regarding the winter, early shift for one Highway Equipment Operator, which will be similar to the M.O.U. from the winter of 2021/2022.

Commissioner Lawrence opened discussion on a GIS proposal by 95West Aerial Mapping. Pennington County and the City of TRF have met with 95West to discuss aerial mapping and possible lidar mapping of the county, to be held in conjunction with mapping that will be done for the City of TRF. Estimated costs to the county are \$35,000. The Chairman asked the Auditor-Treasurer to obtain a contract with 95West Aerial Mapping for future presentation to the Board.

Peter Nelson – Pennington County SWCD District Manager, discussed a WCA decision regarding the #18 fairway at the Thief River Golf Club. A conditional use permit is needed as over 3000 cubic yards will be needed to raise the #18 fairway. The permit application was submitted on September 13<sup>th</sup>, 2022, and a hydraulic analysis was

conducted. The fill to raise the fairway will be taken from an adjacent area and within the same floodplain.

The Board meeting was recessed at 10:39 a.m. and the Chairman opened the Public Hearing regarding a TR Golf Club Conditional Use Permit.

Hearing no comment on the plan from anyone present regarding the conditional use permit request as discussed earlier by Mr. Nelson, the Hearing was closed at 10:40 a.m. and the Board meeting was called back to order.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Nelson, to approve a conditional use permit application for the TR Golf Club regarding re-grading and improvement to the #18 fairway. Discussion followed with Mr. Nelson recommending the addition of native vegetation to the plan to help with erosion control. The Golf Club would like to start this project asap, but timing of the project is critical due to avoid seasonal flooding, etc. Following discussion, the motion was carried.

Mr. Nelson noted that the Pennington County Floodplain Management Ordinance is being updated, and a Public Hearing regarding the Ordinance has been scheduled for 5:30 p.m. on October 25<sup>th</sup>, 2022, in the County Board Room.

Bryanna Greffthen – Pennington County SWCD Water Resources Specialist, presented the 2022-2023 Aquatic Invasive Species (AIS) plan for Pennington County. \$20,475 will be received in 2023 to implement the plan, a slight increase over 2022. The SWCD will attend trainings and webinars regarding AIS and will publicize efforts to reduce the spreading of AIS. Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk, to approve the Pennington County 2022/2023 AIS plan as presented. Motion carried.

Pennington County Emergency Management Director Erik Beitel presented the following updates:

- The emergency warning system upgrade and new siren project is nearly complete; all systems are running and functional. The work was done in conjunction with Stone's Mobile Radio and the new siren is located in County Estates mobile home park of Smiley Township.
- Mr. Beitel received notification that Pennington County is now designated a 'Storm-Ready' county.
- FEMA scoping meetings have all been conducted in the county. Pennington is about 90% complete with project repairs. Site inspections are scheduled, and some larger culverts delivered this fall and will be installed this year yet if weather allows. The bridge slope repair projects are being designed now and will be completed in 2023.
- Mr. Beitel and Grant Nelson will be attending F.A.A. lecture and training regarding drones; county departments continue to discuss drone equipment.

- The State of MN has been approved for mitigation funding, which is applicable to the riverside erosion in TRF. Pennington County will be applying for the mitigation funding, and other local entities are expected to apply as well.

County Sheriff Ray Kuznia presented a letter of resignation by Deputy Sheriff Jordin Gunderson. Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to approve the resignation of Full-Time Deputy Sheriff Jordin Gunderson effective October 20<sup>th</sup>, 2022. Motion carried.

Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to authorize the County Sheriff to advertise for the soon-vacant position of Full-Time Deputy Sheriff. Motion carried.

Auditor-Treasurer Items: None.

County Coordinator Items:

Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to change the start time of the December 13<sup>th</sup>, 2022, County Board meeting from 10:00 a.m. to 5:00 p.m. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to schedule a Truth in Taxation meeting for December 13<sup>th</sup>, 2022, at 6:00 p.m. in the County Board Room. Motion carried.

Motioned by Commissioner Nelson, seconded by Commissioner Peterson, to change the date of the last, scheduled Board meeting of 2022 from December 27<sup>th</sup>, 2022, to December 29<sup>th</sup>, 2022, at 5:00 p.m. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to approve a quote by Budget Electronics in the amount of \$3,999.95 for appliances as part of the 1<sup>st</sup> floor breakroom remodel project in the Government Center. The quote includes two fridges, one range, one range hood, and one dishwasher. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Nelson, to increase the county's annual contribution to full-time employee HSA or VEBA savings accounts for the \$5,000/\$10,000 HSA/VEBA deductible plans exclusively to \$3,150 for single contracts and \$3,800 for family contracts, effective January 1<sup>st</sup>, 2023. Motion carried.

Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk, to approve renewal of a contract with USI Consulting Group, Inc., commonly known as Hildi, Inc., for GASB 75 actuarial consulting services for the period of January 1, 2023, to December 31, 2024, at a cost of \$3,000 for year 2023 and \$600-\$900 for year 2024. Motion carried.

County Attorney Items:

The Reinbold vs. State of MN trial is now complete. The sentencing date is set for December 13<sup>th</sup>, 2022, at 1:30 p.m. Mr. Duffy noted that there will be expenses such as food, mileage, etc. and they are related to the trials.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson, to authorize the County Attorney to advertise for a new, Full-Time Assistant County Attorney. Motion carried.

Committee Reports / Commissioner Updates:

Commissioner Tveitbakk noted that the TRF Regional Airport will soon have an opening for a maintenance employee due to a retirement.

Commissioner Tveitbakk announced that A.M.C. has a new business partnership with a company called Public Surplus. Government entities can partner with Public Surplus to sell surplus equipment online, including tax-forfeited property. Pennington County is exploring this option as there is no cost to the county for the service.

Motioned by Commissioner Peterson, seconded by Commissioner Nelson, to adjourn the Board meeting to October 25<sup>th</sup>, 2022, at 5:00 p.m. Motion carried.

ATTEST:

Kevin Erickson, County Coordinator  
Pennington County

Bruce Lawrence, Chairman  
Board of Commissioners

# Pennington County Financial System



Print List in Order By: 1  
1 - Fund (Page Break by Fund)   
2 - Department (Totals by Dept)   
3 - Vendor Number   
4 - Vendor Name

Explode Dist. Formulas?: Y

Paid on Behalf Of Name  
on Audit List?: N

Type of Audit List: D  
D - Detailed Audit List   
S - Condensed Audit List

Save Report Options?: N

DRAFT

# Pennington County Financial System



Danielle  
10/24/22 10:58AM

Audit List for Board **COMMISSIONER'S VOUCHERS ENTRIES**

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1 County Revenue

Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
204	<b>1375 A CUT ABOVE PAINTING</b> 01-251-000-0000-6300		1,470.00	KITCHEN WALLS AND DOOR REPAIR		REPAIRS & MAINTENANCE	Y
	<b>1375 A CUT ABOVE PAINTING</b>		<b>1,470.00</b>	1 Transactions			
91	<b>2324 BERGSTROM ELECTRIC INC</b> 01-218-000-0000-6300		1,322.51	MOTOR REPLACEMENTS RTU5/LEC	10344	REPAIRS & MAINTENANCE	N
	<b>2324 BERGSTROM ELECTRIC INC</b>		<b>1,322.51</b>	1 Transactions			
44	<b>3110 C'MON INN</b> 01-091-000-0000-6261		1,120.87	LODGING-WITNESS/ATTORNEY'S		CONSULTING & LEGAL SERVICES-A	N
	<b>3110 C'MON INN</b>		<b>1,120.87</b>	1 Transactions			
27	<b>3407 CLIMATE CONTROL, INC.</b> 01-111-000-0000-6300		2,860.00	GOVT CENTER/HEATING SYSTEM	15940	REPAIRS & MAINTENANCE	N
28	01-111-000-0000-6300		91.89	GOVT CENTER/ROOFTOP CLEANER	15941	REPAIRS & MAINTENANCE	N
	<b>3407 CLIMATE CONTROL, INC.</b>		<b>2,951.89</b>	2 Transactions			
25	<b>3408 CODE 4 SERVICES INC</b> 01-201-000-0000-6631		361.00	REMAINING/SQUAD SETUP	7674	FURNITURE & EQUIPMENT	N
	<b>3408 CODE 4 SERVICES INC</b>		<b>361.00</b>	1 Transactions			
40	<b>4310 D &amp; T VENTURES</b> 01-070-000-0000-6301		450.00	PROPERTY TAX WEBSITE SUPPORT	302030	MAINTENANCE AGREEMENT	N
	<b>4310 D &amp; T VENTURES</b>		<b>450.00</b>	1 Transactions			
201	<b>4355 DACOTAH PAPER</b> 01-251-000-0000-6403		1,005.66	TISSUE/TOWELS	28689	JANITORIAL SUPPLIES - JAIL	N
200	01-251-000-0000-6403		1,005.66	TISSUE/TOWELS	39431	JANITORIAL SUPPLIES - JAIL	N
	<b>4355 DACOTAH PAPER</b>		<b>2,011.32</b>	2 Transactions			
199	<b>13483 DEPT OF CORRECTIONS FINANCIAL SERVI</b> 01-251-000-0000-6801		1,774.00	INMATE WAGES SEPTEMBET	719781	MISCELLANEOUS EXPENSE - JAIL	N
	<b>13483 DEPT OF CORRECTIONS FINANCIAL SERVI</b>		<b>1,774.00</b>	1 Transactions			
7	<b>13059 DHS - SWIFT</b> 01-061-000-0000-6262		160.23	PVC PRINTING	A300IC57236I	OTHER SERVICES - ELECTIONS	N
	<b>13059 DHS - SWIFT</b>		<b>160.23</b>	1 Transactions			
118	<b>5369 ESRI</b> 01-103-000-0000-6301		1,280.37	ARC GIS MAINTENANCE AGREEMENT	94338443	MAINTENANCE AGREEMENT	N

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Danielle  
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5369	ESRI		1,280.37				
				1 Transactions			
<b>6001</b>	<b>FALLS DIVERSE ABILITIES CORPORATION</b>						
11	01-501-000-0000-6262		84.80	CLEAN AUDITORIUM	18172	OTHER SERVICES	N
12	01-501-000-0000-6262		73.50	CLEAN AUDITORIUM	18189	OTHER SERVICES	N
13	01-501-000-0000-6262		73.60	CLEAN AUDITORIUM	18214	OTHER SERVICES	N
<b>6001</b>	<b>FALLS DIVERSE ABILITIES CORPORATION</b>		<b>231.90</b>				
				3 Transactions			
<b>7317</b>	<b>GALLS, LLC</b>						
116	01-251-000-0000-6420		42.83	KEY HOLDER/NEW EMPLOYEES	21528020	JAILER UNIFORMS	N
<b>7317</b>	<b>GALLS, LLC</b>		<b>42.83</b>				
				1 Transactions			
<b>8014</b>	<b>HUGOS #7</b>						
38	01-003-000-0000-6330		13.02	FOOD FOR BOARD MEETING		TRAVEL & EXPENSE	N
<b>8014</b>	<b>HUGOS #7</b>		<b>13.02</b>				
				1 Transactions			
<b>999999997</b>	<b>KALASH, SARAH</b>						
211	01-251-000-0000-6245		19.33	MEAL REIMBURS - JAIL CONFERENC	11-OCT	CONTINUING EDUCATION	N
212	01-251-000-0000-6245		12.16	MEAL REIMBURS - JAIL CONFERENC	12-OCT	CONTINUING EDUCATION	N
<b>999999997</b>	<b>KALASH, SARAH</b>		<b>31.49</b>				
				2 Transactions			
<b>11355</b>	<b>KOLSTOE/JILL</b>						
18	01-091-000-0000-6401		13.24	POSTAGE		SUPPLIES	N
19	01-091-000-0000-6401		16.75	CERTIFIED COPIES	36271487	SUPPLIES	N
<b>11355</b>	<b>KOLSTOE/JILL</b>		<b>29.99</b>				
				2 Transactions			
<b>999999997</b>	<b>LAWRENCE BUILDERS</b>						
1	01-804-000-0000-6636		14,550.00	LOWER LEVEL REMODEL - ARPA		BUILDING IMPROVEMENTS	N
<b>999999997</b>	<b>LAWRENCE BUILDERS</b>		<b>14,550.00</b>				
				1 Transactions			
<b>12037</b>	<b>LEE PLUMBING &amp; HEATING</b>						
92	01-218-000-0000-6300		1,376.54	IGNITION FAILURE/BOILER	88044	REPAIRS & MAINTENANCE	N
<b>12037</b>	<b>LEE PLUMBING &amp; HEATING</b>		<b>1,376.54</b>				
				1 Transactions			
<b>13304</b>	<b>M.B. MCGEE</b>						
39	01-091-000-0000-6261		3,150.00	WITNESS PREP/TRAVEL TIME	57-CR-21-506	CONSULTING & LEGAL SERVICES-A	N
<b>13304</b>	<b>M.B. MCGEE</b>		<b>3,150.00</b>				
				1 Transactions			
<b>13535</b>	<b>MEND CORRECTIONAL CARE, PLLC</b>						
202	01-251-000-0000-6255		10,566.67	HEALTHCARE OCTOBER	6850	MEDICAL - LOCAL	6

