

**TRANSCRIPT OF THE PROCEEDINGS
OF THE BELTRAMI COUNTY BOARD OF COMMISSIONERS
December 20, 2022**

The Beltrami County Board of Commissioners met in regular session on December 20, 2022, at the County Board Room, County Administration Building, Bemidji, Minnesota.

CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE

Chair Tim Sumner, called the meeting to order at 5:00 p.m. Commissioners Richard Anderson, Jim Lucachick, Reed Olson and Craig Gaasvig were present.

GENERAL COMMENTS - BOARD CHAIR

Commissioner Sumner commented on his term as Board Chair, and thanked Patricia Hart for her continual attendance and participation at the Board Meetings.

CITIZENS ADDRESSING THE BOARD

None.

APPROVAL OF AGENDA

The following item was moved from the Consent to the Regular Agenda:

- Approval of the 2023 County Contracts for Services

A motion was made by Commissioner Olson and seconded by Commissioner Sumner to add: Support of the Battered Womens Shelter to the Regular Agenda. Motion failed 3:2 vote. Commissioners Lucachick, Gaasvig and Anderson voted No.

GENERAL BUSINESS

Approved Agenda and Amendments

A motion to approve the Agenda and Amendments was made by Commissioner Anderson, seconded by Commissioner Lucachick and carried 4:0. Commissioner Olson abstained.

Approved Consent Agenda

A motion to approve the Consent Agenda was made by Commissioner Lucachick, seconded by Commissioner Olson, and carried 4:1. Commissioner Lucachick voted No.

CONSENT ITEMS

Approved Minutes

The Board, by adoption of its Consent Agenda, approved the Minutes of the Board of Commissioners Work Meeting held December 13, 2022, and the Minutes of the Board of Commissioners Regular Meeting held December 13, 2022, as submitted.

Approved Auditor/Treasurer Warrant Payment Listing

The Board, by adoption of its Consent Agenda, received and approved the warrant payment listing submitted by the Auditor/Treasurer's Office.

Approved Payment of Auditor/Treasurer Bills

The Board, by adoption of its Consent Agenda, approved payment of Auditor/Treasurer bills, as submitted.

Approved ConCon Fund Appropriations

The Board, by adoption of its Consent Agenda, approved the funding recommendations of \$45,445 made by the Citizen Committee for the 2022 Appropriations of the ConCon Fund, as submitted.

Approved New On-Sale Liquor License

The Board, by adoption of its Consent Agenda, approved the On-Sale Liquor License for Lost Acres Resort, located in Blackduck MN, Moose Lake Township, as submitted.

Approved Audit Engagement letter

The Board, by adoption of its Consent Agenda, approved the engagement letter for Beltrami County's audit with CliftonLarsonAllen for the December 31, 2022 audit.

Approved Annual Review of Safety Manual

The Board, by adoption of its Consent Agenda, approved the Annual Review of the 2023 Beltrami County Safety Manual, per MN Statute 182.653.

Approved 2022 Apportionment Resolution

The Board, by adoption of its Consent Agenda, approved the Resolution setting the apportionment figures for 2022 tax-forfeited net revenues to be distributed:

WHEREAS, 2003, Minnesota Session Laws, Chapter 127, Article 12, Section 24, Subdivision 5; allows for promotion of tourist, agriculture, and industrial developments. The amount to be spent annually for the purposes of the subdivision shall not exceed five dollars per capita of the county's population; now,

WHEREAS, Minnesota Statutes 282.08, Subdivision 4, provides that the County Board of Beltrami, from the proceeds from the sale or rental of tax forfeited land or any product there from may, by resolution set aside no more than thirty (30) percent of the receipts remaining for the purposes of timber development; for the promotion of tourism, agricultural and industrial development; no more than twenty (20) percent of the receipts remaining for the acquisition and maintenance of County parks; and,

WHEREAS, those townships which include Three Island County Park have an interest in timber revenues from those lands to help support township roads that are utilized for hauling timber.

NOW THEREFORE, BE IT RESOLVED by the County Board of Beltrami, that 30 percent of the receipts for the year of 2022 remaining after administration, special assessments, and bond levy are paid, be set aside to be used for the purpose as specified in MS 282.08, Subdivision 4; of this, \$160,000 will be distributed to Forest Development Fund, and, the remainder of the 30% will be distributed to the County Development Fund, and,

BE IT FURTHER RESOLVED that 20 percent of the receipts to be used for the acquisition and maintenance of county parks or recreational areas, and

BE IT FURTHER RESOLVED that any balance remaining must be apportioned as follows: county, 40 percent; town or city, 20 percent; and school district, 40 percent, provided,

BE IT FURTHER RESOLVED, that 70% of all revenues generated through timber harvest from Three Island County Park shall be used for the maintenance of County Parks and Recreation areas within Beltrami County, 20% shall be used for reforestation of County Parks and Recreation areas and the remaining 10% of the revenues will be apportioned to the townships with direct interest for maintenance of township roads.

