

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS  
Held on Tuesday, March 21, 2023 9:30 a.m.

MEMBERS PRESENT: Commissioners Sjoblom, Hell & Roche

MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Nathan Heibel, Trent Nicholson, Matt Gouin, Tom West, Carissa MacLean, Janelle Peterson, Kenna Clayton, Bruce Turban, Aidan Smith, Lee Hervey, Scott Mai, Mike Hansen, Kent Koerbitz, Kyle Schulke, and KCCTV reporter Darcy Sullivan.

2023/03-01 Motion by Roche, seconded by Hell to approve the agenda with deletion of Item A.5 Acknowledge City of International Falls Termination of the 24-year Joint Law Enforcement Lease with Koochiching County and move Item A.6 to the last item under County Business. Voting yes: Sjoblom, Hell, and Roche. Motion carried.

2023/03-02 Motion by Roche, seconded by Hell to approve the minutes from the February 28, 2023 regular meeting. Voting yes: Sjoblom, Hell, and Roche. Motion carried.

2023/03-03 Motion by Hell, seconded by Roche to approve the February summarized vendor payment list, approve February payroll and payroll ACH payments in the amount of \$1,275,190.04, approve Courthouse claims in the amount of \$147,028.26, and approve Highway claims in the amount of \$64,170.28. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-04 Motion by Hell, seconded by Roche to ratify two claims issued by Administration for Courtroom Audio Visual upgrades and Jury and Gallery seating in the amount of \$63,726.70. Claims were issued outside of normal perimeters to meet payment before grant deadline of which reimbursement was received March 7, 2023. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-05 Motion by Hell, seconded by Roche approving Treasurer warrant void of \$71.00 due to lost warrant. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-06 Motion by Roche, seconded by Hell approving the appointment of Carissa MacLean to Veteran Service Officer effective March 6, 2023 and will fulfill a four-year appointment through March, 2027. Further, to authorize filling the vacant Assistant Veteran Services officer position. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-07 Motion by Hell, seconded by Roche approving the appointment of Trent Nicholson to County Engineer effective March 21, 2023 and will fulfill a four-year appointment effective March 21, 2023 through May, 2027 per MN Statute 163.017, subd 2. Further, to authorize filling the vacant full time Assistant County Engineer position. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

000 Oath of Office was administered by the Koochiching County Treasurer to Carissa MacLean, newly appointed Veteran Service Officer and to Trent Nicholson, newly appointed Highway Engineer.

2023/03-08 Motion by Roche, seconded by Hell to approve the promotion of Walker Wegner to Eligibility Worker effective March 27, 2023 and authorize filling the vacant Case Aide position within the assigned wage scale. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-09 Motion by Hell, seconded by Roche to approve the employment separation of Phillip Ruelle, part-time E911 Dispatcher/Correction Officer effective March 11, 2023. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

000 The County Board heard from Aiden Smith, student at Indus School, Kenna Clayton, Bruce Turban, Lee Hervey, and Scott Mai stating their support of keeping the Indus school open. ISD 363 Board stated a 2023 budget shortfall of almost \$400,000 and declining enrollment were the reasons they voted to close the Indus School. Representatives shared they were blindsided by the 4 – 2 vote to close the school and want more time than a month to explore potential options.

2023/03-10 Motion by Roche, seconded by Hell to adopt the following resolution affirming commitment and support of the Indus School remaining open:

WHEREAS, the Koochiching Board of County Commissioners is committed to making decisions that promote quality educational programs and services to school-age children of our community and surrounding communities; and

WHEREAS, the Koochiching County Board of County Commissioners believes that a quality public education serves as an essential foundation to and has an integral impact on school-age children's future and the counties economic well-being; and

WHEREAS, the Koochiching Board of County Commissioners believes that education is an important asset in maximizing the opportunities of an individual and a community; and

WHEREAS, rural public schools have a positive impact on the lives of countless students and enhance county initiatives by providing employment opportunities for residents, retaining families within a community, and providing alternative educational opportunities for students that meet the need of the whole student; and

WHEREAS, school closures affect all aspects of our students' lives, such as food and housing security, healthcare, safety, and educational technology; and

WHEREAS, school closures negatively impact a community and surrounding counties from a social, economic, and population standpoint; and

WHEREAS, our nation's future well-being relies on providing our most vulnerable students access to high quality education and programs that meet their needs;

WHEREAS, quality public education for every child is integral to the viability and economic future of developing communities, by directly and indirectly contributing to the intellectual and physical development of all individuals regardless of circumstances; and

WHEREAS, the potential closure of a public schoolhouse serves to deepen the inequalities and diminish the opportunities for every child and diminishes our economic stability; and

WHEREAS, the Indus school provides quality education that meets the needs for students that reside in Koochiching County.