# Pennington County Financial System



Danielle  
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Audit List for Board **COMMISSIONER'S VOUCHERS ENTRIES**

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1 County Revenue

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13535	MEND CORRECTIONAL CARE, PLLC		10,566.67		1 Transactions		
43	13244 MN ATTORNEY GENERAL'S OFFICE 01-091-000-0000-6261		1,728.90	MILEAGE & MEALS 57-CR-21-506	719268	CONSULTING & LEGAL SERVICES-A	N
	13244 MN ATTORNEY GENERAL'S OFFICE		1,728.90		1 Transactions		
115	999999997 MOETIVATOINS, INC 01-220-000-0000-6245		100.00	LEADERSHIP TRAINING/SC	220211	CONTINUING EDUCATION	N
	999999997 MOETIVATOINS, INC		100.00		1 Transactions		
26	14328 NELSON/BRANDY 01-251-000-0000-6420		109.21	UNIFORM ALLOWANCE		JAILER UNIFORMS	N
	14328 NELSON/BRANDY		109.21		1 Transactions		
29	14372 NORIX GROUP INC 01-251-000-0000-6631		4,192.50	25 BLUE MATTRESSES	84833	FURNITURE & EQUIPMENT - JAIL	N
	14372 NORIX GROUP INC		4,192.50		1 Transactions		
114	999999997 NORTH COUNTRY GM 01-201-000-0000-6631		41,175.52	2023 TAHOE	4000897	FURNITURE & EQUIPMENT	N
	999999997 NORTH COUNTRY GM		41,175.52		1 Transactions		
50	14315 NORTHERN MOTORS INC 01-290-000-0000-6801		126.41	COUNTY VEHICLE REPAIR	6014116/1	Miscellaneous Expense	N
	14315 NORTHERN MOTORS INC		126.41		1 Transactions		
33	15323 OFFICE DEPOT 01-201-000-0000-6405		19.40	PENS	26730839001	GENERAL SUPPLIES	N
34	01-220-000-0000-6401		208.99	TONER	267680269001	SUPPLIES	N
111	01-220-000-0000-6631		349.99	4KL MONITOR	272611848001	FURNITURE & EQUIPMENT	N
8	01-801-000-0000-6401		76.32	PAPER	272868728001	SUPPLIES-UNALLOCATED	N
9	01-801-000-0000-6401		4.78	FINGERTIP MOISTENER	272868728001	SUPPLIES-UNALLOCATED	N
10	01-801-000-0000-6401		3.09	FINGERTIP MOISTENER	272868728001	SUPPLIES-UNALLOCATED	N
	15323 OFFICE DEPOT		662.57		6 Transactions		
32	15329 OIL BOYZ EXPRESS LUBE INC 01-201-000-0000-6304		67.40	OIL CHANGE/SERVICE #08	176610	REPAIR & MAINTENANCE - SQUADS	N
31	01-201-000-0000-6304		75.94	OIL CHANGE/SERVICE CHARGER	176727	REPAIR & MAINTENANCE - SQUADS	N
110	01-201-000-0000-6304		75.94	OIL CHANGE/SERVICE 20 DURANGO	176757	REPAIR & MAINTENANCE - SQUADS	N

# Pennington County Financial System



Danielle  
10/24/22 10:58AM

Audit List for Board **COMMISSIONER'S VOUCHERS ENTRIES**

1 County Revenue

Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
<b>15329</b>	<b>OIL BOYZ EXPRESS LUBE INC</b>		<b>219.28</b>		<b>3 Transactions</b>		
<b>16056</b>	<b>PAINT &amp; GLASS INTERIORS</b>						
37	01-804-000-0000-6636		250.09	LOWER LEVEL REMODEL-ARPA	10066	BUILDING IMPROVEMENTS	N
36	01-804-000-0000-6636		8,722.64	LOWER LEVEL REMODEL-ARPA	9386	BUILDING IMPROVEMENTS	N
<b>16056</b>	<b>PAINT &amp; GLASS INTERIORS</b>		<b>8,972.73</b>		<b>2 Transactions</b>		
<b>16463</b>	<b>PAUTZKE/TAMRA</b>						
20	01-272-000-0000-6330		94.50	FLIGHT TO MPLS FOR TRAINING		Travel & Expense	N
<b>16463</b>	<b>PAUTZKE/TAMRA</b>		<b>94.50</b>		<b>1 Transactions</b>		
<b>16067</b>	<b>PEMBERTON LAW, P.L.L.P.</b>						
14	01-091-000-0000-6262		1,080.00	LEGAL FEES		OTHER SERVICES	Y
112	01-201-000-0000-6801		88.00	SO MATTER		MISCELLANEOUS EXPENSE	Y
<b>16067</b>	<b>PEMBERTON LAW, P.L.L.P.</b>		<b>1,168.00</b>		<b>2 Transactions</b>		
<b>16359</b>	<b>PENNINGTON COUNTY CRIME VICTIM</b>						
21	01-272-000-0000-6262		110.90	\$100 VISA/MASTERCARD CARDS		Other Services	N
22	01-272-000-0000-6401		28.75	WITNESS PREP 57-CR-22-301		SUPPLIES - CRIME VICTIM	N
23	01-272-000-0000-6330		25.00	TRAINING FEES-DOMESTIC VIOLENC	001138	Travel & Expense	N
45	01-272-000-0000-6262		2,433.30	REIMBURSE EXPENSES FOR VICTIM	57-CR-21-406	Other Services	N
49	01-272-000-0000-6262		105.95	\$100 VISA CARD	57-CR-21-506	Other Services	N
206	01-272-000-0000-6262		57.90	VISA/MC CARD FOR VICTIM	57-JV-22-646	Other Services	N
48	01-272-000-0000-6401		137.64	TRIAL AND OFFICE SUPPLIES	CK #001127	SUPPLIES - CRIME VICTIM	N
47	01-272-000-0000-6401		55.81	TRIAL AND OFFICE SUPPLIES	CK #001129	SUPPLIES - CRIME VICTIM	N
46	01-272-000-0000-6401		18.46	TRIAL AND OFFICE SUPPLIES	CK#001128	SUPPLIES - CRIME VICTIM	N
<b>16359</b>	<b>PENNINGTON COUNTY CRIME VICTIM</b>		<b>2,973.71</b>		<b>9 Transactions</b>		
<b>16317</b>	<b>PENNINGTON COUNTY HIGHWAY DEPT</b>						
113	01-255-000-0000-6631		24,000.00	2015 K2500 CHEVROLET W/PLOW	10-A	SUPPLIES & EQUIPMENT - S.T.S.	N
<b>16317</b>	<b>PENNINGTON COUNTY HIGHWAY DEPT</b>		<b>24,000.00</b>		<b>1 Transactions</b>		
<b>16027</b>	<b>PENNINGTON COUNTY TREASURER</b>						
3	01-041-000-0000-6300		1,576.00	REIMBURS READITECH BILLING		REPAIRS & MAINTENANCE	N
6	01-091-000-0000-6301		218.00	REIMBURS READITECH BILLING		MAINTENANCE AGREEMENT	N
2	01-106-000-0000-6300		342.75	REIMBURS READITECH BILLING		REPAIRS & MAINTENANCE	N
4	01-601-000-0000-6209		335.66	POSTAGE - JULY/SEPT		POSTAGE	N
5	01-601-000-0000-6300		58.64	REIMBURS READITECH BILLING		REPAIRS & MAINTENANCE	N
51	01-132-000-0000-6300		71.00	REIMBURSE READITECH BILLING	4202	REPAIRS & MAINTENANCE	N
52	01-132-000-0000-6300		28.00	REIMBURSE READITECH BILLING	4202	REPAIRS & MAINTENANCE	N

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Audit List for Board **COMMISSIONER'S VOUCHERS ENTRIES**

1 County Revenue

Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
53	01-132-000-0000-6300		70.00	REIMBURSE READITECH BILLING	4202	REPAIRS & MAINTENANCE	N
	<b>16027 PENNINGTON COUNTY TREASURER</b>		<b>2,700.05</b>	<b>8 Transactions</b>			
	<b>16079 PETERSON LUMBER</b>						
97	01-218-000-0000-6300		42.59	SHEETROCK/FOAM-BASEMENT DISPAT	2205-028052	REPAIRS & MAINTENANCE	N
98	01-251-000-0000-6302		882.05	KITCHEN CEILING TILE	2210-034201	KITCHEN REPAIRS & EXPENSE	N
	<b>16079 PETERSON LUMBER</b>		<b>924.64</b>	<b>2 Transactions</b>			
	<b>16460 POMP'S TIRE SERVICE, INC</b>						
24	01-201-000-0000-6304		28.62	TIRE REPAIR #06	1550018402	REPAIR & MAINTENANCE - SQUADS	N
	<b>16460 POMP'S TIRE SERVICE, INC</b>		<b>28.62</b>	<b>1 Transactions</b>			
	<b>16448 PREMIUM WATERS, INC.</b>						
41	01-601-000-0000-6401		30.50	SEPTEMBER WATER BILL	176888	SUPPLIES - EXTENSION	N
	<b>16448 PREMIUM WATERS, INC.</b>		<b>30.50</b>	<b>1 Transactions</b>			
	<b>17002 QUILL CORPORATION</b>						
59	01-132-000-0000-6401		451.98	HP89X - MOTOR VEHICLE	24578096	SUPPLIES - MOTOR VEHICLE	N
60	01-091-000-0000-6401		151.98	DVDR	25970366	SUPPLIES	N
54	01-041-000-0000-6401		88.99	HP414A BLACK TONER	26790938	SUPPLIES - AUDITOR	N
55	01-061-000-0000-6401		6.07	BIC BLACK PEN	26790938	SUPPLIES-ELECTION	N
56	01-801-000-0000-6401		18.49	POST IT 3X3	26790938	SUPPLIES-UNALLOCATED	N
57	01-801-000-0000-6401		31.99	ENVELOPES 10X13	26790938	SUPPLIES-UNALLOCATED	N
58	01-801-000-0000-6401		20.29	DURACELL AAA BATTERIES	26790938	SUPPLIES-UNALLOCATED	N
	<b>17002 QUILL CORPORATION</b>		<b>769.79</b>	<b>7 Transactions</b>			
	<b>18440 READITECH IT SOLUTIONS</b>						
99	01-220-000-0000-6263		876.00	IT GLOBAL CARE/SEPTEMBER	252761	COMPUTER SERVICES & SUPPLIES	N
101	01-201-000-0000-6210		42.45	HOSTED EXCHANGE-SEPT	252789	E-MAIL SERVICES	N
102	01-201-000-0000-6210		76.00	POP EMAIL-SEPTEMBER	252789	E-MAIL SERVICES	N
103	01-201-000-0000-6210		156.15	EMAIL ARCHIVING-SEPTEMBER	252789	E-MAIL SERVICES	N
106	01-201-000-0000-6210		42.45	HOSTED EXCHANGE - OCT	252789	E-MAIL SERVICES	N
107	01-201-000-0000-6210		76.00	POP EMAIL OCTOBER	252789	E-MAIL SERVICES	N
108	01-201-000-0000-6210		156.15	EMAIL ARCHIVING - OCT	252789	E-MAIL SERVICES	N
105	01-201-000-0000-6300		201.25	HOSTED OFFICE APPS - OCT	252789	REPAIRS & MAINTENANCE	N
100	01-220-000-0000-6263		201.25	HOSTED OFFICE APPS/SEPTEMBER	252789	COMPUTER SERVICES & SUPPLIES	N
109	01-201-000-0000-6300		99.99	BACK UP HARD DRIVE ISSUE	256025	REPAIRS & MAINTENANCE	N
104	01-220-000-0000-6263		876.00	IT GLOBAL CARE - OCTOBER	256419	COMPUTER SERVICES & SUPPLIES	N
	<b>18440 READITECH IT SOLUTIONS</b>		<b>2,803.69</b>	<b>11 Transactions</b>			