Approved CSAH 15 MOU with City of Bemidji

The Board, by adoption of its Consent Agenda, approved the Memorandum of Understanding (MOU) with the City of Bemidji for the CSAH 15 (Irvine Avenue) Project, as submitted.

Approved Resolution to Enter Deputy into PERA Police & Fire Plan

The Board, by adoption of its Consent Agenda, approved the Resolution to enroll Deputy Ruport in the PERA Police & Fire Plan:

BE IT RESOLVED the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

BE IT RESOLVED Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below.

BE IT FURTHER RESOLVED that the Beltrami County Sheriff's Office, of Beltrami County hereby declares that the position, Part-time Field Operations Deputy, currently held by Zachary Ruport, meets all of the following Police and Fire Plan membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the named Employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire Plan salary deduction by the governmental subdivision.

NOW, THEREFORE, BE IT RESOLVED that County Board Chair, Tim Sumner, and County Administrator Tom Barry, or their successors, are hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the project(s).

Approved Appointment of Chief Deputy Sheriff

The Board, by adoption of its Consent Agenda, approved the contract appointing Jarrett Walton as Chief Deputy Sheriff pursuant to MN Statute 387.145, and increase his availability pay to \$1200, as submitted.

Approved Appointment of Administrative Assistant Sheriff

The Board, by adoption of its Consent Agenda, approved the contract for the Administrative Assistant Sheriff, beginning January 3,

2023 to current Administrative Assistant Pam Naughton as submitted.

Approved ProPhoenix Law Enforcement Software Suite & Resolution
The Board, by adoption of its Consent Agenda, approved the Software License and Support Agreement and Resolution, for ProPhoenix Law Enforcement Software Suite:

WHEREAS, The Beltrami County Sheriff's Office has used LETG a law enforcement Software Suite since September 2011. LETG has been sold three times and the new parent Company Central Square is no longer developing or implementing software enhancements. Central Square has announced they are going to "End of Life" and no longer support the LETG Software Suite in the near future.

WHEREAS, The Beltrami County Sheriff's Office and Bemidji Police Department formed a Committee to conduct a search for a new Law Enforcement Software Suite. After a thorough vetting process, ProPhoenix was selected as the Software Suite we are going to transition to.

WHEREAS, The Beltrami County Sheriff's Office negotiated a contract and software license and support agreement with ProPhoenix. See attached.

WHEREAS, The Beltrami County Sheriff's Office has budgeted money for the purchase of the ProPhoenix Software Suite. The Annual maintenance will be similar to our current maintenance cost for LETG. The Bemidji Police Department will pay for 30 percent of the purchase cost of ProPhoenix and share future on-going maintenance costs.

BE IT RESOLVED, Beltrami County desires to enter into a software license and support agreement between Chenosa Systems Corporation, a New Jersey corporation doing business as "ProPhoenix and Beltrami County to purchase ProPhoenix Software for Law Enforcement and Fire Public Safety, Proposal 22-00311. The County desires to designate this Agreement as a "qualified tax exempt obligation" of the County for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended. The Beltrami County desires to designate Ernie Beitel, County Sheriff, as an authorized signer of the Agreement.

by the governmental subdivision.

NOW, THEREFORE, BE IT RESOLVED that County Board Chair, Tim Sumner, and County Administrator Tom Barry, or their successors, are hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the project(s).

Approved 2022-24 Aquatic Invasive Species Prevention & Management Plan

The Board, by adoption of its Consent Agenda, approved the 2022-2024 Beltrami County Aquatic Invasive Species Prevention and Management Plan.

Approved AIS Program Lease Agreement with Mn/DNR

The Board, by adoption of its Consent Agenda, approved the Aquatic Invasive Species Program Lease Agreement with the Mn/DNR for a CD3 Watercraft Cleaning Stations at Moose Lake.

Approved Appointment of Giziibii RC&D Representative

The Board, by adoption of its Consent Agenda, approved the appointment of Zach Gutknecht to represent Beltrami County on the Giziibii RC & D Board and pay the \$300 annual membership fee.

Approved Health & Human Services 2023 State Grant Contracts

The Board, by adoption of its Consent Agenda, approved the 2023 State Grant Contracts with Beltrami County Health & Human Services via the Docu-sign process, as submitted.

