

**TRANSCRIPT OF THE PROCEEDINGS  
OF THE BELTRAMI COUNTY BOARD OF COMMISSIONERS  
January 18, 2022**

The Beltrami County Board of Commissioners met in regular session on January 18, 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 5:07 p.m. Commissioners Richard Anderson, Jim Lucachick, Reed Olson and Craig Gaasvig were present.

**GENERAL COMMENTS - BOARD CHAIR**

Chairman Sumner noted the passing of former Representative Frank Moe.

**CITIZENS ADDRESSING THE BOARD**

None.

**APPROVAL OF AGENDA**

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

- Approval of Resolution for DNR Review of Selected Tax-Forfeit Parcel

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

- Administrator's Report

**GENERAL BUSINESS**

Approved Agenda and Amendments

A motion to approve the Agenda and Amendments was made by Commissioner Anderson, seconded by Commissioner Gaasvig, and unanimously carried.

Approved Consent Agenda

A motion to approve the Consent Agenda was made by Commissioner Lucachick, seconded by Commissioner Olson, and unanimously carried.

**CONSENT ITEMS**

Approved Minutes

The Board, by adoption of its Consent Agenda, approved the Minutes of the Board of Commissioners Work Meeting held January 4, 2022,

and the Minutes of the Board of Commissioners Regular Meeting held January 4, 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 American Rescue Plan Act Appropriations

The Board, by adoption of its Consent Agenda, approved the American Rescue Plan Act (ARP) funding request of \$195,415 by the ARP Compliance Committee, as submitted.

Approved Fund Balance Transfer

The Board, by adoption of its Consent Agenda, approved the transfer of funds on 12/31/2021 to reimburse the General Fund for funds borrowed to Health & Human Services of \$2,500,000 and Solid Waste of \$225,000, as submitted and with remaining balances transferred by the end of 2022.

Retroactive Approval of Bills

The Board, by adoption of its Consent Agenda, gave retroactive approval to pay \$40,612.94 of bills paid in December, as submitted.

Approved BCA Resolution and Agreements

The Board, by adoption of its Consent Agenda, approved the Resolution and Joint Powers Agreement Renewals and Amendments for the County Attorney's Office and the Sheriff's Office with the State of MN, Department of Public Safety/BCA and Courts for technology services:

WHEREAS, the County of Beltrami 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 Beltrami, 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 Beltrami on behalf of its County Attorney and Sheriff are hereby approved.

2. That the Sheriff Ernie Beitel, or his 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.

3. That the County Attorney David Hanson, or his 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.

4. That Tim Sumner the Chair of the County of Beltrami and Tom Barry the County Administer, are authorized to sign the State of Minnesota Joint Powers Agreements.

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**

Public Hearing: Consider Appointment of County Auditor-Treasurer  
Auditor/Treasurer, JoDee Treat reviewed the process for consideration and appointment by the Board of the County Auditor-Treasurer position. She also stated, that at the current elected Auditor-Treasurer, that the County Board having control over the position of A/T would be in the best interest of the County.

MN Statutes 375A.1205 outlines the process to consider the option of appointing the Office of Auditor-Treasurer:

- Schedule a Public Hearing
- Adopt a Resolution of the intent to consider appointment
- Hold the public hearing
- Possibly adopt a Resolution to Appoint the Office of Auditor-Treasurer

Commissioner Sumner Opened the Public Hearing:

- Kay Mack, resident in Grant Valley Township, testified in favor of the Board appointing the position of Auditor-

Treasurer. Board control over the qualifications and experience necessary to perform this job is in the best interest of the County and its residents and is vitally important. It should not be left to chance under the current criteria for the position.