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Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
30	<b>19511 SANFORD HEALTH OCCUPATIONAL MEDIC</b>						
	01-201-000-0000-6262		149.00	DRUG SCREEN/PREPLACEMENT AB	683219	OTHER SERVICES	6
	<b>19511 SANFORD HEALTH OCCUPATIONAL MEDIC</b>		<b>149.00</b>	1 Transactions			
	<b>19369 SANFORD PATIENT FINANCIAL SERVICES</b>						
172	01-251-000-0000-6255		58.99	DR. 4020	143227405	MEDICAL - LOCAL	6
173	01-251-000-0000-6255		91.96	DR. 4020	143246118	MEDICAL - LOCAL	6
175	01-251-000-0000-6255		4.30	DR. 3952	143683569	MEDICAL - LOCAL	6
160	01-251-000-0000-6255		7.59	DR. 4090	145316057	MEDICAL - LOCAL	6
176	01-251-000-0000-6255		7.59	DR. 4090	145316057	MEDICAL - LOCAL	6
161	01-251-000-0000-6255		5.81	DR. 4090	145348991	MEDICAL - LOCAL	6
177	01-251-000-0000-6255		5.81	DR. 4090	145348991	MEDICAL - LOCAL	6
162	01-251-000-0000-6255		85.58	DR. 4099	146348702	MEDICAL - LOCAL	6
163	01-251-000-0000-6255		58.99	DR. 4228	146468515	MEDICAL - LOCAL	6
167	01-251-000-0000-6255		396.55	DR. 4142	146692501	MEDICAL - LOCAL	6
189	01-251-000-0000-6255		396.55	DR. 4142	146692501	MEDICAL - LOCAL	6
174	01-251-000-0000-6255		61.00	DR. 4142	146692552	MEDICAL - LOCAL	6
182	01-251-000-0000-6255		35.66	DR. 4140	1469246668	MEDICAL - LOCAL	6
164	01-251-000-0000-6255		85.58	DR. 4142	146994542	MEDICAL - LOCAL	6
168	01-251-000-0000-6255		2,005.88	DR. 4155	147072517	MEDICAL - LOCAL	6
190	01-251-000-0000-6255		2,005.88	DR. 4155	147072517	MEDICAL - LOCAL	6
165	01-251-000-0000-6255		8.09	DR. 4155	147073093	MEDICAL - LOCAL	6
166	01-251-000-0000-6255		58.58	DR. 4155	147357725	MEDICAL - LOCAL	6
169	01-251-000-0000-6255		526.90	DR. 4168	147543336	MEDICAL - LOCAL	6
191	01-251-000-0000-6255		526.90	DR. 4169	147543336	MEDICAL - LOCAL	6
170	01-251-000-0000-6255		680.35	DR. 4169	147700852	MEDICAL - LOCAL	6
192	01-251-000-0000-6255		680.35	DR. 4169	147700852	MEDICAL - LOCAL	6
171	01-251-000-0000-6255		1,609.76	DR. 4171	147781702	MEDICAL - LOCAL	6
193	01-251-000-0000-6255		1,976.48	DR. 4171	147781702	MEDICAL - LOCAL	6
178	01-251-000-0000-6255		50.38	DR. 4056	147930074	MEDICAL - LOCAL	6
179	01-251-000-0000-6255		85.58	DR. 4169	148032852	MEDICAL - LOCAL	6
180	01-251-000-0000-6255		85.58	DR. 4171	148129126	MEDICAL - LOCAL	6
194	01-251-000-0000-6255		1,531.03	DR. 4092	148964226	MEDICAL - LOCAL	6
181	01-251-000-0000-6255		29.34	DR. 4092	149061835	MEDICAL - LOCAL	6
195	01-251-000-0000-6255		3,016.06	DR. 4140	149244455	MEDICAL - LOCAL	6
183	01-251-000-0000-6255		85.58	DR. 4092	149408829	MEDICAL - LOCAL	6
184	01-251-000-0000-6255		85.58	DR. 4140	149440795	MEDICAL - LOCAL	6
196	01-251-000-0000-6255		740.30	DR. 4062	149803378	MEDICAL - LOCAL	6
185	01-251-000-0000-6255		5.81	DR. 4062	149825469	MEDICAL - LOCAL	6

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186	01-251-000-0000-6255		6.07	DR. 4228	150181913	MEDICAL - LOCAL	6
197	01-251-000-0000-6255		492.25	DR. 4291	150367393	MEDICAL - LOCAL	6
187	01-251-000-0000-6255		44.80	DR. 4131	150370099	MEDICAL - LOCAL	6
198	01-251-000-0000-6255		233.20	DR. 4235	150474747	MEDICAL - LOCAL	6
188	01-251-000-0000-6255		124.06	DR. 4228	150480473	MEDICAL - LOCAL	6
<b>19369</b>	<b>SANFORD PATIENT FINANCIAL SERVICES</b>		<b>17,996.75</b>				
				39 Transactions			
<b>19356</b>	<b>SAYLER DDS/BENJAMIN A</b>						
205	01-251-000-0000-6255		1,130.00	EXTRACTION	10776	MEDICAL - LOCAL	6
<b>19356</b>	<b>SAYLER DDS/BENJAMIN A</b>		<b>1,130.00</b>				
				1 Transactions			
<b>19319</b>	<b>SEACHANGE</b>						
15	01-061-000-0000-6401		40.17	GENERAL ELECTION -BALLOT STOCK	INV012877	SUPPLIES-ELECTION	N
<b>19319</b>	<b>SEACHANGE</b>		<b>40.17</b>				
				1 Transactions			
<b>19547</b>	<b>SKILLET KITCHEN</b>						
210	01-251-000-0000-6427		1,723.04	INMATE MEALS	1484	JAIL MEALS	N
209	01-251-000-0000-6427		548.21	INMATE MEALS	1530	JAIL MEALS	N
208	01-251-000-0000-6427		6,248.44	INMATE MEALS	1531	JAIL MEALS	N
<b>19547</b>	<b>SKILLET KITCHEN</b>		<b>8,519.69</b>				
				3 Transactions			
<b>19352</b>	<b>STATE OF MN-DEPT OF PUBLIC SAFETY</b>						
96	01-220-000-0000-6203		1,080.00	CJDN CHARGES/JUNLY22-JUNE23	718113	TELETYPE	N
<b>19352</b>	<b>STATE OF MN-DEPT OF PUBLIC SAFETY</b>		<b>1,080.00</b>				
				1 Transactions			
<b>19550</b>	<b>SUMMIT FOOD SERVICE MANAGEMENT LL</b>						
203	01-251-000-0000-6427		4,377.86	JAIL MEALS 9/24/22 TO 9/30/22	154548	JAIL MEALS	N
<b>19550</b>	<b>SUMMIT FOOD SERVICE MANAGEMENT LL</b>		<b>4,377.86</b>				
				1 Transactions			
<b>20403</b>	<b>THIBERT/ALEX</b>						
93	01-252-000-0000-6330		30.00	MEAL REIMBURSEMENT-TZD		TRAVEL & EXPENSE	N
94	01-252-000-0000-6330		23.10	MEAL REIMBURSEMENT-TZD		TRAVEL & EXPENSE	N
<b>20403</b>	<b>THIBERT/ALEX</b>		<b>53.10</b>				
				2 Transactions			
<b>20047</b>	<b>THRIFTY WHITE PHARMACY</b>						
117	01-251-000-0000-6255		24.64	CORPORAT CHARGE/MAR		MEDICAL - LOCAL	N
137	01-251-000-0000-6255		3.99	PRESCRIPTION 4277	11301	MEDICAL - LOCAL	N
144	01-251-000-0000-6255		23.77	PRESCRIPTION 4133	11575	MEDICAL - LOCAL	N
131	01-251-000-0000-6255		70.85	PRESCRIPTION 4092	13012	MEDICAL - LOCAL	N
148	01-251-000-0000-6255		7.89	PRESCRIPTION 3455	15148	MEDICAL - LOCAL	N

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Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
157	01-251-000-0000-6255		28.16	PRESCRIPTION 4221	15384	MEDICAL - LOCAL	N
146	01-251-000-0000-6255		33.24	PRESCRIPTION 4056	27341	MEDICAL - LOCAL	N
122	01-251-000-0000-6255		9.48	PRESCRIPTION 4294	3237	MEDICAL - LOCAL	N
123	01-251-000-0000-6255		31.92	PRESCRIPTION 4236	3262	MEDICAL - LOCAL	N
153	01-251-000-0000-6255		144.96	PRESCRIPTION 4228	37582	MEDICAL - LOCAL	N
135	01-251-000-0000-6255		12.47	PRESCRIPTION 4131	41225	MEDICAL - LOCAL	N
120	01-251-000-0000-6255		3.99	PRESCRIPTION 4244	45421	MEDICAL - LOCAL	N
143	01-251-000-0000-6256		7.98	PRESCRIPTION 4058	46892	MEDICAL - REIMBURSED	N
151	01-251-000-0000-6256		8.58	PRESCRIPTION 4248	53424	MEDICAL - REIMBURSED	N
138	01-251-000-0000-6255		5.49	PRESCRIPTION 4140	56907	MEDICAL - LOCAL	N
129	01-251-000-0000-6255		32.54	PRESCRIPTION 4281	57173	MEDICAL - LOCAL	N
145	01-251-000-0000-6255		156.25	PRESCRIPTION 4223	58047	MEDICAL - LOCAL	N
127	01-251-000-0000-6255		28.27	PRESCRIPTION 4159	58889	MEDICAL - LOCAL	N
147	01-251-000-0000-6255		3.99	PRESCRIPTION 4247	60322	MEDICAL - LOCAL	N
132	01-251-000-0000-6255		21.45	PRESCRIPTION 4256	61542	MEDICAL - LOCAL	N
119	01-251-000-0000-6255		22.76	PRESCRIPTION 4275	63265	MEDICAL - LOCAL	N
150	01-251-000-0000-6255		23.94	PRESCRIPTION 4274	63535	MEDICAL - LOCAL	N
128	01-251-000-0000-6255		550.76	PRESCRIPTION 4024	64381	MEDICAL - LOCAL	N
152	01-251-000-0000-6256		12.58	PRESCRIPTION 3888	64710	MEDICAL - REIMBURSED	N
141	01-251-000-0000-6256		15.96	PRESCRIPTION 4062	65837	MEDICAL - REIMBURSED	N
139	01-251-000-0000-6255		3.99	PRESCRIPTION 4240	66004	MEDICAL - LOCAL	N
140	01-251-000-0000-6256		3.99	PRESCRIPTION 4266	67294	MEDICAL - REIMBURSED	N
125	01-251-000-0000-6256		5.09	PRESCRIPTION 3883	67353	MEDICAL - REIMBURSED	N
155	01-251-000-0000-6256		15.97	PRESCRIPTION 4031	67517	MEDICAL - REIMBURSED	N
154	01-251-000-0000-6256		7.98	PRESCRIPTION 3949	67591	MEDICAL - REIMBURSED	N
159	01-251-000-0000-6256		20.86	PRESCRIPTION 4190	67744	MEDICAL - REIMBURSED	N
130	01-251-000-0000-6256		31.92	PRESCRIPTION 4191	67745	MEDICAL - REIMBURSED	N
126	01-251-000-0000-6256		13.87	PRESCRIPTION 4160	67769	MEDICAL - REIMBURSED	N
124	01-251-000-0000-6255		3.99	PRESCRIPTION 4235	67823	MEDICAL - LOCAL	N
156	01-251-000-0000-6255		4.19	PRESCRIPTION 4245	67825	MEDICAL - LOCAL	N
134	01-251-000-0000-6255		21.65	PRESCRIPTION 4246	67827	MEDICAL - LOCAL	N
149	01-251-000-0000-6256		45.59	PRESCRIPTION 4255	67840	MEDICAL - REIMBURSED	N
121	01-251-000-0000-6256		41.40	PRESCRIPTION 4249	67845	MEDICAL - REIMBURSED	N
136	01-251-000-0000-6256		9.97	PRESCRIPTION 4250	67853	MEDICAL - REIMBURSED	N
158	01-251-000-0000-6256		16.66	PRESCRIPTION 4267	678574	MEDICAL - REIMBURSED	N
133	01-251-000-0000-6256		7.89	PRESCRIPTION 4264	67863	MEDICAL - REIMBURSED	N
142	01-251-000-0000-6256		4.79	PRESCRIPTION 4282	67890	MEDICAL - REIMBURSED	N
<b>20047</b>	<b>THRIFTY WHITE PHARMACY</b>		<b>1,545.71</b>		<b>42</b>	<b>Transactions</b>	

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Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
42	<b>11039 TRF RADIO</b> 01-601-000-0000-6240		100.00	NATIONAL 4-H WEEK AD	32386-1	SUBSCRIPTIONS	N
	<b>11039 TRF RADIO</b>		<b>100.00</b>	1 Transactions			
95	<b>21338 UNIVERSITY OF NORTH DAKOTA</b> 01-206-000-0000-6262		2,380.00	MED EXAM SERVICES/TOXIC-BR	A22-161/116185	OTHER SERVICES-CORONER	N
	<b>21338 UNIVERSITY OF NORTH DAKOTA</b>		<b>2,380.00</b>	1 Transactions			
35	<b>23303 WEST GROUP PAYMENT CENTER</b> 01-016-000-0000-6242		376.99	OCT SUBSCRIPTIONS	847188344	SUBSCRIPTIONS - LAW LIBRARY	N
	<b>23303 WEST GROUP PAYMENT CENTER</b>		<b>376.99</b>	1 Transactions			
<b>1 Fund Total:</b>			<b>173,424.52</b>	<b>County Revenue</b>	<b>50 Vendors</b>	<b>179 Transactions</b>	

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Audit List for Board **COMMISSIONER'S VOUCHERS ENTRIES**