THEREFORE, BE IT RESOLVED, that the commitment to promote access to quality public education for students of all types is a cornerstone to Koochiching Board of County Commissioners. As a County and neighboring school partnership, Koochiching is committed to ensuring its residents have access to public education that meets their needs.

BE IT FURTHER RESOLVED that the Koochiching Board of County Commissioners will undertake to meaningfully engage the Koochiching community to ensure that the interests of students, especially those most vulnerable, are represented; and

THEREFORE, BE IT FURTHER RESOLVED, that the Board of Commissioners does hereby affirm its support for the public education system offered at Indus school and supports efforts to reconsider closure to allow for further discussions. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

000 Kent Koerbitz, ICS Program Manager presented a report from the Jail Project Oversight Committee and their recommendation to proceed with the implementation for jail replacement project Option A.

2023/03-11 Motion by Hell, seconded by Roche to accept the first reading of the following resolution in support of moving ahead with the authorization to proceed with the implementation for jail replacement project as follows:

BE IT RESOLVED that Koochiching County, State of Minnesota, intends to proceed with the project scope of work as identified by the County Jail Project Oversight Committee

WHEREAS, the County Board (the “Board”) has established a Jail Project Oversight Committee to assist the County with a plan for the replacement of the existing County Jail.

**STATEMENT OF PURPOSE:** The County Board has established a Jail Project Oversight Committee to work on a plan to address concerns expressed to the County from the MN Department of Corrections and has worked for the past year on a plan for a new jail.

WHEREAS the Jail Project Oversight Committee recommends, building a new jail to reduce recidivism, increase community safety, and reduce long-term cost while improving the health and well-being of our community.

WHEREAS, the County Board has reviewed the proposal for a 40 bed approximately 22,700 ft jail located at the existing county government service site location.

WHEREAS, On March 8, 2022, the County selected ICS to provide Program Management Services for the development of a plan, scope, and construction of County facilities with final project approvals directed by the County Board.

WHEREAS, A two part Contract was executed with ICS on May 10, 2022. Part A being planning and scope development and Part B (once County provides authorization to proceed with the project) to provide the necessary professional services for the design and construction management of a jail and modification of County buildings as specified.

WHEREAS, Once Construction Drawings are completed, it is the County Board’s intentions to put the project construction contracts out for public bidding per MN Statute.

WHEREAS, Bonding has been authorized by the County Board for a maximum principal amount of \$20,000,000 for the jail replacement project authorized June 7, 2022.

WHEREAS, \$10 million in jail bonds have been secured by the County in August of 2022.

NOW, THEREFORE, BE IT RESOLVED by the Koochiching County Board in State of Minnesota (the "Board"), as follows: The County Board authorizes Administration to officially enter Part B of the jail replacement project and move forward with necessary steps including proceeding with remaining project funding, design and construction of the jail replacement. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-12 Motion by Roche, seconded by Hell approving sponsorship of existing snowmobile, ATV and cross-country ski trails for grant agreements in the MN Trails Assistance Grant-In-Aid Program for Fiscal Year 2023-2024 for the International Voyageurs Snowmobile Club, RidgeRunner Snowmobile Club, Voyageur Country ATV and the Polar Polers Ski Club covering the Blue Ox, Caldwell Brook and Lundstrom Trails, Hagerman, Voyageurs West and Loman Trails and the Tilson Ski Trail. Sponsorship by the County requires that a Club/County Agreement be in effect (Agreement on file in the Auditor-Treasurer's Office). As sponsor the County is accountable to the State for expenditures charged to the State Grant-In-Aid program, but sponsorship does not require financial support or liability cost from the County. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-13 Motion by Hell, seconded by Roche to ratify the purchase of the Sheriff's replacement inmate transport vehicle. The replacement is due to a deer collision on February 28, 2023, MCIT totaled the vehicle and paid Koochiching County \$10,570 for the salvaged vehicle. The replacement transport car is a 2017 Ford Taurus and purchased from the Missouri State Highway Patrol. Also, ratify warrant issued to Missouri State Highway Patrol on March 10, 2023 in the amount of \$12,950 for the purchase of the 2017 Ford Taurus. Further, approve transfer of \$2,400 from Administration Contingency to Sheriff budget to cover the difference of insurance payment and purchase of replacement transport vehicle. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-14 Motion by Hell, seconded by Roche adopting the following resolution for the Joint Powers Agreement which allows the County Sheriff's Office and the County Attorney's Office the use of the Bureau of Criminal Apprehension's secure criminal justice data communications network allowing both agencies to access sensitive and protected data including criminal histories and arrest records:

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

WHEREAS, the County of Koochiching 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 Koochiching, 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 Koochiching on behalf of its County Attorney and Sheriff are hereby approved.
2. That the Sheriff, Perryn Hedlund, 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, Jon Froemke is appointed as the Authorized Representative's designee.

3. That the Attorney, Jeff Naglosky, 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, Molly French is appointed as the Authorized Representative's designee.

4. That Jason Sjoblom, the Chair of the County of Koochiching, and Betsy Zaren, the County Board Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-15 Motion by Roche, seconded by Hell to approve and authorize the Board Chair signature to the Annual Noxious Weed Notice as recommended by the Land Commissioner. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-16 Motion by Hell, seconded by Roche authorizing the Land Commissioner to send a letter to the Northern Waters Land Trust (NWLTL) indicating Koochiching County's willingness to participate in their Lessard Sam Outdoor Heritage Funding proposal to acquire certain lands from the Conservation Fund within the County. The goal of the project would be for the NWLTL to seek and ultimately be awarded the grant funds, acquire certain parcels on behalf of participating counties, and then transfer title of these parcels to the County for permanent management and protection. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-17 Motion by Roche, seconded by Hell granting a trail use permit to the International Voyageurs Snowmobile Club for a new trail route across certain tax-forfeited lands in parts of Sections 13, 24, 25, and 30 all in Township 69 North, Range 23 West as described in the draft Trail Use Permit. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-18 Motion by Roche, seconded by Hell to adopt the following resolution designating certain County Roads and Bridges to Unorganized Territory Roads:

**RESOLUTION NO. 2023-318 DESIGNATING CERTAIN ROADS AND BRIDGES AS UNORGANIZED TERRITORY ROADS**

**WHEREAS**, the 112.0 miles of county roads described in the attached document titled “Koochiching County Highway Department Unorganized Territory Road Designations”, incorporated herein and attached as Exhibit 1 to Resolution 2023-318 are within Koochiching County boundaries, do not lie within either townships or municipalities, and have been open to the travelling public a minimum of eight (8) months; and

**WHEREAS**, the roads described in Exhibit 1 are therefore eligible for designation as “Unorganized Territory (“UT”) Roads”; and

**WHEREAS**, Koochiching County Board of Commissioners has the authority to designate the roads described in Exhibit 1 as Unorganized Territory Roads or UT Roads pursuant to Minn. Stats. § 163.11;

**WHEREAS**, the County Board desires to act to designate the roads in Exhibit 1 as described above because maintenance and replacement expenses related to the described roads can then be shared with the State of Minnesota, resulting in allocations to Koochiching;

