

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 29TH, 2020, 5:00 P.M.**

Pursuant to adjournment, the Pennington County Board of Commissioners met in the Pennington County Justice Center Board Room in Thief River Falls, MN, on Tuesday, December 29th, 2020 at 5:00 p.m. Members Present: Darryl Tveitbakk, Don Jensen, Bruce Lawrence, Neil Peterson, Cody Hempel. Members Absent: None.

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

Human Services Director Julie Sjostrand met with the Board and presented the consent agenda from the December 15th, 2020 Human Services Committee meeting. On a motion by Commissioner Hempel and seconded by Commissioner Jensen, the following recommendations of the Pennington County Human Service Committee for December 15th, 2020 (detailed minutes on record) are hereby adopted:

SECTION A

- I. To approve the November 17th, 2020 Human Service Committee meeting minutes.
- II. To approve the agency's personnel action as presented; the hire of Kate Trudeau as Social Services Supervisor – Child Protection, effective January 11th, 2021.
- III.
 - A. To approve the CY 2021 Behavioral Health (Community-Based Services/Residential/Temporary Confinement and CD Assessment) Purchase of Service Agreements between Sanford Behavioral Health and Pennington County Human Services.
 - B. To approve the CY 2021 Supported Employment Purchase of Service Agreement between the Occupational Development Center, Inc. and Pennington County Human Services.
 - C. To approve the Updated Pennington County Licensed Family Child Care Variance Guidelines Brochure.

SECTION B

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

Motioned by Commissioner Jensen, seconded by Commissioner Lawrence, to approve the hire of Shelby Erickson as Social Worker with an effective starting date of February 1st, 2021. Motion carried.

Ms. Sjostrand thanked Commissioners Jensen and Hempel for their years of service to Pennington County and has really enjoyed working with them.

The following resolution was introduced by Commissioner Jensen, seconded by Commissioner Hempel, and upon vote was unanimously carried.

BE IT RESOLVED, that the Pennington County Board of Commissioners does hereby approve the Joint Power Agreement – Northwest Workforce Service Area, effective July 1st, 2020 and ending June 30th, 2022.

Motioned by Commissioner Lawrence, seconded by Commissioner Jensen, to approve the reappointments of Joeanna Larson and Cindy Dallmann to the Inter-County Nursing Service Board for a two-year term effective January 1st, 2021 through December 31st, 2022. Motion carried.

County Coordinator Kevin Erickson discussed an Out-of-State Travel Policy for Pennington County Elected Officials. Motioned by Commissioner Jensen, seconded by Commissioner Lawrence, to approve the Out-of-State Travel Policy for Pennington County Elected Officials as presented. Motion carried.

The Chairman recessed the Board meeting at 5:10 p.m. and opened the Public Hearing regarding the proposed change of the Auditor-Treasurer and Recorder positions from elected to appointed.

Present for the Public Hearing: April Scheinoha – Thief River Falls Times, Julie Sjostrand – Human Services Director, Jennifer Herzberg – Auditor/Treasurer, Grant Nelson – TRF Radio (via Zoom), Seamus Duffy – County Attorney, Carl Bruzek – County Assessor, Erik Beitel – Emergency Management Director Crystelle Philipp, Marit Martell – Hoffman, Philipp & Martell, PLLC.

County Attorney Seamus Duffy discussed the proposed change and cited the Minnesota Statutes allowing such change. County Coordinator Kevin Erickson noted the public comment period ended at 4:00 p.m. today as duly advertised; one constituent voiced his and his family's opposition to the change and a desire for the Board to delay any action on the issue. Commissioner Peterson stated that he reached out to people in his district regarding the proposal and received only positive comments; some questioned why such positions were elected to begin with. Chairman Tveitbakk stated that a high majority of Minnesota counties have already made these positions appointed and that it is being considered here also to protect the residents and interests of the County by insuring that qualified individuals hold these offices. Hearing no further comments, the Chairman closed the hearing at 5:12 p.m. and the Board meeting was called back to order.

The following resolution was introduced by Commissioner Jensen, seconded by Commissioner Lawrence, and upon vote was unanimously carried.