3 Road & Bridge

Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
90	<b>2326 BERT'S TRUCK EQUIPMENT INC</b> 03-350-000-0000-6564		1,629.52	FOX CRANE ON TRUCK		EQUIPMENT REPAIR PARTS	N
	<b>2326 BERT'S TRUCK EQUIPMENT INC</b>		<b>1,629.52</b>	1 Transactions			
89	<b>2050 BREDESON SUPPLY</b> 03-320-000-0000-6401		18.95	NOTARY STAMP		SUPPLIES	N
	<b>2050 BREDESON SUPPLY</b>		<b>18.95</b>	1 Transactions			
88	<b>999999997 FAIRFIELD BY MARRIOTT DETROIT LAKES</b> 03-320-000-0000-6330		106.44	LODGING - MF		TRAVEL & EXPENSE	N
	<b>999999997 FAIRFIELD BY MARRIOTT DETROIT LAKES</b>		<b>106.44</b>	1 Transactions			
84	<b>6006 FARMERS UNION OIL</b> 03-350-000-0000-6556		16.99	BUG SPRAY		SHOP SUPPLIES	N
86	03-350-000-0000-6560		3,476.80	DIESEL SHOP 211		GAS & DIESEL	N
87	03-350-000-0000-6560		2,862.00	DIESEL SHOP 212		GAS & DIESEL	N
85	03-350-000-0000-6562		1,027.80	DEF FLUID		MOTOR OIL & LUBRICANTS	N
	<b>6006 FARMERS UNION OIL</b>		<b>7,383.59</b>	4 Transactions			
83	<b>6350 FLAAGAN/MIKE</b> 03-320-000-0000-6330		13.26	MEALS 10/13-10/14		TRAVEL & EXPENSE	N
	<b>6350 FLAAGAN/MIKE</b>		<b>13.26</b>	1 Transactions			
82	<b>8356 HOUSTON ENGINEERING INC</b> 03-330-000-0000-6261		2,340.66	ENGINEERING KRATKA BRIDGE		CONSULTING & LEGAL SERVICES	N
	<b>8356 HOUSTON ENGINEERING INC</b>		<b>2,340.66</b>	1 Transactions			
81	<b>8014 HUGOS #7</b> 03-350-000-0000-6556		69.62	TP, PT, SOAP		SHOP SUPPLIES	N
	<b>8014 HUGOS #7</b>		<b>69.62</b>	1 Transactions			
80	<b>12302 LOCATORS &amp; SUPPLIES INC</b> 03-350-000-0000-6551		4,700.00	BARRICADE DRUMS		SIGNS	N
	<b>12302 LOCATORS &amp; SUPPLIES INC</b>		<b>4,700.00</b>	1 Transactions			
78	<b>13393 MINNESOTA NORTHERN RAILROAD INC</b> 03-350-000-0000-6252		46.00	ELECTRICITY RR SIGNAL SEPT		ELECTRICITY	N
79	03-350-000-0000-6551		84.22	SIGNS		SIGNS	N
	<b>13393 MINNESOTA NORTHERN RAILROAD INC</b>		<b>130.22</b>	2 Transactions			

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3 Road & Bridge

Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
77	<b>13033 MN COUNTIES INTERGOVERNMENTAL TRU</b> 03-803-000-0000-6355		138.00	MOTORGRADER ADD ON		INSURANCE - PROPERTY CASUALT	N
	<b>13033 MN COUNTIES INTERGOVERNMENTAL TRU</b>		<b>138.00</b>	1 Transactions			
76	<b>14440 NORTHDALE OIL INC.</b> 03-350-000-0000-6560		7,663.03	GAS & DIESEL SHOP 500		GAS & DIESEL	N
	<b>14440 NORTHDALE OIL INC.</b>		<b>7,663.03</b>	1 Transactions			
70	<b>16027 PENNINGTON COUNTY TREASURER</b> 03-320-000-0000-6263		445.71	IT GLOBAL APRIL 2022	4189	COMPUTER SERVICES	N
71	03-320-000-0000-6263		445.71	IT GLOBAL MAY 2022	4189	COMPUTER SERVICES	N
72	03-320-000-0000-6263		445.71	IT GLOBAL JUNE 2022	4189	COMPUTER SERVICES	N
73	03-320-000-0000-6263		445.71	IT GLOBAL JULY 2022	4189	COMPUTER SERVICES	N
74	03-320-000-0000-6263		445.71	IT GLOBAL AUGUST 2022	4189	COMPUTER SERVICES	N
75	03-320-000-0000-6263		445.71	IT GLOBAL SEPT 2022	4189	COMPUTER SERVICES	N
	<b>16027 PENNINGTON COUNTY TREASURER</b>		<b>2,674.26</b>	6 Transactions			
69	<b>16314 PENNINGTON FAST LUBE</b> 03-350-000-0000-6564		31.95	CHANGE OIL		EQUIPMENT REPAIR PARTS	Y
	<b>16314 PENNINGTON FAST LUBE</b>		<b>31.95</b>	1 Transactions			
67	<b>17002 QUILL CORPORATION</b> 03-320-000-0000-6401		434.38	TONER POST ITS, WHITE OUT		SUPPLIES	N
68	03-320-000-0000-6401		198.98	CAT 5 LINE AND CONNECTORS		SUPPLIES	N
	<b>17002 QUILL CORPORATION</b>		<b>633.36</b>	2 Transactions			
66	<b>999999997 SIGN SOLUTIONS</b> 03-350-000-0000-6551		4,704.46	SIGN POSTS		SIGNS	N
	<b>999999997 SIGN SOLUTIONS</b>		<b>4,704.46</b>	1 Transactions			
65	<b>20309 TRUE NORTH STEEL</b> 03-350-000-0000-6549		6,570.00	48" PIPE		CULVERTS	N
	<b>20309 TRUE NORTH STEEL</b>		<b>6,570.00</b>	1 Transactions			
<b>3 Fund Total:</b>			<b>38,807.32</b>	<b>Road &amp; Bridge</b>	<b>16 Vendors</b>	<b>26 Transactions</b>	

# Pennington County Financial System



Danielle  
10/24/22 10:58AM

Audit List for Board **COMMISSIONER'S VOUCHERS ENTRIES**

Page 13

**32** Solid Waste Facility

Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
12123	LES'S SANITATION SERVICE						
207	32-390-000-0000-6269		4,354.98	COMPUTER/TV RECYCLING	14OCTOBER2022	GENERAL CONTRACTS	N
12123	LES'S SANITATION SERVICE		4,354.98	1 Transactions			
<b>32 Fund Total:</b>			<b>4,354.98</b>	<b>Solid Waste Facility</b>	<b>1 Vendors</b>	<b>1 Transactions</b>	

DRAFT

# Pennington County Financial System



Danielle  
10/24/22 10:58AM

Audit List for Board **COMMISSIONER'S VOUCHERS ENTRIES**

Page 14

**35** Justice Center Jail Bond Fun

Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
16	<b>1450 ASSOCIATED BANK GREEN BAY, N.A.</b> 35-940-000-0000-6706		475.00	FEES - JC JAIL BOND 2016A	23488	COSTS - J.C. JAIL BOND FUND	N
	<b>1450 ASSOCIATED BANK GREEN BAY, N.A.</b>		<b>475.00</b>	1 Transactions			
<b>35 Fund Total:</b>			<b>475.00</b>	<b>Justice Center Jail Bond Fund</b>	<b>1 Vendors</b>	<b>1 Transactions</b>	

DRAFT

# Pennington County Financial System



Danielle  
10/24/22 10:58AM

Audit List for Board **COMMISSIONER'S VOUCHERS ENTRIES**

Page 15

**36** Justice Center Capital Improv

Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
17	<b>1450 ASSOCIATED BANK GREEN BAY, N.A.</b> 36-941-000-0000-6706		475.00	FEES -JC CAP IMP BOND 2016B	23487	COSTS - J.C. CAPITAL IMPR BOND	N
	<b>1450 ASSOCIATED BANK GREEN BAY, N.A.</b>		<b>475.00</b>	1 Transactions			
<b>36 Fund Total:</b>			<b>475.00</b>	<b>Justice Center Capital Improve</b>	<b>1 Vendors</b>	<b>1 Transactions</b>	

DRAFT

# Pennington County Financial System



Danielle  
10/24/22 10:58AM

Audit List for Board **COMMISSIONER'S VOUCHERS ENTRIES**

Page 16

**40** Ditch Funds

Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
<b>20309 TRUE NORTH STEEL</b>							
61	40-721-000-0000-6262		10,094.00	CPS HELICAL GALV 60" ARCH 50'	FP0000022876	OTHER SERVICES	N
62	40-744-000-0000-6262		324.36	66" 16 GA 2 PC STD 24" WIDE	FP0000022876	OTHER SERVICES	N
63	40-744-000-0000-6262		7,684.00	CPS HELICAL GLAV 66" 10 GA STD	FP0000022876	OTHER SERVICES	N
64	40-744-000-0000-6262		3,842.00	CPS HELICAL GLAV 66" 10 GA STD	FP0000022876	OTHER SERVICES	N
<b>20309 TRUE NORTH STEEL</b>			<b>21,944.36</b>	<b>4 Transactions</b>			
<b>40 Fund Total:</b>			<b>21,944.36</b>	<b>Ditch Funds</b>	<b>1 Vendors</b>	<b>4 Transactions</b>	
<b>Final Total:</b>			<b>239,481.18</b>	<b>70 Vendors</b>	<b>212 Transactions</b>		

DRAFT

# Pennington County Financial System



**Recap by Fund**

<u>Fund</u>	<u>AMOUNT</u>	<u>Name</u>
1	173,424.52	County Revenue
3	38,807.32	Road & Bridge
32	4,354.98	Solid Waste Facility
35	475.00	Justice Center Jail Bond Fund
36	475.00	Justice Center Capital Improve
40	21,944.36	Ditch Funds
<b>All Funds</b>	<b>239,481.18</b>	<b>Total</b>

Approved by, .....

.....

.....

DRAFT

# Pennington County Financial System



Print List in Order By: 1  
1 - Fund (Page Break by Fund)   
2 - Department (Totals by Dept)   
3 - Vendor Number   
4 - Vendor Name

Explode Dist. Formulas?: Y

Paid on Behalf Of Name  
on Audit List?: N

Type of Audit List: D  
D - Detailed Audit List   
S - Condensed Audit List

Save Report Options?: N

DRAFT

# Pennington County Financial System



Danielle  
10/24/22 12:32PM

Audit List for Board **COMMISSIONER'S VOUCHERS ENTRIES**

Page 2

1 County Revenue

Vendor No.	Name Account/Formula	Rpt Accr	Amount	Warrant Description Service Dates	Invoice # Paid On Bhf #	Account/Formula Description On Behalf of Name	1099
2	8355 HENNINGSEN/ALEXANDER 01-251-000-0000-6330		20.00	TRANSPORT MEAL REIMBURSEMENT		TRAVEL & EXPENSE	N
	8355 HENNINGSEN/ALEXANDER		20.00	1 Transactions			
3	999999997 JORDIN GUNDERSON 01-251-000-0000-6330		9.65	TRANSPORT MEAL REIMBURSEMENT		TRAVEL & EXPENSE	N
	999999997 JORDIN GUNDERSON		9.65	1 Transactions			
1	19343 LARSON/MELISSA 01-251-000-0000-6330		13.30	TRANSPORT MEAL REIMBURSEMENT		TRAVEL & EXPENSE	N
	19343 LARSON/MELISSA		13.30	1 Transactions			
4	999999997 MEKASK, SCOTT 01-201-000-0000-6330		20.00	TRANSPORT MEAL REIMBURSEMENT		TRAVEL & EXPENSE	N
	999999997 MEKASK, SCOTT		20.00	1 Transactions			
<b>1 Fund Total:</b>			<b>62.95</b>	<b>County Revenue</b>	<b>4 Vendors</b>	<b>4 Transactions</b>	
<b>Final Total:</b>			<b>62.95</b>	<b>4 Vendors</b>	<b>4 Transactions</b>		

DRAFT

# Pennington County Financial System



**Recap by Fund**

<u>Fund</u>	<u>AMOUNT</u>	<u>Name</u>
1	62.95	County Revenue
<b>All Funds</b>	<b>62.95</b>	<b>Total</b>

Approved by, .....

.....

.....

DRAFT

PENNINGTON COUNTY HUMAN SERVICES

HUMAN SERVICE COMMITTEE

CONSENT AGENDA

On a motion by Commissioner \_\_\_\_\_ and seconded by  
Commissioner \_\_\_\_\_, The Following recommendations of the  
Pennington County Human Service Committee for October 18, 2022 (detailed minutes on  
record) are hereby adopted:

SECTION A

- I. To approve the September 20, 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.

---

Aye

Nay

Chairperson

Date



CERTIFICATION OF MINUTES RELATING TO 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

County: Pennington County

Governing Body: Board of Commissioners

Kind, date, time, and place of meeting: A regular meeting held on October 25, 2022, at 5:00 p.m., at the Justice Center – County Board Room.

