

**TRANSCRIPT OF THE PROCEEDINGS  
OF THE BELTRAMI COUNTY BOARD OF COMMISSIONERS  
February 1, 2022**

The Beltrami County Board of Commissioners met in regular session on February 1, 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**

None.

**CITIZENS ADDRESSING THE BOARD**

- James Dodds, resident in Bemidji stated his concern regarding the Board process for conducting a public hearing and for citizens right to vote. He felt there should be more consistency in public meetings and a better process.

**APPROVAL OF AGENDA**

The following item was added to the Consent Agenda:

- Approval to set a Public Hearing date for Proposed Short Term Rental Ordinance

The following items were moved from the Regular Agenda to the Consent:

- Approval of Jail Needs Assessment & Feasibility Study Contract
- Approval of Jail Project Reimbursement Resolution

**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 18, 2022, and the Minutes of the Board of Commissioners Regular Meeting held January 18, 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 Resolution and Grant Application for HAVA Grant

The Board, by adoption of its Consent Agenda, approved the Resolution to solicit application for jurisdictions for grants to purchase voting equipment:

WHEREAS, The Office of the Minnesota Secretary of State (OSS) is currently soliciting applications from jurisdictions for grants to purchase voting equipment.

WHEREAS, During its 2021 1st Special Session, the Minnesota Legislature, via Chapter 12, Article 1, Sec. 41, directed the distribution of \$3 million from federal Help America Vote Act (HAVA) appropriations as grants to political subdivisions. Per statute, these funds must be used to improve accessibility to, implement security improvements for elections systems for, and/or fund other activities to improve the security of, federal elections. Regularly scheduled state elections in Minnesota are also federal elections.

WHEREAS, Each county shall initially be eligible for the following maximum HAVA grant distribution amount: \$20,000 flat-rate per county + \$.287 per Voting Age Population as captured by the 2020 U.S. Census

WHEREAS, Undistributed funds (funds not requested by counties, or funds allocated to counties for which prerequisites are not completed), as well as unspent and returned funds from counties will be subject to follow-on redistribution per a to-be-determined "2nd round" formula.

WHEREAS, The HAVA Grants Program does not require counties to match any amount of funding to be eligible to receive a grant award amount.

WHEREAS, HAVA Grants Program funds may be used by counties for any improvements or enhancements to accessibility or security of elections. OSS interprets the statutory language to extend to wider IT / network/ and physical security and accessibility improvements and enhancements to county environments (virtual and physical), so long as elections functions are covered within. While OSS may be consulted on potential uses under consideration, counties are expected and encouraged to make autonomous decisions on applicability based on statutory language, and be prepared to defend and justify those decisions if audited. Of note, HAVA Grants Program funding may be applied to meet county matching requirements under the Voting Equipment Grants Authorization (VEGA) Program.

NOW THEREFORE, BE IT RESOLVED that the grant application in the form presented to the board and to be submitted to the Office of the Secretary of State is hereby approved; and

THEREFORE, BE IT RESOLVED that the grant application in the form presented to this board and to be submitted to the Office of the Secretary of State is hereby approved; and

BE IT FURTHER RESOLVED that the Board directs application for any unused HAVA grant funds to be determined at a later date on the purposes for which the grant is received; and

BE IT FURTHER RESOLVED that the chief elections officer of the County and staff are directed to submit this approved grant application at the earliest opportunity; and

BE IT FURTHER RESOLVED, that when the grant agreement is provided to the chief elections officer of the county, Beltrami the Director of the Department

Property Records and Licensing, that person is delegated the authority to execute that agreement and return it to the Office of the Secretary of State without further approval by this Board.

