

REGULAR MEETING OF THE KOOCHICHING COUNTY BOARD OF COMMISSIONERS
Held on Tuesday, July 13, 2021 at 9:30 a.m.

MEMBERS PRESENT: Commissioners Pavleck, Sjoblom, Murray, Adee, Skoe
MEMBERS ABSENT: None

OTHERS IN ATTENDANCE: Janelle Peterson, Mia Thibodeau, Jeff Naglosky, Jaci Nagle, Jon Froemke, Trent Nicholson, Dave Reimer, KCCTV Reporter Darcy Sullivan, KGHS Reporter Timm Ringhofer

2021/07-01 Motion by Pavleck, seconded by Murray to approve the agenda with additions and deletions. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-02 Motion by Murray, seconded by Skoe to approve the minutes from the June 22, 2021 regular meeting. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-03 Motion by Adee, seconded by Murray to approve the June summarized vendor payment list, approve June payroll and payroll ACH payments in the amount of \$1,210,885.82, approve Courthouse claims in the amount of \$88,819.64, ratify Highway claims in the amount of \$14,155.86 and approve Highway claims in the amount of \$50,929.55. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-04 Motion by Adee, seconded by Pavleck to approve the void of warrant #35368 in the amount of \$57.60. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-05 Motion by Adee, seconded by Murray to approve the employment separation of Legal Secretary Brenda Bounds effective June 18, 2021 and authorize filling the vacant position within the assigned wage scale. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-06 Motion by Pavleck seconded by Murray to approve the employment separation of Appraising Program Coordinator Susan Sohlman effective September 13, 2021 and authorize filling the vacant position. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-07 Motion by Pavleck, seconded by Skoe to approve the employment separation of Child Support Officer Jennifer Heppner Long effective June 20, 2021 and authorize filling the vacant position within the assigned wage scale. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

000 Notice of hire of Shelby Wolden as part-time E911 Dispatcher/Correction Officer effective July 6, 2021.

000 Notice of hire of Jay Taylor as full-time E911 Dispatcher/Correction Officer effective July 6, 2021.

2021/07-08 Motion by Pavleck, seconded by Murray to authorize the Sheriff's Office to increase their part-time Deputy roster from 14 to 20 employees. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-09 Motion by Murray seconded by Adee to ratify the Board Chair's signature to the Alexander Baker letter of support for the Minnesota Housing Finance Agency grant application. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-10 Motion by Pavleck, seconded by Adee to adopt the following resolution to request Fiscal year 2022 IRRRB Funding:

WHEREAS, the County of Koochiching (hereafter the "Applicant") is a governmental subdivision, organized and operating under the laws of the State of Minnesota; and

WHEREAS, the Applicant has a need for a grant to assist with economic development as permitted under Laws of Minnesota for 1987, Chapter 182; and

WHEREAS, the Applicant is submitting its request for application to the IRRRB for fiscal year 2022 grant funds.

NOW, THEREFORE BE IT RESOLVED, that the Applicant's organization hereby authorizes and approves making application to the IRRRB for fiscal year 2022 funds to assist in economic development.

BE IT FURTHER RESOLVED that the Applicant's Board Chair and County Administration Director are hereby authorized and directed to sign and submit application for the said grant monies and all applicable contracts, documents and agreements associated with the grant or the application for it. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-11 Motion by Murray, seconded by Adee to adopt the following resolution approving and authorizing execution and delivery of documents relating to a state of Minnesota General Obligation Bond Proceeds Grant and the Northland Counseling Center, Inc. Project:

RESOLUTION APPROVING AND AUTHORIZING EXECUTION AND DELIVERY OF
DOCUMENTS RELATING TO A STATE OF MINNESOTA GENERAL OBLIGATION BOND
PROCEEDS GRANT AND THE NORTHLAND COUNSELING CENTER, INC. PROJECT

RESOLVED by the Board of County Commissioners (the "Board") of the County of Koochiching, Minnesota (the "County"), as follows:

Section 1. Recitals.

1.01 The State of Minnesota has allocated \$2,374,928 (the "G.O. Grant"), to the County as a grant to assist in the predesign, design, renovation, construction, furnishing and equipping of facilities in which to provide behavioral health crisis programs and services at 1902 Valley Pine Circle within the City of International Falls, Minnesota (the "G.O. Grant Project").

1.02 The G.O Grant is being provided pursuant to and will be subject to a General Obligation Bond Proceeds Grant Agreement-Construction Grant for the Northland Integrated

Behavioral Health Services Center Project (“Grant Agreement”), between the County and the Minnesota Department of Human Services (the “State Entity”).

1.03 The County desires to lease the existing facilities at 1902 Valley Pine Circle (the “Existing Facilities”) within the Issuer (defined below) from Northland Counseling Center, Inc. (“Borrower”) pursuant to a ground lease between the Borrower and the County (the “Ground Lease”) and, in turn, lease the Existing Facilities back to Northland pursuant to a commercial lease between the Borrower and the County (the “Commercial Lease”) in order to facilitate construction and operation of the G.O. Grant Project. The G.O. Grant Project will become part of the leased property under both the Ground Lease and the Commercial Lease.

1.04 Borrower has agreed to contribute all funds that, in addition to the G.O. Grant, are necessary to complete and operate the G.O. Grant Project.

1.05 The City of International Falls, Minnesota (the “Issuer”) plans to issue its \$3,860,000 Housing and Health Care Facilities Revenue Note (Northland Counseling Center Project), Series 2021 (the “Note”) and loan the proceeds of the Note to Borrower, a portion of which will be used to provide funds necessary to complete the G.O. Grant Project. Park State Bank (the “Bank”) has offered to purchase the Note in exchange for making a loan (the “Loan”) in the amount of the Note.