Members present:

Members absent:

Documents Attached:

Minutes of said meeting (including):

RESOLUTION NO. \_\_\_\_\_

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

I, the undersigned, being the duly qualified and acting recording officer of the public corporation referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of said corporation in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the governing body of said corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at said meeting, so far as they relate to the topic of this resolution; and that said meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting given as required by law.

WITNESS my hand officially as such recording officer this \_\_\_\_ day of October, 2022.

---

County Coordinator

Commissioner \_\_\_\_\_ introduced the following resolution and moved its adoption, which motion was seconded by Commissioner \_\_\_\_\_:

RESOLUTION NO. \_\_\_\_\_

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.

Adopted this 25th day of October, 2022.

Upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon the Resolution was declared duly passed and adopted.

## Minnesota Wetland Conservation Act Notice of Decision

<b>Local Government Unit:</b> Pennington SWCD	<b>County:</b> Pennington
<b>Applicant Name:</b> Pennington County Highway Department	
<b>Applicant Representative:</b> Benjamin Hengel/Houston Engineering	
<b>Project Name:</b> Pennington County Bridge No. 57501 Replacement Project (Kratka Bridge)	
<b>LGU Project No. (if any):</b> 22-01	
<b>Date Complete Application Received by LGU:</b> 09-22-2022	
<b>Date of LGU Decision:</b> 10-25-2022	
<b>Date this Notice was Sent:</b> 10-28-2022	

**WCA Decision Type - check all that apply**

<input checked="" type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> No-Loss (8420.0415)	<input type="checkbox"/> Exemption (8420.0420)		
Part: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H		Subpart: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9	

**Replacement Plan Impacts (replacement plan decisions only)**

Total WCA Wetland Impact Area:
Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits: <input type="checkbox"/> Bank Credits:
Bank Account Number(s):

**Technical Evaluation Panel Findings and Recommendations (attach if any)**

<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve w/Conditions <input type="checkbox"/> Deny <input type="checkbox"/> No TEP Recommendation
--

**LGU Decision**

<input type="checkbox"/> Approved with Conditions (specify below) <sup>1</sup> List Conditions: None	<input checked="" type="checkbox"/> Approved <sup>1</sup>	<input type="checkbox"/> Denied
<p>After evaluation of the information provided, the LGU concurs with TEP findings and recommendations and approves the wetland delineation for the area around Pennington County Bridge No. 57501 (Kratka Bridge).</p>		
<b>Decision-Maker for this Application:</b> <input type="checkbox"/> Staff <input checked="" type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other:		
<b>Decision is valid for:</b> <input checked="" type="checkbox"/> 5 years (default) <input type="checkbox"/> Other (specify):		

<sup>1</sup> *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

**LGU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision<sup>1</sup>.**

<input type="checkbox"/> Attachment(s) (specify):
<input checked="" type="checkbox"/> Summary: A wetland delineation report and WCA joint application for use of the Local Government Road Wetland Replacement Program (LGRWRP) for replacement of Pennington County Bridge No. 57501 (Kratka Bridge) was received on August 19, 2022. Four wetlands were delineated within a seven-acre area on July 27, 2022. Larissa Fitzgerald and Steve Hofstad met on-site with Dave Marshall (Houston Engineering) on September 7, 2022 to review the wetland delineation boundaries. It was noted that the wrong data sheets - Midwest rather than Great Plains - were used in the delineation report. Larissa requested Benjamin Hengel

(Houston Engineering) change the data sheets and resubmit for further TEP review. Revised and completed data sheets were received September 22, 2022. Finding the wetland boundaries accurate, the TEP recommends approval of the wetland delineation.

<sup>1</sup> Findings must consider any TEP recommendations.

**Attached Project Documents**

Site Location Map     Project Plan(s)/Descriptions/Reports (specify): Final delineation report

**Appeals of LGU Decisions**

If you wish to appeal this decision, you must provide a written request within 30 calendar days of the date you received the notice. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator  
Minnesota Board of Water & Soils Resources  
520 Lafayette Road North  
St. Paul, MN 55155  
[travis.germundson@state.mn.us](mailto:travis.germundson@state.mn.us)

Does the LGU have a local appeal process applicable to this decision?

Yes<sup>1</sup>       No

<sup>1</sup>If yes, all appeals must first be considered via the local appeals process.

**Local Appeals Submittal Requirements** (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

--

**Notice Distribution (include name)**

*Required on all notices:*

<input checked="" type="checkbox"/> SWCD TEP Member: Larissa Fitzgerald	<input checked="" type="checkbox"/> BWSR TEP Member: Steve Hofstad
<input checked="" type="checkbox"/> LGU TEP Member (if different than LGU contact): Mike Flaagan	
<input checked="" type="checkbox"/> DNR Representative: Stephanie Klamm	
<input checked="" type="checkbox"/> Watershed District or Watershed Mgmt. Org.: Myron Jesme	
<input checked="" type="checkbox"/> Applicant: Pennington County Highway Department (Mike Flaagan)	
<input checked="" type="checkbox"/> Agent/Consultant: Benjamin Hengel/Houston Engineering	

*Optional or As Applicable:*

<input checked="" type="checkbox"/> Corps of Engineers:	
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):	
<input type="checkbox"/> Members of the Public (notice only):	<input type="checkbox"/> Other:

<b>Signature:</b>	<b>Date:</b>
-------------------	--------------

This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.

# **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.

---

## **CERTIFICATION**

### **STATE OF MINNESOTA**

Pennington County

I do hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by Pennington County at a duly authorized meeting thereof held on the \_\_\_\_\_ of October 2022.

---

Bruce Lawrence, Board Chair

# Pennington County

## Floodplain Management Ordinance

Adopted by the Pennington County Board of Commissioners

This \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_  
(Day) (Month) (Year)

Attest: \_\_\_\_\_, Chairperson  
(Name of Elected Official)

Attest: \_\_\_\_\_, (County Coordinator)

EFFECTIVE DATE: This ordinance shall be in full force and effect from and after its passage and approval and publication.

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## SECTION 1.0 STATUTORY AUTHORIZATION, FINDINGS OF FACT AND PURPOSE

- 1.1 **Statutory Authorization.** This floodplain ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapter 103F; Minnesota Rules, parts 6120.5000 – 6120.6200; the rules and regulations of the National Flood Insurance Program in 44 CFR § 59 to 78; and the planning and zoning enabling legislation in Minnesota Statutes, Chapter 394.
- 1.2 **Purpose.**
  - 1.21 This ordinance regulates development in the flood hazard areas of Pennington County. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.
  - 1.22 This ordinance is adopted in the public interest to promote sound land use practices, and floodplains are a land resource to be developed in a manner which will result in minimum loss of life and threat to health, and reduction of private and public economic loss caused by flooding.
  - 1.23 This ordinance is adopted to maintain eligibility in the National Flood Insurance Program.
  - 1.24 This ordinance is also intended to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.
- 1.3 **Abrogation and Greater Restrictions:** It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or other private agreements. The standards in this ordinance takes precedence over any less restrictive, conflicting local laws, ordinances, or codes. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.
- 1.4 **Warning and Disclaimer of Liability:** This ordinance does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. This ordinance does not create liability on the part of Pennington County or its officers or employees for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.
- 1.5 **Severability:** If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this ordinance shall not be affected and shall remain in full force.

## SECTION 2.0 DEFINITIONS

- 2.1 **Definitions.** Unless specifically defined, words or phrases used in this ordinance must be interpreted according to common usage and so as to give this ordinance its most reasonable application.
  - 2.111 Accessory Structure. A structure, as defined in this ordinance, that is on the same parcel of property as, and is incidental to, the principal structure or use; an accessory structure specifically excludes structures used for human habitation.
  - 2.112 Base Flood. The flood having a one-percent chance of being equaled or exceeded in any given year. "Base flood" is synonymous with the term "regional flood" used in Minnesota Rules, part 6120.5000.
  - 2.113 Base Flood Elevation (BFE). The elevation of the base flood, regional flood, or one-percent annual chance flood. The term "base flood elevation" is used in the flood insurance study.
  - 2.114 Basement. Any area of a structure, including crawl spaces, having its floor subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level.
  - 2.115 Building. See *Structure*.
  - 2.116 Channel. A natural or artificial depression of perceptible extent, with definite bed and banks to confine and conduct flowing water either continuously or periodically.
  - 2.117 Conditional Use. A land use or development that would not be appropriate generally, but may be allowed with appropriate restrictions upon a finding that certain conditions as detailed in the zoning ordinance exist, the use

or development conforms to the comprehensive land use plan of the community, and the use is compatible with the existing neighborhood.

- 2.118 Critical Facilities. Buildings and structures that contain essential facilities and services necessary for emergency response and recovery, or that pose a substantial risk to the public in the event of failure, disruption of function, or damage by flooding. Specifically, this includes facilities identified as Flood Design Class 4 in *ASCE 24-14, Flood Resistant Design and Construction*, as amended. Examples include health care facilities, facilities required for emergency response, power generating stations, communications towers, or electrical substations.
- 2.119 Development. Any man-made change to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.
- 2.120 Equal Degree of Encroachment. A method of determining the location of floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.
- 2.121 FEMA. Federal Emergency Management Agency.
- 2.122 Farm Fence. An open type of fence of posts and horizontally run wire, further specified in Minnesota Statutes, section 344.02, Subd. 1(a-d).
- 2.123 Flood. A temporary rise in the stream flow or water surface elevation from any source that results in the inundation of normally dry land areas.
- 2.124 Flood Fringe. The portion of the one-percent annual chance floodplain located outside of the floodway. This district also includes any additional area encompassed by the horizontal extension of the RFPE, as described in Section 3.13
- 2.125 Flood Insurance Rate Map (FIRM). An official map on which the Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
- 2.126 Flood Insurance Study (FIS). The study referenced in Section 3.2, which is an examination, evaluation and determination of flood hazards, and if appropriate, corresponding surface elevations, or an examination, evaluation, and determination of mudslide (i.e. mudflow) and/or flood-related erosion hazards.
- 2.127 Floodplain. The beds, channel and the areas adjoining a wetland, lake or watercourse, or other source which have been or hereafter may be inundated by the base flood.
- 2.128 Floodproofing. A combination of structural and non-structural additions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.
- 2.129 Floodway. The bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining floodplain which must be reserved to carry or store the base flood discharge without cumulatively increasing the water surface elevation more than one-half foot.
- 2.130 Light Duty Truck. Any motor vehicle that has all three of the following:
  - A. 8,500 pounds Gross Vehicle Weight Rating or less;
  - B. vehicle curb weight of 6,000 pounds or less; and
  - C. basic vehicle frontal area less than 45 square feet.
- 2.131 Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR § 60.3.
- 2.132 Manufactured Home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include the term "recreational vehicle."
- 2.133 New Construction. Structures for which the start of construction commenced on or after the effective date of an adopted floodplain management regulation and includes any subsequent improvements to such structures.

- 2.134 Principal Structure. The main building or other structure on a lot that is utilized for the property's principal use.
- 2.135 Reach. A hydraulic engineering term to describe a longitudinal segment of a stream or river influenced by a natural or man-made obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would most typically constitute a reach.
- 2.136 Recreational Vehicle. A vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. Those vehicles not meeting this definition shall be considered a structure for the purposes of this ordinance. For the purposes of this ordinance, the term recreational vehicle is synonymous with the term "travel trailer/travel vehicle."
- 2.137 Regulatory Flood Protection Elevation (RFPE). An elevation that is one foot above the elevation of the base flood plus any increases in the water surface elevation caused by encroachments on the floodplain that result from designation of a floodway. These increases in water surface elevations are typically identified in the Floodway Data Tables, found in the Flood Insurance Study.
- 2.138 Regulatory Floodplain. The geographic limits of the flood hazard areas regulated through this ordinance, which includes the areas adjoining a wetland, lake or watercourse that have been or hereafter may be covered by the Regulatory Flood Protection Elevation (RFPE) (as illustrated in Figure 2).
- 2.139 Repetitive Loss. Flood related damages sustained by a structure on two separate occasions during a ten year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds 25% of the market value of the structure before the damage occurred.
- 2.140 Stage Increase. Any increase in the water surface elevation during the one-percent annual chance flood caused by encroachments on the floodplain.
- 2.141 Start of Construction. Includes substantial improvement, and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- 2.142 Structure. A roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. Recreational vehicles not considered travel ready, as detailed in Section 10.22, shall also be considered a structure for the purposes of this ordinance.
- 2.143 Subdivision. Land that has been divided for the purpose of sale, rent, or lease, including planned unit developments.
- 2.144 Substantial Damage. Damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- 2.145 Substantial Improvement. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

B. Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.” For the purpose of this ordinance, “historic structure” is defined in 44 CFR § 59.1.

2.146 Variance. “Variance” means the same as that defined in 44 CFR § 59.1 and Minnesota Statutes, Section 394, Subd. 7.

2.147 Watercourse. A channel in which a flow of water occurs either continuously or intermittently in a definitive direction. The term applies to either natural or artificially constructed channels.

