

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, June 7, 2022 9:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Adee, Skoe, and Sjoblom

MEMBERS ABSENT: Commissioner Murray (Medical)

OTHERS IN ATTENDANCE: Perryn Hedlund, Dave Reimer, Janelle Peterson, Nathan Heibel, George Eilertson, and KCCTV reporter Darcy Sullivan

2022/06-01 Motion by Adee, seconded by Sjoblom to approve the agenda with additions and deletions. Voting yes: Sjoblom, Adee, Pavleck, Skoe. Motion carried.

2022/06-02 Motion by Sjoblom, seconded by Adee to approve the minutes from the May 31, 2022 regular meeting. Voting yes: Sjoblom, Adee, Skoe. Motion carried.

000 Sheriff Hedlund updated the Board the lake level is still rising, it is expected to rise another 1 to 3 inches over the next seven days with continued rise after the seven days. The lake is expected to peak mid to late June. It will take six to eight weeks for water levels to get close to normal. We have exceeded 500,000 sandbags at Kerry Park and another 100,000 in the satellite sites. We had visits last week from State Representative Rob Ecklund, State Auditor Julie Blaha, Congressman Pete Stauber, Senators Amy Klobuchar and Tina Smith, and Governor Walz. It was eye-opening for them to see the devastation themselves. During the recovery process there will be a lot of extra debris for the landfill and most of the sand will be deemed biohazardous. MnDOT has done a great job of keeping Highway 11 open and will continue to monitor. They are going to work on the Island View end of the lifted road now as water is starting to seep in. The County Highway department has done a great job keeping the county roads maintained and are constantly monitoring the roads. Dave Reimer, Highway Engineer, is cautioning people to slow down as it doesn't take much to ruin these temporary gravel roads.

2022/06-03 Motion by Adee, seconded by Skoe to adopt a resolution extending the Local State of Emergency due to storm damage and flooding that began April 22, 2022.

WHEREAS, Koochiching County, MN has suffered from storm damage and flooding that began occurring on Friday, April 22, 2022;

WHEREAS, extensive damage was caused to public property, primarily roadways, ditches, and culverts throughout the County, and endangerment of safety and transportation routes;

WHEREAS, water flow from April 22nd storm has contributed excess amount of water flow into the Rainy Lake basin, resulting in high water levels on Rainy Lake and Rainy River which post an imminent threat to local infrastructure including public and private property in these areas;

WHEREAS, the Koochiching County Sheriff's Office and Emergency Management is conducting an Initial Damage and Impact Assessment Report for submission to Minnesota Homeland Security and Emergency Management (HSEM) to determine eligibility for state public disaster assistance in accordance with Minn. Stat. 12B.30;

WHEREAS, the Koochiching County Sheriff's Office AND Emergency Management request that the Koochiching County Board Chair declares Koochiching County in a State of Local Emergency due to the recent storms resulting in flood damage across the County;

THEREFORE, BE IT RESOLVED, that the Chair of the Koochiching County Board of Commissioners hereby declare an extension to the May 10, 2022 STATE OF LOCAL EMERGENCY in Koochiching County, Minnesota, an additional 30 days, through July 6, 2022 due to the increasing water levels on Rainy Lake. Voting yes: Sjoblom, Adee, Pavleck, Skoe. Motion carried.

000 George Eilertson, Northland Securities reviewed the Jail Bond Sale Calendar noting the following proposed timetable during regularly scheduled Board meetings.

May 24	County Board Approves Proceeding with Jail Project	County Board
June 1	Credit Enhancement Resolution Sent to County for Board Packets	Northland, Bond Counsel (Fryberger)
June 7	Credit Enhancement Resolution Adopted by County	County Board Action , Northland, Fryberger
June 22	Term Sheet Distributed to Prospective Banks	Northland
June 29	Bank Bids Received	Northland
July 5	Authorizing Resolution Adopted - 9:30 a.m.	County Board Action , Northland, Fryberger
August 3	Closing on the Bonds (Proceeds available)	Northland, County Staff, Fryberger

2022/06-04 Motion by Adee, seconded by Sjoblom to adopt a resolution declaring to reimburse jail related expenditures from the proceeds of an issuance of tax-exempt bonds:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Koochiching County (this "Corporation") as follows:

Section 1. Fryberger, Buchanan, Smith & Frederick, P.A., bond counsel, through advisors to this Corporation, have advised that the tax-exempt bond provisions of the Internal Revenue Code of 1986, as amended, and related Treasury Regulations require that in order for this Corporation to use the proceeds of an issue of tax-exempt obligations to reimburse itself for an expenditure paid before the obligations are issued, the governing body of this Corporation must adopt a resolution (not later than 60 days after the expenditure is paid) expressing its intention to make such a reimbursement.

Section 2. This Corporation intends to finance the construction and equipping of a jail facility (the "Project") from proceeds of an issue of tax-exempt obligations (the "Tax-exempt Obligations") and it may be necessary for this Corporation to temporarily finance certain costs of the Project by using either working capital or cash reserves which will be needed for other purposes or temporary loans from financial institutions or others prior to the issuance of the Tax-exempt Obligations.