- Pete Fredrickson, Bemidji Township Board Supervisor and resident supported the conversation and pointed out that the Board has no control over an elected position vs an appointed.
- Carl Johnson, Grant Valley Township also voiced support of an elected position.
- Christina Regas, resident from Hines and Blackduck City Manager gave her full support of making this an appointed position.
- Danielle Johnson, Bemidji Township resident and current employee in the A/T office, stated on behalf of all the office staff, full support of an appointed position for Auditor-Treasurer.
- Joe Skerik, resident in Buzzle Township and current County Assessor, stated that as an appointed position holder himself, he is in full support and on behalf of the County Management Team, is in full support of making the Auditor-treasurer an appointed position.
- Corey Bushe, resident in Northern Township expressed support and pointed out that the appointment would still be a democratic process and in the best interest of the County.
- Tom Barry, resident in the City of Bemidji and current County Administrator, voiced his own support for appointing the position of auditor-treasurer and read email correspondence submitted from residents of Beltrami County all voicing their support of making the position appointed:
  - Joe McCullum
  - Dean Croty
  - Ray Burger
  - Dan Kramer
  - Danae Alameto
  - Mary Isrealson
  - Franklin Hand
  - Johnathan Anderson
- Commissioner Anderson spoke to many of his district townships, nine of the townships responded, all in favor of appointing.
- Commissioner Lucachick stated that he had been contacted by a few citizens voicing opposition to the appointment vs elected position. He is requesting that the Board not make a decision today. Take the next two weeks to review and consider the issue and bring it back on the February 1 Regular Agenda.

Clarification was made, that the law does not require a vote at this time, but it must be decided upon at the next Regular County Board Meeting.

- Commissioner Sumner had several questions at this time; including:
  - Is a referendum vote an option?
  - Can the position be advertised?
  - Can credentials be required by legislature?
  - How would the Auditor-Treasure position be monitored?
 Commissioner stated that he was not in support of the appointment of the position at this time.
- A/T JoDee Treat was able to answer most of the questions.
- Peter Fredrickson pointed out that we were in a public hearing and this is where people should be heard.
- Administrator Barry made the clarification that this vote would require a Super majority (4 out of 5) to pass.

Commissioner Sumner closed the public hearing at 6:22 pm.

Amendment to Sheriff's Office 2022 Budget

Sheriff Beitel re-iterated his request from the Work Session for the budget 2022 amendment.

A motion was made by Commissioner Gaasvig, and seconded by Commissioner Olson, to approve the Sheriff's Office 2022 Budget amendment of \$120,000 from 2021 budget savings, to support the expansion of officer wellness program and to encrypt the current radio communication system to comply with FBI CJDN rules. Unanimously carried.

2022 AMC Appointments & Delegates

As a member of the Association of Minnesota Counties (AMC), each year counties are encouraged to appoint at least one commissioner or county official to each of the five AMC policy committees. Individuals may not serve as a voting member on more than one policy committee. Counties must also designate voting delegates who are permitted to cast votes on behalf of the County during official AMC meetings/business.

A motion was made by Commissioner Anderson, and seconded by Commissioner Olson, to make 2022 AMC Policy Committee & Voting Delegate appointments of:

2022 Policy Committee	Committee Member	
Env & Natural Resource	Tim Sumner	
Gen Government Policy	Reed Olson	

Health & Human Services Policy	Richard Anderson	
Public Safety Policy	Tom Barry	
Transportation & Infrastructure Policy	Bruce Hasbargen	
<b>AMC Delegates</b>	Tim Sumner	Tom Barry
Reed Olson	Richard Anderson	JoDee Treat
Craig Gaasvig	Jim Lucachick	Bruce Hasbargen

Unanimously carried.

Nullify and Repeal OSHA ETS Policies

The Supreme Court struck down the OSHA ETS on January 13, 2022. Staff are requesting nullification and repeal of all January 4, 2022 Board Approvals concerning the OSHA ETS.

A motion was made by Commissioner Olson, and seconded by Commissioner Lucachick, to Nullify and Repeal all January 4, 2022 Board Approvals concerning the OSHA ETS. Unanimously carried.