### SECTION 3.0 JURISDICTION AND DISTRICTS

3.1 **Lands to Which Ordinance Applies.** This ordinance applies to all lands within the jurisdiction of Pennington County within the boundaries of the Floodway, Flood Fringe and General Floodplain Districts.

3.11 The Floodway, Flood Fringe or General Floodplain Districts are overlay districts. The standards imposed in the overlay districts are in addition to any other requirements. In case of a conflict, the more restrictive standards will apply.

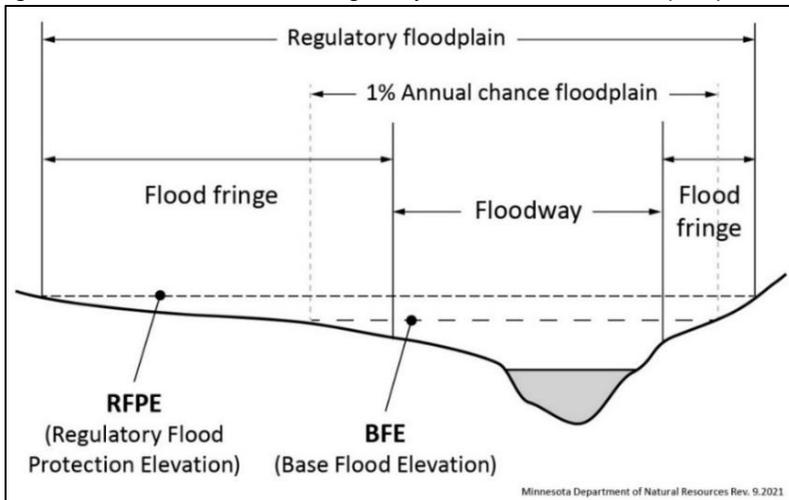
3.12 Where a conflict exists between the floodplain limits illustrated on the official floodplain maps and actual field conditions (as illustrated in Figure 1), the Base Flood Elevation (BFE) shall be the governing factor in locating the outer boundaries of the one-percent annual chance floodplain.

Figure 1: The mapped floodplain may not always align with on-the-ground contour elevations.



3.13 The regulatory limits of the district boundaries shall be further extended outward based on the horizontal extension of the Regulatory Flood Protection Elevation (RFPE) (Figure 2).

Figure 2: Horizontal extension of the Regulatory Flood Protection Elevation (RFPE)



3.14 Persons contesting the location of the district boundaries will be given a reasonable opportunity to present their case to the **Board of Adjustment** and to submit technical evidence.

3.2 **Incorporation of Maps by Reference.** The following maps together with all attached material are hereby adopted by reference and declared to be a part of the official zoning map and this ordinance. The attached material includes the Flood Insurance Rate Map Index and the Flood Insurance Study for Pennington County, Minnesota, and Incorporated Areas, both dated December 1, 2022 and prepared by the Federal Emergency Management Agency. These materials are on file in the Pennington County Auditor's Office and the Pennington Soil and Water Conservation District (SWCD).

### 3.3 Districts

3.31 Floodway District. Those areas within Zones AE delineated within floodway areas as shown on the Flood Insurance Rate Maps referenced in Section 3.2.

3.32 Flood Fringe District. Those areas within Zones AE on the Flood Insurance Rate Maps referenced in Section 3.2, but located outside of the floodway. This district also includes any additional area encompassed by the Regulatory Floodplain.

3.33 General Floodplain District. Those areas within Zone A areas that do not have a floodway delineated as shown on the Flood Insurance Rate Maps referenced in Section 3.2. This district also includes any additional area encompassed by the Regulatory Floodplain.

3.4 **Detachments.** The Flood Insurance Rate Map panels referenced in Section 3.2 will include floodplain areas that lie inside the corporate boundaries of municipalities at the time of adoption of this ordinance. If any of these floodplain land areas are detached from a municipality and come under the jurisdiction of Pennington County after the date of adoption of this ordinance, the newly detached floodplain lands will be subject to the provisions of this ordinance immediately upon the date of detachment.

## SECTION 4.0 REQUIREMENTS FOR ALL FLOODPLAIN DISTRICTS

4.1 **Permit Required.** A permit must be obtained from the Zoning Administrator to verify compliance with all applicable standards outlined in this ordinance prior to the following uses or activities:

4.11 The erection, addition, modification, rehabilitation, repair, or alteration of any building, structure, or portion thereof. Normal maintenance requires a permit to determine if such work, either separately or in conjunction with other planned work, constitutes a substantial improvement, as specified in Section 12.13.

4.12 The construction of a fence, pool, deck, or placement of anything that may cause a potential obstruction. Farm fences, as defined in Section 2.0 of this ordinance, are not considered to be an obstruction, and as such, do not require a permit.

4.13 The change or expansion of a nonconforming use.

4.14 The repair of a structure that has been damaged by flood, fire, tornado, or any other source.

4.15 The placement of fill, excavation, utilities, on-site sewage treatment systems, or other service facilities.

4.16 The storage of materials or equipment, in conformance with Section 4.32.

4.17 Relocation or alteration of a watercourse (including stabilization projects or the construction of new or replacement dams, culverts and bridges). A local permit is not required if a public waters work permit has been obtained from the Department of Natural Resources, unless a significant area above the ordinary high water level is also to be disturbed.

4.18 Any other type of "development," as defined in Section 2.0 of this ordinance.

4.2 **No Permit Required.** Certain uses or activities may be exempt from obtaining a permit, such as planting a garden, farming, or other obviously insignificant activities such as putting up a mailbox or flagpole. The continuation of existing uses, when the associated activities do not encroach further on the regulatory floodplain or trigger associated standards in this ordinance, do not require a permit.

**4.3 Minimum Development Standards.**

4.31 All development must:

- A. Be designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- B. Be constructed with materials and equipment resistant to flood damage;
- C. Be constructed by methods and practices that minimize flood damage;
- D. Be constructed with heating, ventilation, duct work, and air conditioning equipment and other service facilities elevated at least up to the Regulatory Flood Protection Elevation (RFPE). Water, sewage, electrical, and other utility lines below the RFPE shall be constructed so as to prevent water from entering or accumulating within them during conditions of flooding;
- E. Be reasonably safe from flooding and consistent with the need to minimize flood damage;
- F. Be assured to provide adequate drainage to reduce exposure to flood hazards;
- G. Not be detrimental to uses in adjoining areas; and
- H. Not adversely affect the efficiency or restrict the flood carrying capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.

4.32 Materials that, in time of flooding, are buoyant, flammable, explosive, or could be injurious to human, animal, or plant life shall be stored at or above the Regulatory Flood Protection Elevation (RFPE), floodproofed, or protected by other measures as approved by the Zoning Administrator. Storage of materials likely to cause pollution of the waters, such as sewage; sand; rock; wrecked and discarded equipment; dredged spoil; municipal, agricultural or industrial waste; and other wastes as further defined in Minnesota Statutes, section 115.01, are prohibited unless adequate safeguards approved by the Minnesota Pollution Control Agency are provided. For projects not requiring approvals by the Minnesota Pollution Control Agency, adequate safeguards must be approved by the Zoning Administrator prior to issuance of a permit.

4.33 Critical facilities are to be located so that the lowest floor is not less than two feet above the Base Flood Elevation (BFE), or the 0.2% annual chance flood elevation, whichever is higher.

**Table 1. Summary of Permitting Requirements for Structures**

<b>Structure Type</b>	<b>Floodway</b>	<b>Flood Fringe</b>	<b>Standards*</b>
Accessory Structures – on fill	Only specific uses and types allowed – with CUP	Allowed with Permit	6.21.A, via 6.23.D(2)
Accessory Structures – Alt. Elevation Methods	Only specific uses and types allowed – with CUP	Allowed with Permit	6.22.B, via 6.23.D(3)
Accessory Structures – Wet Floodproofing	Only specific uses and types allowed – with CUP	Allowed with Permit	6.23.D(1)
Accessory Structures – Dry (watertight) Floodproofing	Only specific uses and types allowed – with CUP	Allowed with Permit	6.22.C, via 6.23.D(4)
<b>Residential – on fill</b>	<b>Not allowed</b>	<b>Allowed with Permit</b>	<b>6.21.A</b>
Residential – Alt. Elevation Methods	Not allowed	Allowed with CUP	6.22.B, via 6.41
Residential – Dry (watertight) Floodproofing	Not allowed	Not allowed	n/a
<b>Non-Residential – on fill</b>	<b>Not allowed</b>	<b>Allowed with Permit</b>	<b>6.21.A, via 6.22.A</b>
Non-Residential – Alt. Elevation Methods	Not allowed	Allowed with Permit	6.22.B
Non-Residential – Dry (watertight) Floodproofing	Not allowed	Allowed with Permit	6.22.C

*\*Note - many of these standards are cross-referenced to avoid duplication*

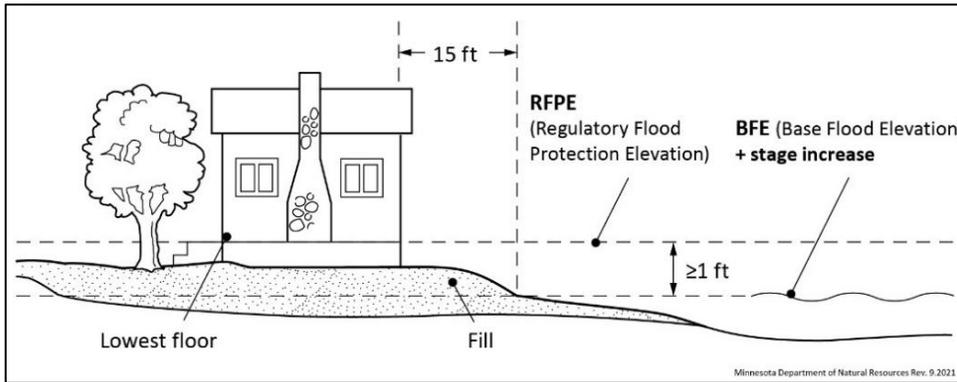
- 5.1 **Permitted Uses in Floodway.** Development allowed in the floodway district is limited to that which has low flood damage potential and will not obstruct flood flows, increase velocities, or increase the water surface elevations of the one-percent annual chance flood. The following uses and activities may be allowed with a permit, subject to the standards in Section 5.2:
- 5.11 Agricultural uses, recreational uses, parking lots, loading areas, airport landing strips, water control structures, navigational facilities, as well as public open space uses.
  - 5.12 Roads, railroads, trails, bridges, and culverts.
  - 5.13 Public utility facilities and water-oriented industries which must be in or adjacent to watercourses.
  - 5.14 Grading, filling, land alterations, and shoreline stabilization projects.
  - 5.15 No structures, as defined in Section 2.0, are allowed in the Floodway District, except structures accessory to the uses detailed in Sections 5.11 and 5.31, which require a CUP under Section 5.32.
  - 5.16 Levees or dikes intended to protect agricultural crops, provided the top of the dike does not exceed the 10-percent annual chance flood event.
- 5.2 **Standards for Permitted Uses in Floodway.** In addition to the applicable standards detailed in Section 4.0:
- 5.21 The applicant must demonstrate that the development will not result in any of the following during the one-percent chance flood: cause a stage increase of 0.00 feet or greater, obstruct flood flows, or increase velocities. This shall be demonstrated through hydrologic and hydraulic analysis performed by a professional engineer, or using other standard engineering practices (e.g. projects that restore the site to the previous cross-sectional area). This is commonly documented through a “no-rise certification.”
  - 5.22 Any development that would result in a stage increases greater than 0.00 feet may only be allowed with a permit if the applicant has applied for and received approval for a Conditional Letter of Map Revision (CLOMR) in accordance with 44 CFR § 65.12. Map revisions must follow the procedures in Sections 11.15 and 14.0.
  - 5.23 Any development resulting in decreases to the water surface elevation of the base flood identified in the Flood Insurance Study requires a Letter of Map Revision (LOMR) following the procedures in Sections 11.15 and 14.0.
  - 5.24 Any development in the beds of public waters that will change the course, current or cross section is required to obtain a public waters work permit in accordance with Minnesota Statutes, section 103G.245 or a utility crossing license in accordance with Minnesota Statutes, section 84.415, from the Department of Natural Resources, or demonstrate that no permit is required, before applying for a local permit.
  - 5.25 Any facility used by employees or the general public must be designed with a flood warning system acceptable to the Zoning Administrator that provides adequate time for evacuation, or be designed to ensure that within the area inundated during the base flood event, the depth (in feet) multiplied by the velocity (in feet per second) is less than four.
  - 5.26 Fill and other land alteration activities must offer minimal obstruction to the flow of flood waters, and be protected from erosion and sediment entering surface waters by the use of vegetative cover, riprap or other methods as soon as possible.
- 5.3 **Conditional Uses in Floodway.** The following uses and activities may be permitted as conditional uses, subject to the standards detailed in Sections 5.4 and 11.3:
- 5.31 Commercial extractive uses, and storage and stockpiling yards.
  - 5.32 Structures accessory to uses detailed in Sections 5.11 and 5.31.
- 5.4 **Standards for Conditional Uses in Floodway.** In addition to the applicable standards detailed in Sections 4.0, 5.2 and 11.3:
- 5.41 Extractive uses and storage of materials require the completion of a site development and restoration plan, to be approved by Pennington County Board of Commissioners.
  - 5.42 Accessory Structures. Structures accessory to the uses detailed in Sections 5.11 and 5.31 must be constructed and placed so as to offer a minimal obstruction to the flow of flood waters and are subject to the standards in Section 6.23 of this ordinance.

