

**OFFICIAL PROCEEDINGS
PENNINGTON COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 13TH, 2021, 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, April 13th, 2021 at 10:00 a.m. Members Present: Darryl Tveitbakk, Seth Nelson, Bruce Lawrence, and Neil Peterson. Members present via Zoom: David Sorenson. Members Absent: None.

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

Chairman Peterson asked if there were any amendments to the agenda. Hearing none, Commissioner Darryl motioned, seconded by Commissioner Bruce to approve the Board agenda as written. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Recognition of Citizens: None present

Motioned by Commissioner Darryl, seconded by Commissioner Nelson, to approve the County Board minutes of March 23rd, 2021 as written. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Motioned by Commissioner Bruce, seconded by Commissioner Seth, to approve the Human Services warrants totaling \$120,980.18 and the following Commissioner warrants. Motion carried.

County Revenue	\$89,103.16
Road & Bridge	\$79,595.99
Ditch Funds	\$ 263.78

Per diems and meal reimbursements in the amount of \$2,362.93 were also approved.

Pennington County Extension Educator/4-H Youth Development Ashley Nerhus presented an update to the Board. Despite the pandemic the 4-H program is alive and well. Many events have been held virtually, such as the 2020 fair, annual banquet, and the Cloverbud program. Other items reported on include: the Ambassador program, B.I.O. Girls (Beautiful Inside and Out) program, and the shooting and archery sports program. They are also working with Les's Sanitation on a 4-H recycling team so kids understand the recycling process. Both Extension and 4-H hope to hold a normal fair this summer.

Pennington County Ag Services and SW Coordinator Kyle Jore stated that the 2020 solid waste report has been submitted. There were 3,215 tons of recyclables in the County in 2020, amounting to 26% of total municipal waste. There were 10 participants in the household hazardous waste program and a total of 36 tons of waste collected. Kyle noted that the spring cleanup date is May 1st, 2021 from 8:00 - 12:00 p.m. Lately he has fielded calls on land rent, helped others navigate the state and federal farm programs, worked with plant/bug identification, and wrote a grant for the 2022 solid waste and 4-H program. Other current duties include weed inspections, a proposed weed management program, seed testing, and working with pesticide licensing and exams.

Pennington County Extension Office Manager Cindi Kilen stated that she has been assisting in the office and working with the Master Gardener program and other groups, which are still meeting via Zoom but

are slowly moving back to in-person. She is excited to work on upcoming events such as the fair and assisting with the BIO Girls program.

Pennington County SWCD Water Resource Specialist Bryanna Grefthen met with the Board and stated that they received a grant in 2020 from BWSR to start a county weed management program. Mapping of the county has begun and should be complete this year. Some of the entities invited to join the program include the City of TRF, the DNR, and Pheasants Forever. She has met with Kyle Jore from Extension and Engineer Flaagan regarding the County's participation, and the County Attorney has reviewed the draft M.O.U. with no revisions suggested. Highlights of the M.O.U. include:

- Establish a coop effort to control and manage weeds in the county
- Goals: education and awareness of the invasive weeds in the county, how to prevent and control weeds, cooperation with other entities to reach the listed goals
- Develop a strategic management plan to identify priorities and manage the process
- Descriptions of the role of each participant in the group
- Participants can leave the group with a written notice
- Once two or more groups elect to join the program, the SWCD must be included for fiscal administration.

Commissioner Lawrence asked Ms. Grefthen about weeds found on private land, to which she stated that the program is more about outreach to landowners - what to watch for, how to control and prevent weeds, etc. Other questions included what weeds would be targeted and if this group will coordinate with other counties. Motioned by Commissioner Lawrence, seconded by Commissioner Tveitbakk, to approve a Memorandum of Understanding between Pennington County and the Pennington County SWCD regarding the establishing of a Cooperative Weed Management Area in an effort to manage and control invasive plants and noxious weeds in the County. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

County Engineer Mike Flaagan stated that the following bids for SAP 057-598-054, a box culvert project south of the TRF Regional Airport, were opened electronically on April 12th, 2021 as duly advertised.

Taggart Excavating	\$137,197.00
Davidson Construction	\$155,570.00
Triple D Construction, Inc.	\$159,071.50
Olson Construction TRF, Inc.	\$165,403.50
Gladden Construction, Inc.	\$171,387.00

Mr. Flaagan stated that the bid of Taggart Excavating was complete and he recommends its approval. Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to approve the \$137,197.00 bid by Taggart Excavating for SAP 057-598-054 as the lowest and best bid received. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Mr. Flaagan stated that the following two quotes were received for county-wide striping:

AAA Striping Service Co.	\$14,434.41
Traffic Marking Services	\$16,357.93

Motioned by Commission Tveitbakk, seconded by Commissioner Sorenson, to approve the quote of \$14,434.41 by AAA Striping Service Co. for county-wide striping services in 2021. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Mr. Flaagan stated that two quotes were received to pave the parking lot west of the Justice Center. This project was part of an agreement made with I.S.D. 564 for our use of the parking lot during the Justice Center construction project.