Approved Resolution for DNR Review of Selected Tax-Forfeit Parcel  
The Board was presented the Resolution for DNR Review of Proposed Tax-Forfeited Land Sale Parcel:

**WHEREAS**, the Board of Commissioners of Beltrami County, Minnesota, desires to offer for sale a certain parcel of land that forfeited to the State of Minnesota for non-payment of taxes; and,

**WHEREAS**, said parcel of land has been reviewed by the Beltrami County Board of Commissioners and classified as non-conservation land as provided for in Minnesota Statutes 282.01;

**WHEREAS**, said parcel has been examined and wetland/marginal land determinations have been made with regards to same by all appropriate parties in accordance with the requirements of 1991 Laws of Minnesota, Chapter 354, Article 10, Section 9d;

**NOW, THEREFORE, BE IT RESOLVED** that the Beltrami County Board of Commissioners hereby certify that this parcel of land has been reviewed and complies with the provisions of Minnesota Statutes 85.012; 92.461; 282.01, Subd. 8; and 282.018; and other statutes that require withholding of tax-forfeited lands from sale;

**BE IT FURTHER RESOLVED** that the Beltrami County Board of Commissioners hereby request a review from the Minnesota

Department of Natural Resources for the sale of said land to resolve an encroachment/occupancy trespass.

Parcel #	Legal Description	Township, Comments	Commissioner
Part of 10.00227.0 0	That part of the Southwest Quarter of the Southwest Quarter, Section 20, Township 150 North, Range 35 West, Beltrami County, Minnesota: Commencing at the southwest corner of the said Southwest Quarter of the Southwest Quarter, said corner is documented by a Certificate of Location of Government Corner filed in the Office of the Beltrami County Recorder on February 14, 2013 by Document No. A000529106; thence South 89°31'48" East, bearing based on the Beltrami County Coordinate System, South Zone, along the south line of said Southwest Quarter of the Southwest Quarter, a distance of 1318.01 feet; thence North 00°00'57" West, along the east line of said Southwest Quarter of the Southwest Quarter, a distance of 929.92 feet to the point of beginning of land to be described and said point is designated by an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence continue North 00°00'57" West, along said east line, a distance of 151.79 feet to a point designated by an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence North 81°33'00" West a distance of 62.18 feet to a point designated by an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence South 08°27'00" West a distance of 150.14 feet to the intersection with a line bearing North 81°33'00" West from the point of beginning and said intersection is designated by an iron pipe, 1/2 inch in diameter, stamped LS 15483; thence South 81°33'00" East a distance of 84.53 feet to the point of beginning.	West Alaska Township  Calculated acres: 0.25	Anderson

Commissioner Gaasvig questioned the County process and history of how these types of encroachment/occupancy trespasses are handled.

Attorney Hanson stated that the County does have the legal right to pursue trespass. It is a policy decision by the Board as to whether or not they want to do that, or agree to sell the encroached property to the trespassing land owner.

Natural Resource Management Director, Richard Moore stated he would welcome further discussion and Board direction on these situations.

Staff was instructed to add a future Work Session Agenda Item for further discussion on this matter.

Administrator's Report

- ARPA Funding rules update includes a one-time, standard allowance option up to \$10 million to spend on government services.
  - Will bring an ARPA Oversight Committee recommendation to a future Work Session.
- County Based Purchasing Update:
  - DHS new procurement will require at least one additional provider in all county based purchasing counties. PrimeWest has been the single source provider for the County. This could place financial and service challenges on PrimeWest as they will no longer be the single source provider.
  - This news came late on Friday and the new RFP for family and children came out this morning (1-18-22).
- County Energy Savings projects
  - Lighting projects have created rebates, reduced power consumption and electrical costs.
  - Light project scheduled for this year will bring in an estimated \$57,000 and also estimated annual electrical savings upon completion of \$29,000.
  - Steve Shadrick and the Facilities Mgmt Team are doing a great job for the County
  - City-County Operations Meeting on Thursday between Sheriff's Office and City PD to discuss impacts and cost-sharing of law enforcement activities.
  - Staff Performance evaluations are underway. The performance appraisal review team will be meeting to review goals, forms and processes.

**COMMISSIONERS' BUSINESS**

Legislative/Lobbying Issues

None.

Commissioners' Reports

- Commissioner Gaasvig had several committee meeting updates
- Commissioner Sumner had several committee meeting updates

Review Upcoming Meeting Schedule

Next regular meeting of the County Board will be February 1, 2022, in the Board Room of the County Administration Building.



**MEETING ADJOURNMENT**

A motion to adjourn the Board meeting at 6:56 p.m. was made by Commissioner Anderson, seconded by Commissioner Lucachick, and unanimously carried.

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Tim Sumner, Chair

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Thomas H. Barry, County Administrator