

**OFFICIAL PROCEEDINGS  
PENNINGTON COUNTY BOARD OF COMMISSIONERS  
JUSTICE CENTER BOARD ROOM  
APRIL 23<sup>rd</sup>, 2024 – 10:00 A.M.**

Pursuant to M.S. 375.07, the Pennington County Board of Commissioners met in the Pennington County Justice Center Board Room in Thief River Falls, MN, on Tuesday, April 23<sup>rd</sup>, 2024, at 10:00 a.m. Members Present: Seth Nelson, Bruce Lawrence, Roy Sourdif, David Sorenson, and Neil Peterson. Members absent: None.

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

The Chairman asked if there were any amendments to the agenda. The County Coordinator noted that Human Services Director Julie Sjostrand will present at 10:05 a.m. with H2Over Viewers presenting immediately after, and Sheriff Seth Vettleson can be removed from the agenda. Motioned by Commissioner Peterson, seconded by Commissioner Sorenson, to approve the agenda with the changes noted. Motion carried.

Recognition of Citizens: None.

Motioned by Commissioner Sorenson, seconded by Commissioner Sourdif, to approve County Board minutes of April 9<sup>th</sup>, 2024, as written. Motion carried.

Motioned by Commissioner Sourdif, seconded by Commissioner Sorenson, to approve the Human Services warrants totaling \$301,796.51 and the following Commissioner warrants. Motion carried.

County Revenue	\$105,152.46
Road & Bridge	\$ 37,321.16
Solid Waste Facility	\$ 2,881.50
Ditch Funds	\$ 2,100.00

Meal reimbursements and per diems in the amount of \$184.71 were also approved.

Human Services Director Julie Sjostrand presented the consent agenda from the April 16, 2024, Human Service Committee meeting. On a motion by Commissioner Sourdif and seconded by Commissioner Lawrence, the following recommendations of the Pennington County Human Service Committee for April 16, 2024 (detailed minutes on record) are hereby adopted:

SECTION A

- I. To approve the March 19, 2024, Human Service Committee Meeting minutes.
- II. To approve the agency's personnel action as presented.
- III. A. To approve the current contract for 2024 Rural Transportation Collaborative – Tri-Valley Opportunity Council, Inc. which will be amended per the new DHS rates as presented.

## SECTION B

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

Ms. Sjostrand discussed State Affordable Housing Aid funds received in December 2023 totaling \$93,489 and the \$46,744.50 to be received in August 2024. The NW Multi-County Housing and Redevelopment Authority is willing to help disburse the funds via the Affordable Housing Loan Pool program. The funding would stay local and be used for down payment loan funding for qualifying homebuyers. Motioned by Commissioner Lawrence, seconded by Commissioner Peterson, to transfer the Statewide Affordable Housing Aid funds received in 2023 and 2024, totaling \$140,233.50, to the NW Multi-County HRA as discussed above. Motion carried.

Ms. Sjostrand discussed a plan by Clay County to build a Psychiatric Residential Treatment Facility. They are seeking a resolution of support from Pennington County in their request for bond funds for the needed infrastructure. The following resolution was introduced by Commissioner Lawrence, seconded by Commissioner Sorenson, and upon vote was unanimously carried.

### **RESOLUTION OF SUPPORT**

**WHEREAS**, throughout Minnesota there is inadequate capacity in the continuum of care to support children with high acuity, complex and/or co-occurring conditions that include violent or sexually inappropriate behavior and/or physical health challenges; and

**WHEREAS**, Psychiatric Residential Treatment Facilities (PRTF) are a part of this continuum for children and youth under age 21 with complex mental health conditions and aggression; and

**WHEREAS**, currently there are four PRTF facilities operational in Minnesota with a total capacity of 166 beds and an additional PRTF set to open soon; and

**WHEREAS**, there is a need for additional PRTF beds in the State of Minnesota to meet the needs of children with serious and complex mental health needs; and

**WHEREAS**, the location of PRTF beds must be spread across the state to ensure equal access and proximity to a child's home community, family, and service providers; and

**WHEREAS**, Clay County is committed to establishing a PRTF and will partner with an eligible provider in the delivery of PRTF services; and

**WHEREAS**, Clay County is seeking Minnesota bond funds to aid in land acquisition and building a PRTF.

**THEREFORE, BE IT RESOLVED**, the Pennington County Board of Commissioners via this Resolution, supports Clay County to request Minnesota bond funds for infrastructure in the development of a Psychiatric Residential Treatment Facility in Clay County.

Aaron Goemann and Bryan Murphy (via Zoom) of H2Over Viewers, LLC met with the Board and discussed a proposal to redetermine benefits for the county's drainage

systems. Discussion included MN Statute 103E regarding drainage authority, age of current benefit determinations, and the new grass buffer laws. They have worked with over 30 counties and would handle the field viewing, landowner meetings, communication, etc. The minimum area they will work with is 3,500 acres at the standard package price of \$3.63/watershed acre, with pricing valid through June 2024. The Board thanked them for their presentation and will take their proposal under advisement.

SWCD District Technician Larissa Fitzgerald discussed the Chief's Coulee project and the areas delineated. She noted the SWCD will handle the project area outside of the TRF boundaries only. The Type 2 wetlands affected will still act as a wetland post-construction. Motioned by Commissioner Peterson, seconded by Commissioner Lawrence, to approve the WCA Notice of Decision/Chief's Coulee wetland delineation and authorize the Chairman to sign the same. Motion carried.