**RESOLUTION ESTABLISHING THE APPOINTED OFFICES OF COUNTY AUDITOR-TREASURER
AND COUNTY RECORDER**

WHEREAS, 2017 Minnesota Session Laws, Chapter 92, Article 3, Section 6, passed by the legislature and signed into law by the Governor, provides a process for making certain county offices appointed in Pennington County; and

WHEREAS, the Pennington County Board of Commissioners desires to make the offices of County Auditor/Treasurer and County Recorder not elected by filled by appointment of the County Board; and

WHEREAS, the Pennington County Board of Commissioners wishes to appoint the offices of County Auditor/Treasurer and County Recorder effective upon the completion of the term of office to which the incumbent was elected or until a vacancy occurs in the office, which occurs earlier.

NOW, THEREFORE, BE IT RESOLVED, that the Pennington County Board of Commissioners hereby makes the offices of County Auditor/Treasurer and County Recorder appointed offices filled by appointment by the County Board.

BE IT FURTHER RESOLVED, that the Pennington County Board of Commissioners order that the effective date of said appointments will take place upon the completion of the term of office to which the incumbent was elected or until a vacancy occurs in the office, whichever occurs earlier.

Motioned by Commissioner Lawrence, seconded by Commissioner Hempel, to authorize an additional \$1,800 for the removal of asbestos in the Auditor-Treasurer and Assessor areas of the Government Center. Discussion followed with Commissioner Jensen stating that an additional \$4,400, per the quote by ACCT, Inc., would cover asbestos removal in the entire Auditor-Treasurer's office and that upcoming State funding could possibly cover the additional cost. Commissioner Lawrence amended his motion to a total of \$6,200, to which the seconder agreed, and upon vote the motion was unanimously carried.

Motioned by Commissioner Hempel, seconded by Commissioner Peterson, to approve an application by Falls Stay and Play for a 3.2 On-Sale Liquor License for 2021. Motion carried.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to approve an application for a 3.2 Off-Sale Liquor License for Petro Pumper for 2021. Motion carried.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to approve an application for a Tobacco and Cigarette License for the Goodridge Municipal Liquor Store for 2021. Motion carried.

Motioned by Commissioner Hempel, seconded by Commissioner Jensen, to approve the Board minutes of December 8th, 2020 as written. Motion carried.

Motioned by Commissioner Peterson, seconded by Commissioner Lawrence, to approve the Human Services warrants totaling \$132,447.51, the November Auditor and Manual warrants totaling \$6,011,489.52, and also the following Commissioner warrants. Motion carried.

WARRANTS

County Revenue	\$115,852.42
Road & Bridge	\$289,013.02
Solid Waste Facility	\$ 1,125.00
Ditch funds	\$ 5,827.50

Per diems and meal reimbursements in the amount of \$2,662.65 were also approved.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to hold an Economic Development Tax Abatement Hearing on January 26th, 2021 at 5:30 p.m. on the following properties approved by the Thief River Falls City Council. Motion carried.

<u>Parcel Number</u>	<u>Owner</u>
25.12100410	Kellie Dagg
25.12100310	Tanner Nessen
25.12100910	Brandi Dorge
25.12100710	Mackenzie Swick
25.04703801	Jeremiah Nichols
25.12100810	Tanner Dicken
25.02201700	Diana Donarski
25.04300421	Wendall Wegge
25.11500300	Marcia Sandal

Kyri Nelson appeared before the Board (via Zoom) regarding a tax penalty they incurred on parcel ID: R25.00509430. Ms. Nelson stated the property does not have a home on it, nor is there a mail receptacle on the property, so the tax statement was not received. She requested the late penalty on the second half of 2020 property tax be waived in consideration. County Coordinator Kevin Erickson stated the property address for tax statements was listed on the deed, and in accordance with standard

procedure that is where the statement was sent. Discussion followed with Commissioner Lawrence stating that is ultimately the responsibility of the property owner to pay their taxes on or before the due date. No action was taken by the Board.

Motioned by Commissioner Peterson, seconded by Commissioner Hempel, to approve the Collective Bargaining Agreement between Pennington County and AFSCME Local #3452, which includes employees of Pennington County Human Services, for a three-year period beginning January 1st, 2021. Motion carried.

