

**OFFICIAL PROCEEDINGS  
PENNINGTON COUNTY BOARD OF COMMISSIONERS  
TUESDAY, NOVEMBER 22<sup>ND</sup>, 2016, 5:00 P.M.**

Pursuant to adjournment, the Pennington County Board of Commissioners met in the Pennington County Board Room in Thief River Falls, MN, on Tuesday, November 22<sup>nd</sup>, 2016 at 5:00 P.M. Members present: Donald Jensen, Neil Peterson and Darryl Tveitbakk. Members absent: Cody Hempel and Oliver “Skip” Swanson.

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

Ken Yutrzenka, Human Service Director, presented the consent agenda recommendations from the November 15<sup>th</sup>, 2016 Human Service Committee meeting. Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk, the following recommendations of the Pennington County Human Service Committee for November 15<sup>th</sup>, 2016 are hereby adopted. Motion carried.

SECTION A

- I. To approve the October 18, 2016 Human Service Committee meeting minutes as corrected.
- II. To approve the Agency’s personnel action, as presented.

SECTION B

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

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson to authorize overtime pay for Julie Sjostrand. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson to accept the resignation of Eligibility Worker Erica Lozano and to authorize Human Services to post for candidates to fill the position. Motion carried.

It was noted that Pennington County would receive a \$75,649 dividend from the Minnesota Counties Intergovernmental Trust for 2016.

The County Board then discussed a bill from Karvakko Engineering, Architecture, Surveying and Planning. Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk to authorize the payment of \$637.50 to Karvakko for services to review traffic flow and furniture layout of the Human Service building. Motion carried.

Inter County Nursing Service Director Anita Cardinal presented a written proposal from Tony Dorn Office Supplies for office furniture and divider panels for the office space in the lower level of the Pennington County Courthouse. An itemized list of the equipment delivered and set up was presented. Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson to authorize the purchase of the itemized list of furniture from Tony Dorn Office Supplies for a total of \$18,665.00. Motion carried.

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

**RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS  
AGREEMENTS WITH THE COUNTY OF PENNINGTON ON BEHALF OF ITS  
COUNTY ATTORNEY AND SHERIFF**

WHEREAS, the County of Pennington on behalf of its County Attorney and Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreements further provide the County with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Pennington, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Pennington on behalf of its County Attorney and Sheriff are hereby approved.
2. That the Sheriff, Ray Kuznia, or his or her successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Misty Manderud is appointed as the Authorized Representative's designee.

3. That the Pennington County Attorney, Alan Rogalla, or his or her successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Jill Kolstoe is appointed as the Authorized Representative's designee.

4. That Don Jensen, the Chair of the County of Pennington, and Ken Olson, the County Board Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk to approve the following 3.2 On & Off-Sale licenses and liquor license. Motion unanimously carried.

Thief River Falls Golf Club	Liquor License and Sunday Sales
Falls Stay & Play	3.2 On-Sale
Petro Pumper	3.2 Off-Sale
Kruse In	3.2 Off-Sale

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson to approve the following tobacco licenses. Motion unanimously carried

Farmers Union Oil Company – Goodridge
Kruse in – St. Hilaire
Petro Pumper – Thief River Falls

The Joint Ditch #31 meeting was set for 9:00 a.m. December 21<sup>st</sup>, 2016.

Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk to issue a replacement warrant for lost warrant #177999 issued to Verizon Wireless for \$342.33 on September 7<sup>th</sup>, 2016, without issuance of an indemnifying bond. Motion carried.

Motioned by Commissioner Peterson, seconded by Commissioner Tveitbakk to approve payment of the Human Services warrants totaling \$142,383.20, the Auditor & Manual warrants for October totaling \$1,164,871.84 and also the following Commissioner warrants. Motion carried.

WARRANTS

County Revenue	\$144,765.48
Road & Bridge	\$ 34,712.26
Solid Waste Facility	\$ 7,117.95
Ditch Funds	\$ 100.00

The County Board then reviewed bids for construction of a loading dock addition to the existing transfer station. Concrete bids were received from H & S Construction for \$53,056.00 and Johnson Concrete Construction for \$76,885.00. One bid for the structure was received from Hartman Construction for \$48,124.00. Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson to approve the bids of H & S Construction and Hartman Construction as submitted for construction of a loading dock. Motion carried. SCORE grant funds will pay for the project.

At 5:30 the Chairman recessed the County Board meeting and called the Red Lake River One Watershed Plan Public Hearing to order. In attendance were: Matt Fischer – Board of Water & Soil Resources, Corey Hansen – Red Lake Watershed District, Bryan Malone and Peter Nelson – Pennington County Soil and Water Conservation District, Dave Burns – KTRF Radio and Nate Dalager – HDR Engineering.