1.06 The Grant Agreement requires that all funds necessary to complete the G.O. Grant Project be available to the County. Therefore, the proceeds of the Note allocated to the G.O. Grant Project will be deposited with the County and disbursed to pay costs of the G.O. Grant Project pursuant to a disbursing agreement between the County, Park State Bank (the “Bank”) and the Borrower (the “Disbursing Agreement”).

1.07 The Bank has requested the County execute an account control agreement (the “Account Control Agreement”) in order to perfect its security interest in proceeds of the Note on deposit in the escrow account established pursuant to the Disbursing Agreement.

1.08 The Grant Agreement, the Ground Lease, the Commercial Lease, the Disbursing Agreement and the Account Control Agreement are together referred to herein as the “Documents.”

Section 2. Approvals and Authorizations; Authorized Officers

Section 2.01 The Documents are made a part of this Resolution as though fully set forth herein and are approved in substantially the forms on file with the Board. The Chair of the Board and the County Coordinator (the “Authorized Officers”) are authorized and directed to execute, acknowledge, and deliver the Documents on behalf of the County with such changes, insertions, and omissions therein as the County’s attorney may hereafter deem appropriate, such execution by the Authorized Officers to be conclusive evidence of approval of such documents in accordance with the terms hereof.

Section 2.02 The Authorized Officers are authorized and directed to execute and deliver all other documents which may be required under the terms of the Documents, or by Bond Counsel to the Issuer relating to the issuance of the Note, or counsel to the County relating to the Documents, and to take such other action as may be required or deemed appropriate for the performance of the duties imposed thereby to carry out the purposes thereof.

Section 2.03 The Authorized Officers and other officers and members of the Board are authorized to furnish certified copies of this Resolution and all proceedings and records of the County relating to the Documents, and such other affidavits and certificates as may be required to show the facts relating to the County respecting the Documents, as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates, and affidavits, including any heretofore furnished, shall constitute representations of the County as to the truth of all statements contained therein.

Section 2.04 If for any reason the Authorized Officers, any officer, members of the Board, employee or agent of the County authorized to execute certificates, instruments or other written documents on behalf of the County shall for any reason cease to be an officer, employee or agent of the County after the execution by such person of any certificate, instrument or other written document, such fact shall not affect the validity or enforceability of such certificate, instrument or other written document.

Section 2.05 If for any reason the Authorized Officers, any officer, member of the County, employee or agent of the County authorized to execute certificates, instruments or other written documents on behalf of the County shall be unavailable to execute such certificates, instruments or other written documents for any reason, such certificates, instruments or other written documents may be executed by a deputy or assistant to such officer or by such other officer of the County as in the opinion of the County's attorney is authorized to sign such document and do all things and execute all instruments and documents required to be done or executed by such officers, with full force and effect, which executions or acts shall be valid and binding on the County. Voting yes: Sjoblom, Skoe, Adee, Murray. Pavleck abstained. Motion carried.

2021/07-12 Motion by Murray seconded by Skoe to adopt the following resolution affirming Koochiching County as dedicated to the Second Amendment.

SECOND AMENDMENT DEDICATED COUNTY RESOLUTION

WHEREAS, the Second Amendment of the United States Constitution reads "A well-regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed."; and,

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and,

WHEREAS, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states; and,

WHEREAS, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment,

WHEREAS, the People of Koochiching County Minnesota, derive economic benefit from all safe forms of firearm recreation, hunting, and shooting conducted within Koochiching County using all types of firearms allowable under the United States Constitution; and,

WHEREAS, the Koochiching County Board of Commissioners wishes to express its deep commitment to the rights of all law abiding citizens of Koochiching County to keep and bear arms; and,

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Koochiching County Minnesota that:

The Koochiching County Board of Commissioners hereby declares Koochiching County, Minnesota, as a County dedicated to the Second Amendment; and,

The Koochiching County Board of Commissioners hereby affirms the Second Amendment rights of the citizens of Koochiching County, Minnesota. Voting yes: Skoe, Adee, Pavleck, Murray. Voting no: Sjoblom. Motion carried.

2021/07-13 Motion by Pavleck, seconded by Adee to schedule a public hearing for July 27, 2021 at 9:00 a.m. to hear public comment for a Business Subsidy Property Tax Abatement request from IF Group LLC DBA Cobblestone Hotel and Suites. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-14 Motion by Pavleck seconded by Murray to approve the sale of technology equipment to Deb Landmark in the depreciated value of \$72.25 per the following terms: HP warranty is nontransferable and will no longer be valid, purchaser must obtain their own Office 365 software, removal from the device of the Kaseya client and any other county licenses software, rename the device and modify user accounts on the device. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-15 Motion by Murray seconded by Pavleck to approve the Agency Agreement with Leads Online for Automated Pawn Shop Search System in the amount of \$3,695 for the remainder of 2021. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

2021/07-16 Motion by Skoe seconded by Pavleck to authorize the Highway Department to seek quotes on a disc style roadside mower. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

000 The Board Chair called for public comment and there was none.

2018/07-17 Motion by Adee seconded by Pavleck to adjourn the meeting at 10:15 a.m. Voting yes: Sjoblom, Skoe, Adee, Pavleck, Murray. Motion carried.

Jason Sjoblom, Chair

Jenny Herman, Board Secretary