Motioned by Commissioner Hempel, seconded by Commissioner Peterson, to approve the Collective Bargaining Agreement between Pennington County and I.U.O.E. Local #49, which includes employees of the Pennington County Highway Department, for a three-year period beginning January 1st, 2021. Motion carried.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to approve the Collective Bargaining Agreements between Pennington County and Minnesota Teamsters Public and Law Enforcement Employees Union Local #320 for the Deputies unit and the Dispatcher/Jailers, Corrections Officers, Jail Program Director, and STS units, for a three-year period beginning January 1st, 2021. Motion carried.

Sandra Gaffney appeared before the Board (via conference call) regarding a tax penalty incurred on property owned by her mother, parcel ID: R25.01702240. Mildred Furuseth passed away in late September, 2020 and Ms. Gaffney's husband passed in early November, 2020. It was unknown to Ms. Gaffney that her mother's taxes were not paid until she received a letter from the County. She requested that the late penalties on the second half of 2020 property taxes be waived in consideration of her mother and husband's untimely passing. Motioned by Commissioner Hempel, seconded by Commissioner Peterson, to abate the late penalty incurred on the second half of 2020 property taxes on parcel ID: R25.01702240 in consideration of the circumstances as discussed above. Motion carried.

Chief Deputy Sheriff Seth Vettleson met with the Board regarding the following personnel items:

Motioned by Commissioner Lawrence, seconded by Commissioner Jensen, to accept the resignation of Full-Time Corrections Sergeant Kayla Dunwoody effective 12/31/20. Motion carried.

Motioned by Commissioner Hempel, seconded by Commissioner Lawrence, to approve the resignation of Gracie Porter as Full-Time Corrections Officer effective January 11th, 2021. Motion carried.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to approve the hire of Hunter Eugene Roller as Full-Time Deputy Sheriff effective January 4th, 2021. Motion carried.

Marit Martell and Crystelle Philipp of Hoffman, Philipp and Martell, PLLC met with the Board to review the 2019 Pennington County Audit. No issues were discovered and the opinion was unmodified, which is excellent. Ms. Philipp summarized the sections of the audit report and answered questions from the Board. The Board thanked them for their report.

County Engineer Mike Flaagan met with the Board and requested approval to move \$150,000 from the Building Improvement Fund to the Capital Improvement Fund due to the cold storage building project not being awarded in 2020. Motioned by Commissioner Lawrence, seconded by Commissioner Jensen,

to approve a 2020 transfer of \$150,000 from the Building Improvement Fund to the Capital Improvement Fund as discussed above. Motion carried.

Engineer Flaagan stated that MnDOT is considering replacement of the roof at the Joint Use Facility in 2021 and cost estimates are \$600,000. The Board stated that if the project occurs in 2021 the County will have to budget for the expense in 2022.

Motioned by Commissioner Jensen, seconded by Commissioner Peterson, to transfer \$105,758.23 from various ditch maintenance funds to the Road and Bridge Fund for work done by the Highway Department in 2020. Motion carried.

Mr. Flaagan stated that MnDOT approached him with concerns should any of their motor grader operators contract COVID-19; would the County contract for assistance completing their road work. Mike stated that if approved the County would invoice MnDOT for labor and equipment use. After discussion on the current County rates charged for related services, Commissioner Jensen motioned, seconded by Commissioner Peterson, to increase the County's motor grader rate to \$120.00/hour, the tandem truck rate to \$130.00/hour, and to increase the minimum charge for a residential driveway from \$60.00 to \$75.00. Motion carried.

Motioned by Commissioner Jensen, seconded by Commissioner Peterson, to approve the promotion of Erick Huseth and Gerald Larson to Full-Time Highway Equipment Operator effective January 1st, 2021. Motion carried.

Mr. Flaagan informed the Board that Mr. Huseth will be working a 3:00 – 11:30 a.m. shift as Highway Equipment Operator during the winter months to take care of trouble spots in the County, such as the roundabouts that we have responsibility for.

Motioned by Commissioner Jensen, seconded by Commissioner Lawrence, to approve a wage adjustment for the County Highway Accountant to Grade 16 and a Step 5 wage of \$29.80/hour, inclusive of a 2021 COLA, effective January 1st, 2021. Motion carried.

Motioned by Commissioner Jensen, seconded by Commissioner Lawrence, to authorize the Engineer to advertise for bids to add-on to the cold storage building, with a bid opening scheduled for February 8th, 2021 at 11:00 a.m. Motion carried.