Nate Dalager mentioned that this was the third public hearing on the plan today. Meetings were held in Polk and Red Lake counties this morning. The Red Lake River One Watershed One Plan area is located within the Red Lake River sub watershed and is in portions of Pennington, Polk, Red Lake, Marshall and Beltrami counties. The Plan outlines Prioritization Statements for each issue of concern and a summary of measurable goals. The purpose of the meeting is to present the comments received during the 60 day comment period and allow all in attendance to submit additional comments. A copy of the draft plan is available at: <http://westpolkswcd.com/1w1p.html>. The final Plan will be submitted to the MNBWSR by the end of the year and should be approved in the spring of 2017.

The hearing was adjourned and the County Board meeting called back into session.

County Engineer Mike Flaagan discussed moving seasonal employees to permanent part-time. He also stated that the new Highway Equipment Operator had started.

There has been two more ditch petitions that have come in for cleaning and he will bring them in at a later meeting.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson to approve the minutes of the October 25<sup>th</sup>, 2016 County Board meeting as written. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson to approve the minutes of the November 7<sup>th</sup>, 2016 County Board meeting as written. Motion carried.

Motioned by Commissioner Tveitbakk, seconded by Commissioner Peterson to adjourn to 5:00 p.m. Tuesday, December 13<sup>th</sup>, 2016. Motion carried.

ATTEST:

Kenneth Olson, Auditor-Treasurer  
Pennington County

Donald Jensen, Chairman  
Board of Commissioners

**NOVEMBER 22, 2016**  
**BOARD MINUTES**

Pursuant to motion of adjournment the Polk County Board of Commissioners met in regular session at 8:00 o'clock a.m., November 22, 2016 in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Craig Bunes, Commissioner Warren Strandell, Commissioner Nick Nicholas, Commissioner Don Diedrich, Commissioner Joan Lee and Charles S. Whiting, Polk County Administrator. Others present: Michelle Cote, Deputy Clerk of the Board.

**AGENDA**

A motion was made by Commissioner Lee seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the November 22, 2016 agenda.

**CONSENT AGENDA**

A motion was made by Commissioner Bunes seconded by Commissioner Strandell and adopted by unanimous vote of the Board to approve the Consent Agenda with the removal of item No. 1 on the agenda the November 15, 2016 minutes.

1. Approve payment to Fleetmatics, Waltham, MA in the amount of \$76.00 for vehicle tracking for the IS Department.
2. Approve payment to Beta Analytic Inc., Miami, FL in the amount of \$390.00 for greenhouse gas testing (CO2 Content Analysis) for the Incinerator in Fosston.

**COUNTY BOARD MEMBERS ISSUE FORUM**

1. Commissioner Bunes brought forth that he participated in a full LARL Board meeting where a potential Bremer grant in the amount of \$91,000 was the focus. He also participated in the Polk Norman Mahnomen Health Board. Also brought forth was discussion regarding an upcoming meeting for the Sandhill River Watershed Advisory Board meeting where the discussion will be focused on an open seat on the Board being vacated by Bill Brekke.
2. Commissioner Nicholas brought forth discussion regarding the Polk Norman Mahnomen Health Board meeting that he attended where leadership and finances were the focus. He also participated in the Tri-County Community Corrections Advisory Board Meeting.
3. Commissioner Diedrich brought forth that he attended a Middle Snake Tamarac River Watershed Advisory Board meeting.
4. Commissioner Lee brought forth that she participated in a Household Hazardous meeting. She also participated in the 2016 General Election Canvassing. In addition she participated in and Inter Community Council Day focused on diversity.
5. Commissioner Strandell brought forth that he participated in the Tri-County Community Corrections Advisory Board meeting where information was brought forth that youth within the Juvenile Facility can participate in Stable Days Youth Ranch activities. Staff turnover within Corrections continues to be an issue.

## **ENVIRONMENTAL SERVICES**

Jon Steiner, Environmental Services Director came before the Board with matters pertaining to his department

### **1. Landfill Permit Update.**

An update regarding the Landfill permit was provided to the Board.

## **PUBLIC HEARING**

Nicole Bernd, West Polk SWCD Manager and Matt Fisher, BWSR Board Conservationist came before the Board to discuss the Red Lake River One Watershed One Plan Executive Summary and facilitate their public hearing.

