

**RICHLAND COUNTY BOARD OF COMMISSIONERS
FEBRUARY 16, 2021**

The Richland County Board of Commissioners met on February 16, 2021 at the Richland County LEC with Commissioners Sid Berg, Nathan Berseth, Tim Campbell, Rollie Ehlert and Perry Miller. Others in attendance were Administration Personnel Fossum and DeVal; State's Attorney Kummer, Highway Personnel Jesse Sedler and Ron Hohenstern, Emergency Manager Lambrecht, a Daily News Reporter, and a large group of visitors.

A motion was made by Berseth and seconded by Berg to approve the Agenda as amended. Vote was unanimous.

MISC/CORRESPONDENCE

- correspondence from DOT re - road improvement project on I29 near Mooreton
- thank you card from Leslie Hage

A motion was made by Ehlert and seconded by Berg to appoint Nathan Berseth to another term on the SVEDA Board. Vote was unanimous.

A motion was made by Berseth and seconded by Berg to re-open the north and south doors of the Courthouse and south door of the LEC Building during normal business hours, with masks required for all people entering the buildings, effective February 17. Vote was unanimous.

Load Trains SB2026 - The Board discussed safety concerns and damages to roads with the proposed bill; visitor Dan Zink from Red River Valley & Western Railroad also expressed concerns with the bill. A motion was made by Berg and seconded by Miller to direct the State's Attorney to prepare a Resolution opposing this bill and authorizing the Chairman to sign. Vote was unanimous.

JILL BREUER - STORK PINS

Breuer recognized two dispatchers for assisting with deliveries along the Highway in recent months along with Carson Laney and Andrew Braaten of Christine Fire.

Dispatcher Tracy Hansen assisted with the delivery of a baby boy on August 21 to Levi and Breanna Odegard.

Dispatcher Sara Knutson assisted with the delivery of a baby girl to Scott and Kelli Wettstein on December 30 along with the assistance of Carson Laney and Andrew Braaten from Christine Fire.

HIGHWAY DEPARTMENT

Shop Fire - Sedler received an estimate of \$1,266,639.00 from Comstock for an 80 x 90 ft section using the existing concrete. New trucks have been ordered and we are in the process of ordering blades. NDIRF is meeting today to discuss our options and we should hear something before the end of the week.

MISC/CORRESPONDENCE continued

Berseth reported he has reached out to the Courthouse Security Grant Committee as discussed at the last Board meeting to inquire if our Grant Award could be amended; he is waiting on a reply.

KAYLA CARLSON - COVID UPDATE

Carlson reported the following:

- Still in Phase 1B, administering to those 65 and older
- two clinics are scheduled this week however shipments may be delayed due to transit and weather issues, waiting to hear on those details
- have administered 1,160 first doses and 682 second doses
- flyers should be sent this week
- continuing to utilize state staff
- have received positive feedback from the public regarding vaccination clinics
- Carlson has reached out to the state as requested by the Commission regarding Highway Staff being moved into a priority group for vaccine. The State replied that Highway Staff does not qualify as First Responders Priority Group

In other business with the Board Carlson requested authorization to advertise and hire an Office Assistant Position due to a resignation. A motion was made by Berg and seconded by Berseth to authorize advertising and filling the vacant Office Assistant Position. Vote was unanimous.

Being there was no further business at this time the meeting recessed at 8:45 A.M.

The Meeting was called back to Order at 11:00 A.M. for a Joint Meeting with Wilkin County Commission. Wilkin County Commissioners attending were Eric Klindt, Jonathan Green, Lyle Hovland, Neal Folstad and Dennis Larson. A large group of visitors was also in attendance.

Attorney Fred Strege updated to the Group present- He reported that Richland County Commissioners and Wilkin County Commissioners and each County Attorney should have received the following documents for review:

1. Final Draft of the Settlement Agreement that will be signed by all parties within the next week or two.
2. Original JPA Agreement, with slight amendment when originally adopted.
3. Proposed Amendment to the JPA Agreement.
4. Memorandum providing highlights and explanation of above documents.

Highlights of the memorandum included:

- The Diversion Authority is paying a total of \$75,000,000.00 to establish the Economic Impact Relief Fund (EIRF). \$35 million will be paid in a lump sum after the issuance of the Plan B permit by the MNDNR and after all litigation is dismissed, it is expected sometime in March. The balance of the \$40 million is paid over time, beginning as soon as 2028, but not later than the end of 2031, in 33 equal annual payments with interest accruing at 2%.
- The EIRF can only be used for permitted uses - legal fees, public infrastructure, or economic assistance and infrastructure by political subdivisions.
- The EIRF cannot be used for gifts or compensation to private individuals, businesses or corporate entities.
- The money must be used exclusively for public purposes including economic assistance and infrastructure purposes and cannot be used to operate Counties or Political subdivisions.
- A County or political subdivision will be required to sign a Distribution Agreement and a grantee cannot take action to interfere or try to stop the Diversion Project and there is a clawback provision and liquidated damage provision.

- The JPA was initially formulated to provide an entity whose primary purpose was to obstruct, delay or stop the diversion from happening. Since the original purpose is no longer appropriate, the JPA needs to be modified to provide the RWJPA the authority to perform and adhere to the terms of the Settlement Agreement.

Following explanation of the documents by Strege discussion followed and included:

Campbell asked about an appeal process - Strege replied that was not in the Agreement, but it may be something to think about.

Strege has sent the Final Draft of the Settlement Agreement to John Arnston and County State's Attorney's and anticipates some comments.

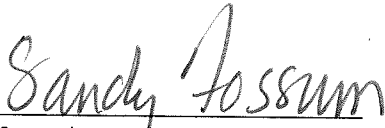
Strege also suggested adding an odd number of individuals to the JPA for a tie breaker.

After discussion ended a motion passed by Wilkin County Commissioners to approve the Amendment to Joint Powers Agreement establishing a Board of Directors to Organize and Direct a Challenge to the construction of a Dam.

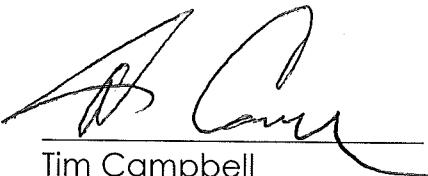
A motion was made by Ehlert and seconded by Miller to approve the Amendment to Joint Powers Agreement establishing a Board of Directors to Organize and Direct a Challenge to the construction of a Dam. Vote was unanimous.

Being there was no further business the meeting adjourned at 11:45 A.M.

ATTEST:



Sandy Fossum
Auditor/Administrator



Tim Campbell
Board of Richland County Commissioners

CHAIRPERSON