Agassiz Asphalt	\$86,310.00
R.J. Zavoral & Sons, Inc.	\$94,600.00

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to approve the quote of \$86,310.00 by Agassiz Asphalt to pave the ISD #564 parking lot west of the Justice Center. Discussion was held with Commissioner Lawrence questioning if the curb and gutter will be removed at the south end of the lot. Mr. Flaagan stated both will be removed prior to paving. Commissioner Tveitbakk questioned if the paving the south end is justified as the lot is rarely full. Chairman Peterson responded that the lot will most likely be fully utilized once all students are back to school. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried. Agassiz Asphalt plans to begin the project on July 12th, 2021.

Mr. Flaagan stated that a box culvert was installed under the airport road some years ago and a bump has formed in the road, a common occurrence following a culvert install, and he would like to mill the road and patch that spot. The following two quotes were received:

Agassiz Asphalt	\$10,255.00
R.J. Zavoral Construction	\$13,115.00

Motioned by Commissioner Lawrence, seconded by Commissioner Sorenson, to approve the quote of \$10,255.00 by Agassiz Asphalt for milling and patching of a portion of the airport road where a box culvert was installed in the past. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Mr. Flaagan asked for approval to request an advance of state aid funds for three state projects - the two roundabouts, the bridge, and the road in between those projects. The advance would be from the 2022 allotment and would total \$613,748.83. Motioned by Commissioner Lawrence, seconded by Commissioner Tveitbakk, to authorize a request to advance state aid funds from the 2022 allotment totaling \$613,748.83. Discussion was held with Mr. Flaagan stating the projects will start in mid-May once road restrictions are lifted. Other related projects that will be completed include paving of the walking/bike trail, topsoil seeding, and painting on the bridge. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Engineer Flaagan stated that the Township agreements are slowly being received and need to be signed by the Chairman. It was noted that these agreements are made for the services provided by the County, such as road grading. Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to authorize the Chairman to sign the Township Agreements as they are received from the townships. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Mr. Flaagan stated that the Public Hearing regarding the vacating of old easements on the former airport road was held this morning at 9:00 a.m. These easements must be vacated for the new airport hangar project. The following resolution was introduced by Commissioner Lawrence and seconded by Commissioner Tveitbakk, and upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye, the motion was carried.

RESOLUTION APPROVING A VACATION OF AN EASEMENT FOR TRANSPORTATION AND HIGHWAY PURPOSES

WHEREAS, The County Board of Pennington County did by unanimous resolution propose to vacate an existing Highway Easement for transportation and highway purposes as set forth in that

certain document dated May 26, 1953 and recorded the 28th day of February 1975 in Book 131 of Records on Page 162 in the office of the Pennington County Recorder and more legally described as follows:

All that portion of the North-South public road lying along and following the common section line of the east line of the Northeast Quarter of Section 21, and the west line of the Northwest Quarter of Section 22, the East line of the Southeast Quarter of the Southeast Quarter of Section 16, and the West line of the Southwest Quarter of the Southwest Quarter of Section 15, all in Township 153 North, Range 43 West, Pennington County, Minnesota, said portion being bounded on the north by a line extending east and west at right angles to the East line of the Southeast Quarter of said Section 16, from a point thereon distant 300 feet northerly from the Southeast corner of said Section 16. EXCEPT that portion which lies within a distance of 75 feet from the in-place center line of County State Aid Highway No. 17, as currently constructed.

Together with that portion of the 19-foot wide highway easement originally granted by that certain document dated May 26, 1953 and recorded the 28th day of February 1975 in Book 131 of Records on Page 162 in the office of the Pennington County Recorder, which lies south of a line extending east and west at right angles to the East line of the Southeast Quarter of said Section 16, from a point thereon 300 feet northerly from the Southeast corner of said Section 16.

WHEREAS, a public hearing was held on April 13th, 2021 before the County Board of Commissioners at the Pennington County Justice Center, County Board Room, 141 Main Avenue South, Thief River Falls, MN 56701, after proper publication, posting and notice to affected property owners and all persons interested were given an opportunity to be heard; and

WHEREAS, it appears that the easement is not needed, no roadway has been constructed in the proposed vacated easement area and it will be in the best interest of the County to vacate said easement are; and

WHEREAS, a majority of all members of the County Board of Commissioners concur in this resolution.