County Engineer Mike Flaagan presented the following Highway Dept. Items:

Engineer Flaagan noted that the Five-Year Road & Bridge Plan Hearing was held in the Board room today at 9:00 a.m. and discussed revision to the 2027 CSAH #22 project. Commissioner Sorenson motioned, seconded by Commissioner Sourdif, to approve the Pennington County Five-Year Road & Bridge plan. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Peterson, to accept the resignation of Highway Equipment Operator Brian Benitt effective April 12<sup>th</sup>, 2024. Motion carried.

Motioned by Commissioner Lawrence, seconded by Commissioner Peterson, to authorize the County Engineer to advertise for the position of Sign Technician. Motion carried. It was noted that prior there were no internal applications received and the position also includes Highway Equipment Operator duties.

Engineer Flaagan updated the Board on the Kratka Bridge project, noting the contractor is doing the last pour on the north abutment and is installing beams on the south section today. It's anticipated that they will start forming the deck next week.

County Auditor-Treasurer Items:

Jennifer Herzberg presented a quote from ABM Technologies for new data switches and work related to the upcoming move of Human Services to the Government Center. Motioned by Commissioner Lawrence, seconded by Commissioner Sorenson, to approve the quote by ABM Technologies in the amount of \$8,068.87 as discussed above. Motion carried.

Ms. Herzberg discussed a resolution needed by UBS Financial Services, thereby authorizing Pennington County to establish accounts with UBS and to authorize the Auditor-Treasurer and Lead Deputy Treasurer to work with such accounts on behalf of

Pennington County. Motioned by Commissioner Lawrence, seconded by Commissioner Sorenson, to approve a resolution as discussed above (detailed resolution on record). Motion carried.

#### County Coordinator Items:

Motioned by Commissioner Lawrence, seconded by Commissioner Sourdif, to approve the hire of Levi Davis Jacobson as Full-Time IT Technician with an effective start date of May 13, 2024, contingent upon a successful background check. Motion carried.

#### Committee Reports / Commissioner Updates:

Commissioner Sourdif attended a recent Advance TR meeting and they expressed appreciation of the county's support and would like to attend a future board meeting to present an update.

Commissioner Lawrence noted he will be attending a cyber security meeting in St. Cloud on Thursday, April 25, 2024.

Constituent Dean Philipp met with the Board. He stated he recently purchased some land at \$2,800/acre and will be purchasing 160 acres at \$2,500/acre that is assessed at \$3,400/acre. He stated that he is a farmer and not an investor. Mr. Philipp then discussed his 'mansion' on Centennial Drive that was owned prior by the State, which he said had to be bought straight out as no one could get a loan on it. He requested that the county put its property value back where it was and made reference to an agreement that the value could not go up. The Chairman asked Mr. Philipp if he had such agreement or documentation of the value having to remain the same. Mr. Philipp then stated that the County Assessor told him the land valuation had increased, not the home. He asked the Board how many colleges have been bought by a person and noted that the property is not being used as a home. Chairman Nelson said the proper channel to dispute value is through the Board of Appeal and Equalization. Mr. Philipp stated when he bought the home the closing was pushed out 7 days, resulting in him having to pay the taxes for the year. County Attorney Seamus Duffy stated that such a purchase was his decision and had nothing to do with the Board or the County. The Chairman then reiterated to Mr. Philipp that the place to address property valuations is at the Board of Appeal and Equalization meeting in June and that he can request to be added to the agenda.

County Attorney Seamus Duffy informed the Board that he has been appointed by Governor Walz as a District Judge in Mahanomen County, and that his last day as County Attorney will be May 30<sup>th</sup>, 2024. He noted that the Board has the ability to appoint a successor or seek applications for the position, and he recommended the latter. He stated an interim County Attorney does not have to be a county resident. Motioned by Commissioner Peterson, seconded by Commissioner Lawrence, to advertise for the position of the County Attorney with an effective state date of May 31, 2024. Motion carried.

Motioned by Commissioner Peterson, seconded by Commissioner Sorenson, to accept the resignation of County Attorney Seamus Duffy effective May 30<sup>th</sup>, 2024. Motion carried.

County Attorney Seamus Duffy read aloud language recommending that the County Board move into closed session pursuant to MN Statute 13D.05, Subd. 3(b) to discuss pending litigation.

Motioned by Commissioner Peterson, seconded by Commissioner Lawrence, to close the County Board meeting at 11:15 a.m. pursuant to MN Statute 13D.05, Subd. 3(b) to discuss pending litigation with outside counsel, Kendra Olson of Pemberton Law. Motion carried.

Motioned by Commissioner Peterson, seconded by Commissioner Lawrence, to reopen the Board meeting at 11:29 a.m. Motion carried.

Motioned by Commissioner Peterson, seconded by Commissioner Lawrence, to approve a Settlement Agreement and Mutual Release of Claims between Kristin Hanson and Pennington County. Motion carried.

Motioned by Commissioner Sourdif, seconded by Commissioner Sorenson, to adjourn the Board meeting to May 14<sup>th</sup>, 2024, at 10:00 a.m. Motion carried.

ATTEST:

Kevin Erickson, County Coordinator  
Pennington County

Seth Nelson, Chairman  
Board of Commissioners