Mr. Flaagan thanked Mr. Jensen and Mr. Hempel for their service to the County and has enjoyed working with them through the years.

Inter-County Nursing Director Kayla Jore presented a COVID 19 update. The vaccine has begun to arrive, with ICN has administering 10 doses to date and expecting another 100 doses to arrive in a couple weeks. The vaccine is being administered in accordance with 'Phase 1A' and she is hopeful that 'Phase 1B' will include older age-class members of the public. She stated that side effects of the vaccine have been minimal, with a sore shoulder being most common. Ms. Jore stated there have been 24 new COVID cases since December 20th, 2020, but she is expecting a higher spike in cases following the holidays.

Emergency Management Director Erik Beitel noted that the State has passed an economic relief package and Pennington County is eligible to receive \$283,303.62. He recommended that the former CARES

Grant Committee be approved to administer the funds and related grants to local businesses. Motioned by Commissioner Lawrence, seconded by Commissioner Jensen, to authorize the CARES Grant Committee to administer funds received via the economic relief package as authorized by the Minnesota Legislature. Motion carried.

Mr. Beitel stated that counties must apply for the State relief funds and he recommends the Board Chair be authorized to sign the application. Commissioner Hempel questioned what businesses will qualify for the relief funding; if those that received prior CARES funds will be ineligible. Mr. Beitel replied that any business that received prior aid would not be disqualified from this round of relief funds. Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to authorize the Chairman to sign the application for state economic relief funds as discussed above. Motion carried.

Mr. Beitel thanked Commissioners Jensen and Hempel for their years of service and a job well done.

Motioned by Commissioner Lawrence, seconded by Commissioner Jensen, to authorize the County Auditor-Treasurer to make temporary transfers, as outlined by the Auditor-Treasurer, to bring ditch balances to a positive balance at the end of 2020. Motion carried.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to approve a wage adjustment for the Lead Deputy Treasurer to Grade 16 and a Step 5 wage of \$29.80/hour, inclusive of a 2021 COLA, effective January 1st, 2021. Motion carried.

The County Board then discussed cost-of-living-adjustments for non-union employees. Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to set COLAs for non-union, county employees for three years as follows: 2021 = \$.75/hour, 2022 = \$.25/hour + 2.25%, 2023 = \$.25/hour + 1.5%, with an effective date of January 1st each year. This motion excludes elected officials, the County Engineer, and the Crime Victim Services Advocate. Motion carried.

Chairman Tveitbakk entertained discussion on a document titled 'Pennington County Board of Commissioners - Operating Rules and Guidelines'. Motioned by Commissioner Hempel, seconded by Commissioner Jensen, to approve adoption of the 'Pennington County Board of Commissioners - Operating Rules and Guidelines' effective immediately. Motion carried. It was noted that the document will be modified to reflect the incoming Board members and other minor modifications. The revised document will be presented for approval at the January 5th, 2021 Board meeting.

Commissioner Lawrence noted that in light of the Governor stating that school sports practices can resume on January 4th, 2021, he was questioned by TRFAHA about reopening of the Old Auditorium and Old Arena. The county has building lease agreements with TRFAHA and County Attorney Seamus Duffy will review the laws and agreements to see if we can allow use of the facilities for sports again.

Chairman Tveitbakk thanked Commissioners Jensen and Hempel for their years of service and appreciates their dedication to their positions and duty as Commissioners.

Commissioner Jensen stated he has appreciated serving his district the past 32 years and is proud of the fact that he missed only two county board meetings in his tenure as County Commissioner. He has appreciated working alongside many great Board members throughout the years.

Commissioner Hempel stated he appreciates the hard work of the Board; sometimes they respectfully disagree on issues but nonetheless strive to make the best decisions for Pennington County.

County Coordinator Kevin Erickson thanked Commissioners Jensen and Hempel for their years of service to the County and for always striving to make the best decisions for the residents and employees of the County.

Motioned by Commissioner Jensen, seconded by Commissioner Hempel, to adjourn the Board meeting to January 5th, 2021 at 10:00 a.m. Motion carried.

ATTEST:

Kevin Erickson, County Coordinator
Pennington County

Darryl Tveitbakk, Chairman
Board of Commissioners