**NOW, THEREFORE, BE IT RESOLVED** that the Koochiching Cook County Board of Commissioners do hereby: 1. Designate the roads described in Exhibit 1 as Unorganized Territory Roads or UT Roads. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-19 Motion by Hell, seconded by Roche authorizing the Highway Department to advertise for bids on projects LOW SAP 036-624-023 (CSAH 24 2<sup>nd</sup> Ave E from 19<sup>th</sup> to 26<sup>th</sup> St.) associated with SAP 036-629-014 (CSAH 29 – TH 53 to Hwy 217) and CP 2023-02 (Bear River). Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-20 Motion by Hell, seconded by Roche to authorize the County Engineer to call for bids for the 2023 Nuisance Beaver Removal, Hired Trucks and Propane Delivery. These contracts are 1-year terms and current terms are scheduled to expire in May 2023. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-21 Motion by Hell, seconded by Roche approving the adoption of the Memorandum of Agreement for Rainy River-Rainy Lake 1W1P development. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-22 Motion by Roche, seconded by Hell authorizing Environmental Services Director to enter into an agreement with the Koochiching Soil and Water Conservation District to assist with implementation and reporting associated with the FY 2023 Natural Resources Block Grant agreements. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-23 Motion by Hell, seconded by Roche authorizing the Environmental Services Director to enter into a staffing agreement with Always There Staffing, Inc. to provide DNR trained AIS Watercraft inspectors for 2023 to help prevent the spread of Aquatic Invasive Species. Voting yes: Sjoblom, Hell, & Roche. Motion carried.

2023/03-24 Motion by Hell, seconded by Roche approving a conditional use permit (#CUP 2204), application submitted by Shot Rock Properties, LLC, in order to amend and renew the

existing approximately 38.1-acre rock quarry permit (CUP1303 and CUP1901) as recommended by the Koochiching County Planning and Zoning Commission with conditions. Parcel description: Parcel ID# 52-010-11000 described as the NE1/4 of the NE1/4, and part of Parcel ID# 52-010-12000 described as part of the east 330 feet of the NW1/4 of the NE1/4, all in Section 10, Township 153 North, Range 26 West, Koochiching County, Minnesota. Physical Address: 9094 County Road 61, Margie, MN 56648 (Big Falls, MN 56627). Conditions for Shot Rock Properties, LLC are:

- 1) Reclamation plan must be submitted to ESD within 60-days of approval of the CUP and reclamation must be conducted ongoing rather than all at once upon completion of mining.
- 2) Applicant shall conduct a pre-blast survey of all structures and wells within 1/2-mile of the parcel having the quarry.
- 3) Applicant shall notify all property owners within 1/2-mile of blasting at least one week or more prior to any blasting.
- 4) Dust shall be controlled at all times.
- 5) Run-off shall be retained onsite directed into settling ponds or other devices and not allowed to be directed directly to any nearby streams and rivers.
- 6) The applicant shall repair any damages done to County Roads as identified by the County Highway Department.
- 7) All noise levels at the quarry property line shall be subject to OSHA Industry Standards.
- 8) Applicant shall minimize noise from trucks hauling material to job sites assuring good quality mufflers and reasonable speeds.
- 9) Hours of operation shall be 6:00 a.m. – 8:00 p.m. Monday through Saturday. No blasting, crushing or hauling shall occur during the Minnesota Firearms Deer Season in November, this does not include the Minnesota Muzzleloader season.
- 10) As per Sec. 4.52 (subp. 5) of the 1975 Koochiching County Zoning Ordinance initial approval shall be effective for no more than 5-years from date of CUP approval by the County Board. Authorization may be extended for additional years administratively (not requiring a new CUP application) subject to no valid complaints received.
- 11) Require three water monitoring wells on or near the site and to conduct yearly testing of each well for both water quantity and water quality and maintain related records. Elevation of bottom of one well must be lower than the bottom elevation of the quarry. Owner must maintain seismograph data/records related to quarry activities. Owner must provide said records to the County upon request.

Voting yes: Sjoblom, Hell, & Roche. Motion carried.

000 Mike Hanson reported the Birchdale/Baudette zip code issue is just about settled and you will be able to use which ever one you want, but the woman at Birchdale post office said there are still some gray areas. Hanson called Pete Stauber's office to try and reach the person that deals with U.S. Postal issues. The person wanted to talk to the Commissioner that represents Birchdale area which is not possible at this time so he would like approval to give them Commissioner Sjoblom's number to which Sjoblom approved. Hanson then encouraged the Board to consider getting a Bronko Nagurski Museum membership.

2023/03-25 Motion by Roche, seconded by Hell to adjourn the meeting at 12:13 p.m. Voting yes: Sjoblom, Hell, & Roche. Motion carried.