Section 3. The maximum principal amount of the Tax-exempt Obligations is expected to not exceed \$20,000,000.

Section 4. This Corporation reasonably expects to incur expenditures with respect to the Project in advance of issuance of the Tax-exempt Obligations and expects that the expenditures will be reimbursed from the proceeds of the Tax-exempt Obligations not later than 18 months after the later of the date the expenditure was paid or the date the Project is placed in service or abandoned.

Section 5. This Corporation has not previously adopted a resolution under the Reimbursement Rules for a project, the costs of which were not paid from the proceeds of an issue of tax-exempt bonds. Voting yes: Sjoblom, Adee, Pavleck, Skoe. Motion carried.

2022/06-05 Motion by Sjoblom, seconded by Adee to adopt resolution relating to the issuance of General Obligation jail bonds, Series 2022A; covenanting and obligating the County to be bound by and to use the provision of Minnesota Statutes, Section 446A.086 to guarantee the payment of the principal and interest on the bonds:

BE IT RESOLVED by the Board of Commissioners of Koochiching County, State of Minnesota (herein, the “County”), as follows:

1. The County Board hereby finds and declares that it is necessary and expedient for the County to sell and issue its fully registered general obligation jail bonds in the total aggregate principal amount of approximately \$10,000,000 (herein, the “Bonds”). The proceeds of the Bonds will be used, together with any additional funds of the County which might be required, to finance (i) the construction of a new County Jail; and (ii) to pay the costs associated with issuing the Bonds.
2. Minnesota Public Facilities Authority Credit Enhancement Program
The following documents have been submitted to the County Board and are on file in the office of the County Administrative Assistant:
 - A. Form of Minnesota Public Facilities Authority (the “PFA”) Credit Enhancement Program Agreement (the “Agreement”); and
 - B. Application for Participation in the PFA Credit Enhancement Program (the “Application”).

The Agreement and the Application are authorized and approved in substantially the forms presented to the Board. Submission of the Application to the PFA and payment of related fees are approved. The Agreement shall be prepared for execution in accordance with the approved forms and shall be signed by the manual signature of the Chair and attested by the manual signature of the County Auditor/Treasurer.

The County hereby covenants and obligates itself to be bound by the provisions of Minnesota Statutes, Section 446A.086, as it may be amended from time to time (the “Credit Enhancement Act”). The County understands that as a result of its covenant to be bound by the provisions of the Credit Enhancement Act, the provisions of the Credit Enhancement Act shall be binding as long as any Bonds of this issue remain outstanding.

The County further covenants to comply with all procedures now or hereafter established pursuant to the Credit Enhancement Act by the PFA and otherwise to take such actions as necessary to comply with the Credit Enhancement Act. The Chair or County Auditor/Treasurer is authorized to execute any applicable PFA forms and to provide for the payment of the County's application fee of \$500.00 payable to the Authority, which fee is required to be submitted with the executed forms. Voting yes: Sjoblom, Adee, Pavleck, Skoe. Motion carried.

2022/06-06 Motion by Sjoblom, seconded by Adee to enter into the Credit Enhancement Agreement with Minnesota Public Facilities Authority in order to comply with the requirements of Minnesota Statutes, Section 446A.086 and authorize the Board Chair and Interim Administration Director to sign the document on behalf of the County. Voting yes: Sjoblom, Adee, Pavleck, Skoe. Motion carried.

2022/06-07 Motion by Adee, seconded by Skoe approving employment promotion of Max Olson and Marilyn Hannan from part-time to full-time E911 Dispatcher/Correction Officer effective June 6, 2022. Voting yes: Sjoblom, Adee, Pavleck, Skoe. Motion carried.

2022/06-08 Motion by Adee, seconded by Sjoblom to approve the addendum modifying the County Compensatory Time Off Policy allowing applicable County employees assigned duties to assist with the emergency event to exceed the current set Compensatory Time accrual amounts during the Declared State of Emergency, further employees must use these additional accrued hours in excess of the cap amounts within one year from the end of the Declared State of Emergency. Voting yes: Sjoblom, Adee, Pavleck, Skoe. Motion carried.

2022/06-09 Motion by Skoe, seconded by Sjoblom to approve the Housing and Redevelopment Authority 50 Year Open House on June 18, 2022 and June 21, 2022 a Board Activity. Voting yes: Sjoblom, Adee, Pavleck, Skoe. Motion carried.

2022/06-10 Motion by Skoe, seconded by Sjoblom to approve granting a highway and utility easement to the County on tax-forfeited lands described as the North 66 feet of the Northwest Quarter of the Northeast Quarter, Section 30, Township 66 North, Range 26 West of the 4th Principal Meridian, except the west 700.00 feet thereof. Voting yes: Sjoblom, Adee, Pavleck, Skoe. Motion carried.

000 The Board Chair called for Public Comment and there was none.

2022/06-11 Motion by Sjoblom, seconded by Skoe to adjourn the meeting at 10:07 a.m. Voting yes: Pavleck, Sjoblom, Adee, Skoe. Motion carried.