NOW, THEREFORE, BE IT RESOLVED, that existing Highway Easement for transportation and highway purposes as set forth in that certain document dated May 26, 1953 and recorded the 28th day of February 1975 in Book 131 of Records on Page 162 in the office of the Pennington County Recorder and more legally described as follows:

All that portion of the North-South public road lying along and following the common section line of the east line of the Northeast Quarter of Section 21, and the west line of the Northwest Quarter of Section 22, the East line of the Southeast Quarter of the Southeast Quarter of Section 16, and the West line of the Southwest Quarter of the Southwest Quarter of Section 15, all in Township 153 North, Range 43 West, Pennington County, Minnesota, said portion being bounded on the north by a line extending east and west at right angles to the East line of the Southeast Quarter of said Section 16, from a point thereon distant 300 feet northerly from the Southeast corner of said Section 16. EXCEPT that portion which lies within a distance of 75 feet from the in-place center line of County State Aid Highway No. 17, as currently constructed.

Together with that portion of the 19-foot wide highway easement originally granted by that certain document dated May 26, 1953 and recorded the 28th day of February 1975

in Book 131 of Records on Page 162 in the office of the Pennington County Recorder, which lies south of a line extending east and west at right angles to the East line of the Southeast Quarter of said Section 16, from a point thereon 300 feet northerly from the Southeast corner of said Section 16.

Lying westerly of the presently existing CSAH No. 17, located in the County of Pennington and State of Minnesota, is hereby vacated.

Commissioner Nelson questioned Mr. Flaagan about the bid for the cold storage building. Mike stated that some inside sheeting will be removed from the specs and he expects a signed contract sometime this week.

County Sheriff Ray Kuznia stated that the new guns purchased for the Deputies feature larger slides and they need new holsters. He presented a quote from Safariland in the amount of \$1,716.00 for eleven (11) new holsters and has funds available in his equipment budget. Motioned by Commissioner Lawrence, seconded by Commissioner Sorenson, to authorize the purchase of 11 holsters for the Sheriff's Dept. from Safariland at a cost of \$1,716.00, to be paid for using the Sheriff's equipment budget. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Sheriff Kuznia stated that three applications were received for the position of Full-Time Assistant Jail Administrator and he is recommending the promotion of Corrections Sergeant Jo Williams. Motioned by Commissioner Lawrence, seconded by Commissioner Tveitbakk, to promote Jo Williams to the position of Assistant Jail Administrator effective April 19th, 2021 and to authorize the Personnel Committee to set the starting pay. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Mr. Kuznia stated that they posted and interviewed about a month ago for two Corrections Sergeant positions and he is recommending the promotion of two Corrections Officers.

Motioned by Commissioner Lawrence, seconded by Commissioner Tveitbakk, to approve the promotion of Tanner Wellman to the position of Corrections Sergeant effective April 19th, 2021. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Nelson, to approve the promotion of Jon Erickson to the position of Corrections Sergeant effective April 19th, 2021. Discussion was held on the new wages for the two sergeant positions. County Coordinator Kevin Erickson will notify the Personnel Committee of the wages determined and in accordance with the union contract. Upon roll call vote: Nelson – Aye, Lawrence – Aye, Peterson – Aye, Sorenson – Aye, Tveitbakk – Aye. Motion carried.

Commissioner Nelson questioned Sheriff Kuznia about a ride-along with a Deputy Sheriff. Mr. Kuznia said the members of the Board can do so and to call the Chief Deputy or senior Deputy to schedule it.

Committee Reports / Updates:

Commissioner Tveitbakk stated that AVI will be providing training on the board room electronic equipment on April 20th, 2021 at 9:00 a.m.

Commissioner Lawrence stated that ReadITech IT Solutions will be providing training on use and capabilities of the county's Microsoft Surfaces on April 15th, 2021 at 10:00 a.m. in Meeting Room A of the Government Center. Discussion was held on who will attend this round of training; the Auditor-Treasurer's office will coordinate the training.

County Auditor-Treasurer Items: None

County Coordinator Items: None

County Attorney Items:

County Attorney Seamus Duffy read aloud language to close the Board meeting pursuant to MN Statute 13D.05 Subd. 3 for pending litigation.

Following the closed session, the Chairman reopened the Board meeting.

Motioned by Commissioner Nelson, seconded by Commissioner Tveitbakk, to adjourn the Board meeting to April 27th, 2021 at 5:00 p.m. Motion carried.

ATTEST:

Kevin Erickson, County Coordinator
Pennington County

Neil Peterson, Chairman
Board of Commissioners