Approved Resolution to Prioritize Bridge Replacements

The Board, by adoption of its Consent Agenda, approved the Resolution for creating a bridge replacement priority list:

WHEREAS, Beltrami County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government; and

WHEREAS, Beltrami County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years;

NOW, THEREFORE BE IT RESOLVED that the following bridges are high priorities for replacement, major rehabilitation, or removal, and Beltrami County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available; and

Old Bridge Number	Road Number and Name	Crossing	LPI	Total Project Cost	Township or State Bridge Funds Requested	Federal Funds	Local or State Aid Funds	Proposed Construction Year
R0905	Otto Way	Shotley Brook	29	\$300,000	\$290,000		\$10,000	2022
04509	CSAH 22	Moose Creek	53	\$300,000	\$250,000		\$50,000	2023
04510	CSAH 22	Turtle River	75	\$410,000	\$350,000		\$60,000	2023

BE IT FURTHER RESOLVED that Beltrami County does hereby request authorization to replace, rehabilitate, or remove such bridges; and

BE IT FURTHER RESOLVED that Beltrami County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

Approval of 2022 Commercial Haulers Applications

The Board, by adoption of its Consent Agenda, approved the 2022 Commercial solid waste hauler applications, as submitted.

Approved Health & Human Services 2022 Mobil Crisis Services Contract

The Board, by adoption of its Consent Agenda, approved toe Health & Human Services contract with Sanford Health of Northern MN for Mobil Crisis Services, Contract from 1/1/2022 through 12/31/2022, as submitted.

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.

Approved a Public Hearing date for Proposed Short Term Rental Ordinance

The Board, by adoption of its Consent Agenda, approved setting a Public Hearing Date of March 15, 2022 at 5:00 pm for the Proposed Short Term Rental Ordinance.

Approved the Jail Needs Assessment and Feasibility Study Contract  
The Board, by adoption of its Consent Agenda, approved the Contract with Justice Planners, LLC to complete the jail needs assessment and feasibility Study in the amount of \$130,500 and due in August, 2022, as submitted.

Approved the Jail Project Reimbursement Resolution

The Board, by adoption of its Consent Agenda, approved the Resolution to reimburse certain expenditures from the proceeds of bonds to be issued by the County (if issued):

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the "Reimbursement Regulations") providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, Beltrami County (the "County") expects to incur certain expenditures that may be funded temporarily from sources other than tax-exempt bonds, and reimbursed from the proceeds of a subsequent tax-exempt bond issue;

WHEREAS, the County has determined to make this declaration of official intent ("Declaration") to reimburse certain costs from the proceeds of tax-exempt bonds in accordance with the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BELTRAMI COUNTY AS FOLLOWS:

1. The County intends to improve and potentially expand its County Jail currently located at 626 Minnesota Ave NW, Bemidji, MN 56601 (the "Project"), through analysis, consultation, architectural planning, engineering, acquisition and other preliminary work as needed occurring in 2022 through 2024 and construction of said improvements potentially occurring in 2025 and 2026.

2. The County reasonably expects to reimburse the expenditures made for certain costs of the Project from the proceeds of tax-exempt bonds (if issued) in an estimated maximum principal amount of \$5 million. Reimbursed expenditures will include analysis, consultation, architectural planning, engineering, acquisition and all or other expenditures eligible for reimbursement under Section 1.150-2(d) (3) of the Reimbursement Regulations.

3. This Declaration has been made not later than 60 days after payment of any original expenditure to be subject to a

reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or 5 percent of the proceeds of an issue; or (c) "preliminary expenditures" up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the County to finance the project for which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.

4. This Declaration is an expression of the reasonable expectations of the County based on the facts and circumstances known to the County as of the date hereof. The anticipated original expenditures for the Project and the principal amount of the bonds described in paragraph 2 are consistent with the County's budgetary and financial circumstances. No sources other than proceeds of bonds to be issued by the County are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the County's budget or financial policies to pay such Project expenditures.

5. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

**REGULAR AGENDA**

Public Hearing: 2022 Solid Waste Department Fee Schedule Change  
Solid Waste Director, Brian Olson, reviewed the proposed fee schedule changes:

Requested fees for Commercial Tires increase:  
Semi Tires - from \$14 to \$15 each  
Per ton - from \$225 to \$300

This is pass through cost. These rates are typically not received until late in December each year.

Commissioner Sumner opened the public hearing:  
No citizens addressed the Board on this issue.

Commissioner Sumner closed the public hearing at 5:12 pm.

A motion was made by Commissioner Olson and seconded by Commissioner Lucachick to approved the proposed 2022 solid waste fee schedule changes. Unanimously carried.