**SECTION 6.0 FLOOD FRINGE DISTRICT**

- 6.1 **Permitted Uses in Flood Fringe.** Any uses or activities allowed in any applicable underlying zoning districts may be allowed with a permit, subject to the standards set forth in Sections 6.2.
- 6.2 **Standards for Permitted Uses in Flood Fringe.** In addition to the applicable standards detailed in Section 4.0:
  - 6.21 Residential Structures.

A. Elevation on Fill. All structures to be erected, constructed, reconstructed, altered, or moved on fill within the Flood Fringe District shall be placed so that the lowest floor, as defined in Section 2.0 of this ordinance, is elevated at or above the Regulatory Flood Protection Elevation (RFPE). The finished fill elevation shall be at or above the elevation associated with the base flood plus any stage increases that result from designation of a floodway. Fill must extend at the same elevation at least 15 feet beyond the outside limits of the structure. Elevations must be certified by a registered professional engineer, land surveyor or other qualified person designated by the Zoning Administrator. Elevation methods alternative to these fill standards are subject to a Conditional Use Permit, as provided in Section 6.31 of this ordinance (Figure 3).

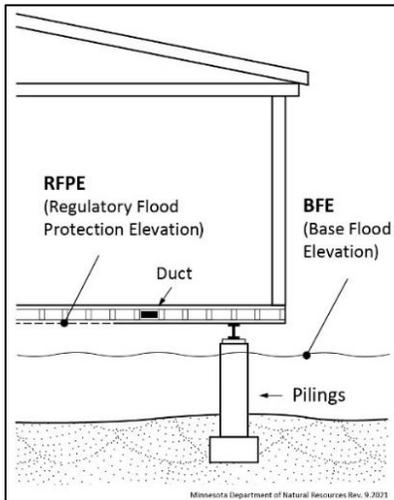
**Figure 3: Overview of fill standards for residential structures.**



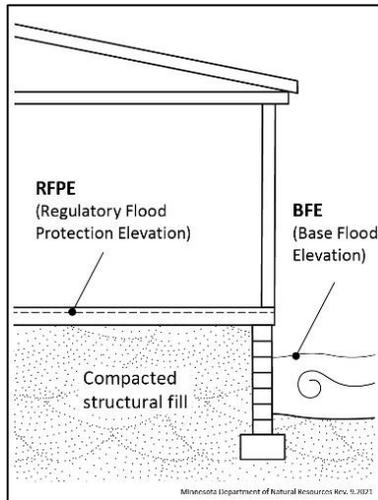
6.22 Nonresidential Principal Structures. Nonresidential principal structures must meet one of the following construction methods:

- A. Elevation on Fill. Structures may be elevated on fill, meeting the standards in Section 6.21.A of this ordinance. Fill for nonresidential structures is not required to be extended 15 feet beyond the outside limits of the structure.
- B. Alternative Elevation Methods. Structures may have their lowest floor elevated above the Regulatory Flood Protection Elevation (RFPE) using methods alternative to the fill standards in Section 6.21.A of this ordinance. Such methods include the use of blocks, pilings (Figure 4), filled stem walls (Figure 5), or internally-flooded enclosed areas (Figure 6) such as crawl spaces, attached garages, or tuck under garages.

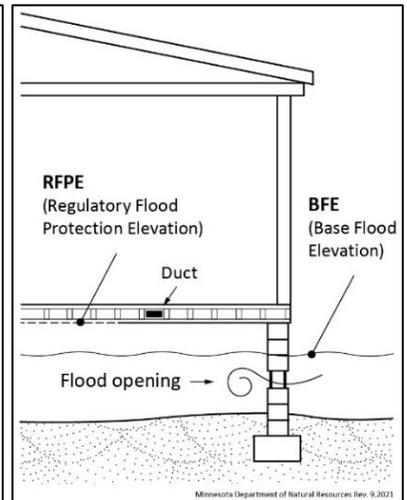
**Figure 4. Blocks or pilings**



**Figure 5. Filled stem wall**



**Figure 6. Internally flooded enclosed area**



Designs accommodating for internally-flooded enclosed areas must be certified by a registered professional engineer or architect, or meet or exceed the standards detailed in *FEMA Technical Bulletin 1*, as amended, as well as the following standards:

- (1) The floor of the enclosed area must be at or above the exterior grade on at least one side of the structure.
  - (2) To allow for the equalization of hydrostatic pressure, there shall be a minimum of two openings below the base flood elevation on at least two sides of the structure. The bottom of all openings shall be no higher than one foot above grade. The openings shall have a minimum net area of not less than one square inch for every square foot of enclosed area subject to flooding, have a net area of not less than one square inch for every square foot of enclosed area subject to flooding, and shall allow automatic entry and exit of floodwaters without human intervention.
  - (3) Internally flooded enclosed areas shall only be used for the parking of vehicles, building access, or storage. Bathrooms and toilet rooms shall not be allowed. Such areas shall be subject to a deed-restricted non-conversion agreement as well as periodic inspections with the issuance of any permit.
- C. Dry Floodproofing. Structures having watertight enclosed basements or spaces below the Regulatory Flood Protection Elevation (RFPE) must meet the following standards:
- (1) Walls must be substantially impermeable to the passage of water, with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy, at least up to the Regulatory Flood Protection Elevation (RFPE);
  - (2) Must meet the standards of FEMA Technical Bulletin 3, as amended; and
  - (3) A registered professional engineer or architect shall be required to certify that the design and methods of construction meet the standards detailed in this Section.

6.23 Accessory Structures. All accessory structures must meet the following standards:

- A. Structures shall not be designed or used for human habitation.
- B. Structures will have a low flood damage potential.
- C. Structures with fewer than two rigid walls, such as carports, gazebos, and picnic pavilions, may be located at an elevation below the Regulatory Flood Protection Elevation.
- D. Structures with two or more rigid walls, must meet one of the following construction methods:
  - (1) Wet Floodproofing. Structures may be floodproofed in a way to accommodate internal flooding. Such structures shall constitute a minimal investment not to exceed 576 square feet in size, one-story in height, and shall only be used for parking and storage. To allow for the equalization of hydrostatic pressure, there shall be a minimum of two openings on at least two sides of the structure and the bottom of all openings shall be no higher than one foot above grade. The openings shall have a minimum net area of not less than one square inch for every square foot of enclosed area subject to flooding, and shall allow automatic entry and exit of floodwaters without human intervention.
  - (2) Elevation on Fill. Structures may be elevated on fill, meeting the standards in Section 6.21.A of this ordinance. Fill is not required to be extended 15 feet beyond the outside limits of the structure.
  - (3) Alternative Elevation Methods. Structures may have their lowest floor elevated above the Regulatory Flood Protection Elevation (RFPE) through methods alternative to the fill standards in Section 6.23.D(2), meeting the standards in Section 6.22.B of this ordinance.
  - (4) Dry Floodproofing. Structures may be dry-floodproofed, or watertight, meeting the standards in Section 6.22.C of this ordinance.

6.24 Fill. The cumulative placement of fill or other materials for any purpose, up to 1,000 cubic yards, is permitted. Additional fill over 1,000 cubic yards is only permitted if the fill is specifically intended to elevate a structure in accordance with Section 6.21 or 6.22.A of this ordinance, or for a transportation project in accordance with Section 9.1. Fill over 1,000 cubic yards for purposes other than these purposes requires a conditional use permit as provided in Section 6.32. Materials must be protected from erosion, discharge, and sediment entering surface waters by the use of vegetative cover or other methods as soon as possible.

- 6.25 All new principal structures must provide for vehicular access no lower than one foot below the Base Flood Elevation (BFE).
- 6.26 Any facilities used by employees or the general public must be designed with a flood warning system acceptable to Pennington County that provides adequate time for evacuation, or be designed to ensure that within the area inundated during the base flood event, the depth (in feet) multiplied by the velocity (in feet per second) is less than four.
- 6.27 Manufactured homes and recreational vehicles must meet the standards of Section 10 of this ordinance.
- 6.3 **Conditional Uses in Flood Fringe.** The following uses and activities may be permitted as conditional uses, subject to the standards in Sections 6.4 and 11.3:
  - 6.31 Alternative Elevation Methods – Residential Structures. Residential structures with their lowest floor elevated above the Regulatory Flood Protection Elevation (RFPE) using methods alternative to the fill requirements in Section 6.21.
  - 6.32 Fill. The cumulative placement of more than 1,000 cubic yards of fill or other materials, when the fill is not being used to elevate a structure or for a transportation project.
- 6.4 **Standards for Conditional Uses in Flood Fringe.** In addition to the applicable standards detailed in Sections 4.0, 6.2 and 11.3:
  - 6.41 All residential structures with lowest floors elevated through alternative elevation methods must meet the standards for nonresidential structures in Section 6.22.B of this ordinance.
  - 6.42 The placement of more than 1,000 cubic yards of fill or other materials (other than for the purpose of elevating a structure or for a transportation project) must comply with a site development and restoration plan approved by the Zoning Administrator. The plan must detail the anticipated topographic alterations and identify actions to be taken to mitigate environmental impacts, particularly erosion.

**SECTION 7.0 GENERAL FLOODPLAIN DISTRICT**

**7.1 Permitted Uses**

- 7.11 The uses listed in the Floodway District, Section 5.0, of this ordinance are allowed with a permit or Conditional Use Permit. Development is also subject to the standards provided in this section.
- 7.12 All other uses are subject to a floodway/flood fringe determination as provided in Section 7.4, in addition to the standards provided in this section. Permitted uses shall be determined as follows:
  - A. If the development is determined to be in the Floodway District, Section 5.0 applies.
  - B. If the development is determined to be in the Flood Fringe District, Section 6.0 applies.

**7.2 Standards for Determining Flood Elevations**

- 7.21 All development requires a determination of the Base Flood Elevation (BFE). Exceptions to this requirement include projects that restore the site to the previous cross-sectional area, such as shore stabilization or culvert replacement projects. Base Flood Elevations (BFE) may be found using best available data from any Federal, State, or other source (including MNDNR’s Lake & Flood Elevations Online (LFEO) Viewer).
- 7.22 The Regulatory Flood Protection Elevation (RFPE) can be determined by assuming a one-half (0.5) foot stage increase to accommodate for future cumulative impacts.

**7.3 Encroachment Analysis**

- 7.31 Encroachments due to development may not allow stage increases more than one-half (0.5) foot at any point. This evaluation must include the cumulative effects of previous encroachments, and must be documented with hydrologic and hydraulic analysis performed by a professional engineer, or using other standard engineering practices. A lesser water surface elevation increase than one-half (0.5) foot is required if, due to the water surface level increase, increased flood damages would potentially result.

**7.4 Standards for the Analysis of Floodway Boundaries**

7.41 Requirements for Detailed Studies. Any development, as requested by the Zoning Administrator, shall be subject to a detailed study to determine the Regulatory Flood Protection Elevation (RFPE) and the limits of the Floodway District. This determination must be consistent with the minimum standards for hydrologic and hydraulic mapping standards and techniques, as detailed in Minnesota Rules, part 6120.5600, Subp. 4 and *FEMA Guidelines and Standards for Flood Risk Analysis and Mapping*, as revised. Additionally:

- A. A regulatory floodway necessary to carry the discharge of the one-percent annual chance flood must be selected without increasing the water surface elevation more than one-half (0.5) foot at any point. This determination should include the cumulative effects of previous encroachments. A lesser water surface elevation increase than one-half (0.5) foot is required if, due to the water surface level increase, increased flood damages would potentially result; and
- B. An equal degree of encroachment on both sides of the stream within the reach must be assumed in computing floodway boundaries, unless topography, existing development patterns, and comprehensive land use plans justify a modified approach, as approved by the Department of Natural Resources.

7.42 Other Acceptable Methods. For areas where a detailed study is not available or required:

- A. Development prohibited in floodways (e.g. most buildings) requires a floodway/flood fringe determination to verify the development is within the flood fringe. This determination must be done by a professional engineer or utilize other accepted engineering practices. The Department of Natural Resources may also provide technical assistance and must approve any alternative methods used to determine floodway boundaries.

## **SECTION 8.0 SUBDIVISION STANDARDS**

8.1 **Subdivisions.** All subdivided land must meet the following requirements. Manufactured home parks and recreational vehicle parks or campgrounds are considered subdivisions under this ordinance.