### **1. Red Lake River One Watershed One Plan Executive Summary and Hearing**

A motion was made by Commissioner Diedrich seconded by Commissioner Bunes and adopted by unanimous vote of the Board to open the West Polk Soil and Water Conservation District Hearing at 9:20 a.m. The focus of the Hearing was the Red Lake River One Watershed One Plan Executive Summary. (Executive Summary on file in the Administrator's Office). A motion was made by Commissioner Lee seconded by Commissioner Strandell and adopted by unanimous vote of the Board to close the Hearing at 9:45a.m.

## **FACILITIES**

Mark Dietz, Facilities Management Director came before the Board with matters pertaining to his department:

### **1. Polk County Project Review**

Discussion was held with the Board regarding the Polk County projects that have been completed from 2013 to present and their effect.

## **DEPARTMENT OF NATURAL RESOURCES**

Ross Hier, Emily Hutchins, and Tammy Vaden, from the Department of Natural Resources came before the Board with matters pertaining to DNR. Also in attendance were, Sidney Fjerstad, Steve Fjerstad, Cody Fjerstad, Larry Lenes, and Dan Wilkens, Sandhill Watershed Administrator, Rich Sanders, Polk County Highway Engineer, and Jody Beauchane, Polk County Agricultural Ditch Inspector. Comments were taken from the gallery:

- Sidney Fjerstad indicated they own land abutting the project and want no part of this project.
- Dan Wilkens, Sandhill Watershed Administrator brought forth concerns that a legal public hearing should be held and in addition damages could be potentially paid.
- Ross Hier, DNR brought forth that the proposed resolution is a compromise.
- Sidney Fjerstad was asked if he would be interested in selling his property affected by this resolution. He indicated he was not.

### **1. Resolution (2016-62) Approving the Replacement of Water Control Structure on County Ditch No. 83**

#### **RESOLUTION (2016-62)**

#### **Approving the Replacement of Water Control Structure on County Ditch No. 83**

The following resolution (2016-62) was offered by Commissioner Diedrich:

WHEREAS, a water control structure was in place on County Ditch #83 in the Northwest Quarter (NW1/4) of Section 27, Township 147, Range 40, in the Hovland Wildlife Management Area from 1962 to 2011, and

WHEREAS, the Department of Natural Resources Section of Wildlife desires to reinstall a water control structure on Ditch #83 so as to restore Hovland Marsh, protected water basin #60034600, to provide high quality wetland wildlife habitat, improve water quality in the Sandhill River Watershed, in which the upper portion of the Sandhill River remains in impaired status, and provide flood storage benefits for the Red River Watershed, and

WHEREAS, in response to adjacent landowner concerns, the runout elevation of the water control structure will be 1272.6 (North American Vertical Datum of 1988), 1.8 feet below the Ordinary High Water Level of 1274.4, and

WHEREAS, the Polk County Board of Commissioners has examined and fully understands the plans and specifications for the restoration of said public water basin #60034600 and believes the same to be practical and advisable, and

WHEREAS, the costs of construction and maintenance of such water control structure will be paid or borne by the State of Minnesota and no costs for such structure shall be the responsibility of the County,

BE IT THEREFORE RESOLVED that the County Board of Polk County grant approval to the State of Minnesota, Department of Natural Resources for the proposed development and permission to construct and maintain said water control structure.

Commissioner Strandell seconded the foregoing resolution. The resolution **failed** upon the following vote. YEAS: Diedrich, Strandell. NAYS: Lee, Bunes and Nicholas.

Commissioner Bunes would like to be on the record indicating he is not opposed to the project but would like to see a hearing process for public input.

### **REVISED AGENDA**

A motion was made by Commissioner Diedrich seconded by Commissioner Strandell and adopted by unanimous vote of the Board to add Robert Wagner, Director of Assessment Services with a Truth in Taxation correction to the November 22, 2016 agenda.

### **TAXPAYER SERVICE CENTER**

Robert Wagner, Director of Assessment Services came before the Board with matters pertaining to his department:

#### **1. Truth in Taxation Correction:**

Robert Wagner brought forth an issue regarding Euclid and Fanny townships. The 10% reduction authorized at the 2016 Polk County Board of Equalization was inadvertently not transferred from the Valuation Program to the Tax Program. The impact for landowners outside of Euclid and Fanny Townships is minimal. The landowners in Euclid and Fanny townships will receive a notification of correction.

**ADMINISTRATION**

Chuck Whiting, Polk County Administrator came before the Board with matters pertaining to his department:

**1. 2016 Budget to Actual October Year to Date:**

An update was given to the Board regarding the 2016 budget. (Handouts on file in the Administrator's Office)

**2. 2017 Budget**

An update was given to the Board regarding the 2017 budget. (Handouts on file in the Administrator's Office)

With no further business the Board adjourned to reconvene at 1:00 o'clock p.m., November 29, 2016.