Appointment of the Office of Auditor/Treasurer Resolution

Auditor/Treasurer, JoDee Treat reviewed the process to date on the issue of making the Office of Auditor/Treasurer and appointed position.

The Resolution of Intent to Consider Appointment of the Office of Auditor-Treasurer was approved at the last board meeting, and the Public Hearing was also held.

The Resolution to Appoint the Office of Auditor-Treasurer is now before the Board for approval:

WHEREAS, Minnesota Statute 375A.1205 allows a County Board to appoint certain offices including that of County Auditor-Treasurer and;

WHEREAS, the Beltrami County Board of Commissioners recognizes the benefit to having appointed persons in the position of County Auditor-Treasurer because it promotes efficiency and consistency of County business with individuals qualified to oversee a broad spectrum of complex issues within the Auditor-Treasurer's Office and;

WHEREAS, the Beltrami County Board of Commissioners wants to ensure that the individual holding this position possesses the skills and/or experience necessary to properly carry out the responsibilities of this position and;

WHEREAS, pursuant to Minnesota Statute 375A.1205, Subd. 1, the County Board will appoint a County Auditor-Treasurer under circumstances that there is a signed contract with the County Board and the incumbent Auditor-Treasurer, that the incumbent officer will be appointed to the position and retain tenure, pay, and benefits equal to the length of service and;

WHEREAS, in accordance with Minnesota Statute 375A.1205, Subd. 6, a resolution notifying the public of its intent to consider appointment of the Auditor-Treasurer as described above was published for two consecutive weeks in its official publication and;

WHEREAS, the meeting with the public hearing was held on January 18, 2022, provided an opportunity for public comment.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Minnesota Statute 375A.1205, the Beltrami County Board of Commissioners hereby adopts this resolution, and the Office of the Beltrami County Auditor-Treasurer shall be an appointed position, and filled by a signed contract with the incumbent Auditor-Treasurer, effective the later of March 10, 2022, or the date the contract is finalized.

A motion was made by Commissioner Olson, and seconded by Commissioner Gaasvig, to approve the Resolution to Appoint the Office of Auditor-Treasurer. Voted was 3:2. Commissioners Sumner and Lucachick voted No. Motion failed, as it required a 4:1 (Super Majority) to pass.

Highway Department Lease to Own Snow Blower

Highway Engineer, Bruce Hasbargen, is requesting authorization to lease a snow blower, not previously approved in the 2022 budget. It would be a lease to own agreement with payment of approximately \$35,000 for 5 years and would be added to future budgets.

A motion was made by Commissioner Lucachick, and seconded by Commissioner Anderson, to approve the Highway Department Lease to Own snow blower agreement. Unanimously carried.

Resolution for DNR Review of Proposed Tax-Forfeit Land Sale Parcel

The tax-forfeited parcel listed on the resolution has a garage, well, retaining wall, and a fence located upon it. The Beltrami County "Forfeiture with Buildings" process allows for "beginning sale procedure immediately" due to the liability exposure. A private sale to the adjoining land owner would resolve this encroachment.

NRM Director, Richard Moore, recommendation, based on discussion held during the Work Session is to proceed with the DNR Review and then move this parcel to the Land Review Committee for further action.

**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

A motion was made by Commissioner Olson, and seconded by Commissioner Anderson, to approve the Resolution for DNR Review of the proposed tax-forfeited Land Sale Parcel, in Alaska Township, as submitted. Carried 4:1 vote. Commissioner Gaasvig voted No.

**COMMISSIONERS' BUSINESS**

Legislative/Lobbying Issues

None.

Commissioners' Reports

Commissioners Gaasvig and Sumner reported on various items.

Review Upcoming Meeting Schedule

Next regular meeting of the County Board will be February, 15, 2022, in the Board Room of the County Administration Building.

**MEETING ADJOURNMENT**

A motion to adjourn the Board meeting at 5:39 p.m. was made by Commissioner Anderson, seconded by Commissioner Olson, and unanimously carried.

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Tim Sumner, Chair

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Thomas H. Barry, County Administrator