- 8.11 All lots within floodplain districts must be suitable for a building site outside of the Floodway District.
- 8.12 Subdivision of lands within the floodplain districts may not be approved if the cost of providing governmental services would impose an unreasonable economic burden on Pennington County.
- 8.13 All subdivisions must have vehicular access both to the subdivision and to the individual building sites no lower than two feet below the Regulatory Flood Protection Elevation (RFPE), unless a flood warning/emergency evacuation plan has been approved by Pennington County.
- 8.14 The Floodway and Flood Fringe District boundaries, the Regulatory Flood Protection Elevation (RFPE) and the required elevation of all access roads must be clearly identified on all required subdivision drawings and platting documents.

## **SECTION 9.0 RAILROADS, ROADS, BRIDGES, AND PUBLIC AND PRIVATE UTILITIES AND SERVICE FACILITIES**

9.1 **Public Transportation Facilities.** Railroad tracks, roads, and bridges must be elevated to the Regulatory Flood Protection Elevation (RFPE) where such facilities are essential to the orderly functioning of the area, or where failure or interruption would result in danger to public health or safety. Minor or auxiliary roads or railroads may be constructed at a lower elevation where failure or interruption of transportation services would not endanger the public health or safety. All public transportation facilities should be designed to minimize increases in flood elevations.

9.2 **Public Utilities.** All utilities such as gas, electrical, sewer, and water supply systems to be located in the floodplain must be elevated and/or floodproofed to the Regulatory Flood Protection Elevation (RFPE), be located and constructed to minimize or eliminate flood damage, and be designed to eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. All public utilities should be designed to minimize increases in flood elevations. New solid waste management facilities, as defined in Minnesota Rules, part 7035.0300, are prohibited in the one-percent annual chance floodplain. Water supply systems are subject to the provisions in Minnesota Rules, part 4725.4350.

9.3 **Private On-site Water Supply, Individual Sewage Treatment Systems, and other Service Facilities.** Private facilities shall be subject to applicable provisions detailed in Section 9.2. In addition, new or replacement on-site sewage treatment systems are to be located to avoid impairment to them or contamination from them during times of flooding, shall not be located in a designated floodway, and are subject to the provisions in Minnesota Rules, parts 7080.2270.

## **SECTION 10.0 MANUFACTURED HOMES AND RECREATIONAL VEHICLES**

10.1 **Manufactured Homes.** Manufactured homes and manufactured home parks are subject to applicable standards for each floodplain district. In addition:

- 10.11 New and replacement manufactured homes must be placed and elevated in compliance with Section 6.0 of this ordinance and must be securely anchored to a system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- 10.12 New manufactured home parks and expansions to existing manufactured home parks must meet the appropriate standards for subdivisions in Section 8.0 of this ordinance.

10.2 **Recreational Vehicles.** New recreational vehicle parks or campgrounds and expansions to existing recreational vehicle parks or campgrounds are prohibited in any floodplain district. Recreational vehicles placed in existing recreational vehicle parks, campgrounds or lots of record in the floodplain must either:

- 10.21 Meet the requirements for manufactured homes in Section 10.1, or
- 10.22 Be travel ready, meeting the following criteria:
  - A. The vehicle must be fully licensed.
  - B. The vehicle must be ready for highway use, meaning on wheels or the internal jacking system, attached to the site only by quick disconnect type utilities.
  - C. No permanent structural type additions may be attached to the vehicle.
  - D. Accessory structures may be permitted in the Flood Fringe District, provided they do not hinder the removal of the vehicle should flooding occur, and meet the standards outlined in Sections 4.0 and 6.23.

## **SECTION 11.0 ADMINISTRATION**

11.1 **Duties.** A Zoning Administrator or other official must administer and enforce this ordinance.

11.11 **Permit Application Requirements.** Permit applications must be submitted to the Zoning Administrator. The permit application must include the following, as applicable:

- A. A site plan showing all existing or proposed buildings, structures, service facilities, potential obstructions, and pertinent design features having an influence on the permit.
- B. Location and detail of grading, fill, or storage of materials.
- C. Copies of any required local, state or federal permits or approvals.
- D. Other relevant information requested by the Zoning Administrator as necessary to properly evaluate the permit application.

11.12 **Recordkeeping.** The Zoning Administrator must maintain applicable records in perpetuity documenting:

- A. All certifications for dry floodproofing and alternative elevation methods, where applicable.
- B. Analysis of no-rise in the Floodway District, as detailed in Section 5.21, and encroachment analysis ensuring no more than one-half foot of rise in the General Floodplain District, as detailed in Sections 7.22 and 7.31.
- C. Final elevations, as applicable, detailing the elevation to which structures and improvements to structures are constructed or floodproofed. Elevations shall be determined by an engineer, architect, surveyor or other qualified individual, as approved by the Zoning Administrator.
- D. Substantial damage and substantial improvement determinations, as detailed in Section 12.13, including the cost of improvements, repairs, and market value.
- E. All variance actions, including justification for their issuance, and must report such variances as requested by the Federal Emergency Management Agency.

11.13 **Certificate of Zoning Compliance for a New, Altered, or Nonconforming Use.** No building, land or structure may be occupied or used in any manner until a certificate of zoning compliance has been issued by the Zoning Administrator stating that the finished fill and building floor elevations or other flood protection measures are in compliance with the requirements of this ordinance.

- 11.14 Notifications for Watercourse Alterations. Before authorizing any alteration or relocation of a river or stream, the Zoning Administrator must notify adjacent communities. If the applicant has applied for a permit to work in public waters in accordance with Minnesota Statutes, section 103G.245, this will suffice as adequate notice. A copy of the notification must also be submitted to FEMA.
- 11.15 Notification to FEMA When Physical Changes Increase or Decrease Base Flood Elevations. Where physical changes affecting flooding conditions may increase or decrease the water surface elevation of the base flood, Pennington County must notify FEMA of the changes in order to obtain a Letter of Map Revision (LOMR), by submitting a copy of the relevant technical or scientific data as soon as practicable, but no later than six months after the date such supporting information becomes available.

## 11.2 Variances

- 11.21 Variance Applications. An application for a variance to the provisions of this ordinance will be processed and reviewed in accordance with Minnesota Statutes, section 462.357, Subd. 6(2) and this ordinance.
- 11.22 Adherence to State Floodplain Management Standards. Variances must be consistent with the general purpose of these standards and the intent of applicable provisions in state and federal law. Though variances may be used to modify permissible methods of flood protection, no variance shall permit a lesser degree of flood protection than the Regulatory Flood Protection Elevation (RFPE).
- 11.23 Additional Variance Criteria. The following additional variance criteria of the Federal Emergency Management Agency must be satisfied:
- A. Variances must not be issued by a community within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
  - B. Variances may only be issued by a community upon:
    - (1) A showing of good and sufficient cause;
    - (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
    - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  - C. Variances may only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 11.24 Flood Insurance Notice. The Zoning Administrator must notify the applicant for a variance in writing that:
- A. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
  - B. Such construction below the base flood level increases risks to life and property. Such notification must be maintained with a record of all variance actions.
- 11.25 Considerations for Approval. The community may consider the following factors in granting variances and imposing conditions on variances and conditional uses in floodplain districts:
- A. The potential danger to life and property due to increased flood heights or velocities caused by encroachments.
  - B. The danger that materials may be swept onto other lands or downstream to the injury of others.
  - C. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- 11.26 Conditions of Approval. Pennington County may attach such conditions to the granting of variances and conditional use permits as it deems necessary to fulfill the purposes of this ordinance. Such conditions may include, but are not limited to, the following:
- A. Limitations on period of use, occupancy, and operation.
  - B. Imposition of operational controls, sureties, and deed restrictions.

- C. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.
- D. Other conditions as deemed appropriate by the Zoning Administrator and Pennington County Board of Commissioners.

### 11.3 Conditional Uses.

- 11.31 Administrative Review. An application for a conditional use permit will be processed and reviewed in accordance with the provisions in this ordinance.
- 11.32 Considerations for Approval. In passing upon conditional use applications, Pennington County must consider all relevant factors specified in other sections of this ordinance, including those detailed in Section 11.25.
- 11.33 Conditions of Approval. In addition to the standards identified in Sections 5.4 and 6.4, Pennington County may attach such conditions to the granting of conditional use permits as it deems necessary to fulfill the purposes of this ordinance, including those detailed in Section 11.26.

### 11.4 Notifications to the Department of Natural Resources.

- 11.41 All notices of public hearings to consider variances or conditional uses under this ordinance must be sent via electronic mail to the Department of Natural Resources respective area hydrologist at least ten (10) days before the hearings. Notices of hearings to consider subdivisions/plats must include copies of the subdivision/plat.
- 11.42 A copy of all decisions granting variances and conditional uses under this ordinance must be sent via electronic mail to the Department of Natural Resources respective area hydrologist within ten (10) days of final action.

## SECTION 12.0 NONCONFORMITIES

12.1 **Continuance of Nonconformities.** A use, structure, or occupancy of land which was lawful before the passage or amendment of this ordinance, but which is not in conformity with the provisions of this ordinance, may be continued subject to the following conditions:

- 12.11 Within the floodway and general floodplain districts (when a site has been determined to be located in the floodway following the procedures in Section 7.3, or when the floodway has not been delineated), expansion or enlargement of uses or structures is prohibited.
- 12.12 Within all districts, any addition, modification, rehabilitation, repair, or alteration shall be in conformance with the provisions of this ordinance, shall not increase the flood damage potential or increase the degree of obstruction to flood flows, and where applicable, must be protected to the Regulatory Flood Protection Elevation (RFPE).
- 12.13 If any nonconforming structure is determined to be substantially damaged or substantially improved based on the procedures in Section 12.2, it may not be reconstructed except in conformity with the provisions of this ordinance. Existing structures within the regulatory floodplain, but outside of the one-percent annual chance floodplain, as detailed in Section 3.13, are exempt from this provision.
- 12.14 If any nonconforming use, or any use of a nonconforming structure, is discontinued for more than one year, any future use of the premises must conform to this ordinance.

12.2 **Substantial Improvement and Substantial Damage Determinations.** Prior to issuing any permits for additions, modifications, rehabilitations, repairs, alterations, or maintenance to nonconforming structures, the Zoning Administrator is required to determine if such work constitutes substantial improvement or repair of a substantially damaged structure. A determination must be made in accordance with the following procedures:

- 12.21 Estimate the market value of the structure. In cases where the property has sustained damage, the market value of the structure shall be the market value before the damage occurred and before any restoration or repairs are made.
- 12.22 Estimate the cost of the project. The property owner shall accommodate for inspection, and furnish other documentation needed by the zoning administrator to evaluate costs.
  - A. Improvement costs shall be comprised of the market rate of all materials and labor, as well as the costs of all ordinary maintenance and upkeep carried out over the past one year.

B. Costs to restore damages shall be comprised of the market rate of all materials and labor required to restore a building to its pre-damaged condition regardless of the work proposed, as well as associated improvement costs if structure is being restored beyond its pre-damaged condition.

12.23 Compare the cost of the project and/or repairs to the estimated market value of the structure and determine whether the proposed work constitutes substantial improvement or repair of a substantially damaged structure, as defined in Section 2.0 of this ordinance.

A. For the purposes of determining whether the proposed work would constitute substantial improvement, the evaluation shall also include all rehabilitations, additions, or other improvements completed since the community has adopted floodplain standards impacting this structure.

B. If any nonconforming structure experiences a repetitive loss, as defined in Section 2.0 of this ordinance, it shall be considered substantially damaged and must not be reconstructed except in conformity with the provisions of this ordinance.

12.24 Based on this determination, the zoning administrator shall prepare a determination letter and notify the property owner accordingly. Structures determined to be substantially damaged or substantially improved may not be reconstructed except in conformity with the provisions of this ordinance.

### **SECTION 13.0 VIOLATIONS AND PENALTIES**

13.1 **Uses in Violation of the Ordinance.** Every structure, fill, deposit, or other use placed or maintained in the floodplain in violation of this ordinance shall be considered a public nuisance.

13.2 **Civil Remedies.** The creation of a public nuisance may be enjoined and the maintenance of a public nuisance under this ordinance may be abated by an action brought by Pennington County or the Department of Natural Resources.

13.3 **Enforcement.** Violations of the provisions of this ordinance constitutes a misdemeanor and is punishable as defined by law. The Zoning Administrator may utilize the full array of enforcement actions available to it including but not limited to prosecution and fines, injunctions, after-the-fact permits, orders for corrective measures or a request to the National Flood Insurance Program for denial of flood insurance. Pennington County must act in good faith to enforce these official controls and to correct ordinance violations to the extent possible so as not to jeopardize its eligibility in the National Flood Insurance Program.

### **SECTION 14.0 AMENDMENTS**

14.1 **Ordinance Amendments.** Any revisions to the floodplain maps by the Federal Emergency Management Agency or annexations of new map panels require an ordinance amendment to update the map references in Section 3.2 of this ordinance.

14.2 **Required Approval.** All amendments to this ordinance must be submitted to the Department of Natural Resources for review and approval prior to adoption, for compliance with state and federal rules and requirements. The floodplain ordinance shall not be considered valid until approved.