Approved Paul Bunyan Transit Contract for MA and Social Services Transportation Services

The Board, by adoption of its Consent Agenda, approved the Health & Human Services Contract for coordination and provision of MN Health Care Programs (MHCP) Access Transportation and Social Service Transportation, with Paul Bunyan Transit.

Approved Health & Human Services Warrant Payment List

The Board, by adoption of its Consent Agenda, received and approved the warrant payment listing submitted by Health & Human Services Department.

REGULAR AGENDA

Regional Comprehensive Economic Development Strategy Plan & Resolution

HRDC staff, Antonio Franklin and Tony Klaers, presented the Regional Comprehensive Economic Development Strategy (CEDS) for approval. The CEDS provides an economic roadmap to strengthen the regional economy. It analyses the strengths and weaknesses of the Region, establishes a vision for the economy of the Region and creates goals, objectives and offers useful benchmarks for evaluating process. The primary goal of this document is to create strategies for a new dynamic innovative economy that links that assets of the Region to generate new knowledge, start new

businesses, and transform existing businesses into thriving 21st century companies.

HRDC staff discussed its findings and also review its subsequent recommendations for the 2022-2026 CEDS. They will seek Board approval of the strategic plan and resolution:

Whereas, Beltrami County is recognized by the Economic Development Administration as a redevelopment area with special needs for economic development assistance; and

Whereas, the Headwaters Regional Development Commission is an Economic Development District by the Economic Development Administration to provide planning and economic development assistance; and

Whereas, the Beltrami County Board of Commissioners actively supports and currently participates in the economic development district activities of the Headwaters Regional Development Commission; and

Whereas, the Headwaters Regional Development Commission has prepared a Comprehensive Economic Development Strategy in cooperation with businesses, communities, and economic development organizations in lieu of a separate county Comprehensive Economic Development Strategy.

Now therefore be it resolved, that the Beltrami County Board of Commissioners approves of the Comprehensive Economic Development Strategy as submitted on this date.

A motion was made By Commissioner Gaasvig, and seconded by Commissioner Anderson, to approve the 2022-2026 Regional Comprehensive Economic Development Strategy Plan & Resolution. Unanimously carried.

Captain Jason Riggs Leave of Absence

Under MN Statute 3.088, Jason Riggs will be taking a leave of absence as a Beltrami County employee to take the elected position as the Beltrami County Sheriff. A Memorandum of Understanding formalizing Captain Riggs' leave of absence was developed to memorialize his current benefits balance.

A motion was made by Commissioner Olson, and seconded by Commissioner Anderson, to approve the Memorandum of Understanding regarding the Leave of Absence for Jason Riggs. Unanimously carried.

Public Defender Contract

The County's current contract with Dar Nubson will expire December 31, 2022. Ms. Nubson and the County Staff are agreeable to continuing her services for another three years.

A motion was made by Commissioner Lucachick, and seconded by Commissioner Anderson, to approve a three year contract January 1, 2023-December 31, 2025, with Dar Nubson for Public Defender services. Unanimously carried.

2023 Legislative Platform

The Minnesota Legislative Session begins January 3, 2023. The list of 2023 Legislative Priorities for review includes:

1. State Bonding Bill
2. Local Option Sales Tax
3. Preserving tax base
4. County Program Aid
5. State Investment in Local Public Health
6. Mental Health & Developmental Disabilities Continuum of Care
7. Whole Family Behavioral Health & Wellbeing
8. H&HS Systems Transformation and Modernization
9. Sunsetting Diversionary Work Program
10. Family Reporting Modifications
11. Mentally Ill & Dangerous Forensic Beds
12. Childcare Assistance
13. Transportation

A motion was made by Commissioner Olson, and seconded by Commissioner Anderson to approve the list of thirteen (13) 2023 Legislative Priorities. Unanimously carried.

Health & Human Services 2023 County Contracts for Service

Due to a possible conflict of interest, Commissioner Olson is abstaining from this item.

A motion was made by Commissioner Anderson, and seconded by Commissioner Gaasvig to approve the 2023 County Contracts for Services. Motion carried 4:0 vote. Commissioner Olson abstained.

COMMISSIONERS' BUSINESS

Legislative/Lobbying Issues & Commissioners' Reports

- Commissioner Lucachick spoke to his 14 years of services as a County Commissioner.

Review Upcoming Meeting Schedule

Next regular meeting of the County Board will be January 3, 2023, in the Board Room of the County Administration Building.

MEETING ADJOURNMENT

A motion to adjourn the Board meeting at 5:45 p.m. was made by Commissioner Lucachick, seconded by Commissioner Gaasivig and unanimously carried.

Tim Sumner, Chair

Thomas H. Barry, County Administrator