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Nick Nicholas, Chairman

ATTEST:

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Charles S. Whiting, Clerk of the Board



RED LAKE COUNTY  
Regular Meeting Held November 22, 2016

Pursuant to adjournment of its regular meeting the Red Lake County Board of Commissioners duly met in regular session at the courthouse in Red Lake Falls, MN on November 22, 2016 at 10:00 a.m. Chair Simpson called the meeting to order. All Commissioners were present. The Pledge of Allegiance was recited.

Commissioner Lerohl moved, seconded by Sorensen and carried to approve the agenda with the addition of the Oklee City Park.

Commissioner Weiss moved, seconded by Sorensen and carried unanimously to approve the minutes from the November 8, 2016 regular board meeting.

The following commissioner/committee reports were shared:

<u>Commissioner</u>	<u>Meeting/Report</u>
Weiss	Tri County Corrections: reviewed financials, insurance liabilities, jail usage, personnel changes, Staple Days-Youth Ranch report, and probation services.
Flage	SWCD: reviewed projects and grants. County Canvassing Board.
Sorensen	Tri County Corrections. Inter County Nursing: new office space is completed, discussed the budget and financials.
Lerohl	County Canvassing Board. HRA: discussed apartment housing and spec home purchases. Reported that a rodeo will be held at the 2017 county fair.
Simpson	None.

Commissioner Lerohl informed of the “2017 Eco-footprint Grant” sponsored by Enbridge Energy. The grant will be used to upgrade the Omar Sunrud Park (formerly the Oklee City Park) located north of the city. The city is asking the county to support its efforts. There will be no monetary obligation required of the county. Commissioner Sorensen moved, seconded by Weiss and carried unanimously to support the efforts of the City of Oklee.

Commissioner Lerohl moved, seconded by Weiss and carried by unanimous vote to approve the expenditures for the period as follows:

<u>Vendor Name</u>	<u>Amount</u>
Bert’s Truck Equipment	\$ 11,002.00
Gcr Tire Center	5,360.00
H&L Mesabi	7,196.00
Knife River Materials Inc.	136,516.88
17 Payments less than 2,000	<u>4,900.04</u>
Final Total	\$164,974.92

The motion includes the following additional bills: \$744.58 to Kelley Rogalla; \$56.70 to Bob Schmitz, and \$49.00 to Quill.

Tanya Hanson, SWCD Administrator provided an update on the several BWSR (Board of Water/Soil Resources) projects that utilized dollars from the “Clean Water Fund Grant”. Hanson informed that a meeting will be held December 14, 2016 in Red Lake Falls to explain the new Minnesota Buffer Law requirements.

Hanson reviewed the Memorandum of Agreement for the 1W1P program. The memorandum establishes the fiscal agency to perform coordinator functions for plan operations. Hanson recommended that the SWCD be appointed the fiscal agency for the 1W1P for the first year of operation. Commissioner Weiss

moved, seconded by Lerohl and carried unanimously to appoint the local SWCD as the fiscal agent for the 1W1P program, and review after the first year whether the SWCD will remain the fiscal agent on a longer-term basis.

Auditor Schmitz provided an election report from the General election held November 8, 2016.

The regular meeting went into recess at 11:00 a.m. to conduct the Public Hearing for the 1W1P proposal. Present for the hearing were: Tanya Hanson of the SWCD, Nate Dallager of HDR Engineering, Corey Hanson of the Red Lake Watershed District, County Board members and the County Auditor. Dallager reviewed the plan with board members and answered questions. The hearing closed at 11:35 a.m. and the regular board meeting was re-opened.

Auditor Schmitz informed that Pennington County has scheduled a joint ditch meeting to discuss a petition for maintenance on JD #31. The meeting is scheduled for 9:00 a.m. on Wednesday, December 21, 2016 at the Pennington County Courthouse. Board members Lerohl and Simpson are the Red Lake County representatives.

The County Board re-scheduled the next board meeting to Thursday, December 8, 2016 at 4:00 p.m. to coincide with the Truth-in-Taxation hearing scheduled for later that day at 6:00 p.m.

The board acknowledged correspondence from Enbridge Energy updating on oil pipeline projects in the area.

The meeting was recessed for lunch at 11:45 a.m. and reconvened at 1:00 p.m. The board continued with review of the 2017 county budget.

There being no further business the meeting was adjourned until December 8, 2016 at 4:00 p.m. in the courthouse board room.

Attest: \_\_\_\_\_  
Robert Schmitz,  
County Auditor

\_\_\_\_\_  
Chuck Simpson  
Chair, Board of Commissioners