



Kanabec County Board of Commissioners

Regular Meeting Agenda

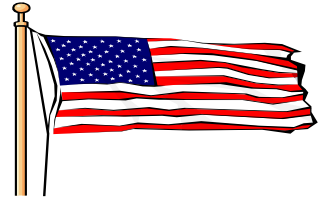
March 5, 2024 9:00AM

- The public may join the meeting via WebEx or in-person in the meeting room.
- If attending the meeting in-person, the total number of persons (including commissioners) may be limited and social distancing/safety protocol may be in effect.

To be held via WebEx telephone call or video meeting:

Telephone call-in number for public access: 1-408-418-9388

Access Code: 2486 025 7783



Video Meeting link:

<https://kanabeccounty.webex.com/kanabeccounty/j.php?MTID=m3e0d7cee03a16611a53ecf80ad09738d>

Meeting number: 2486 025 7783

Password: 4UHW6b2WfU3 (48496229 from video systems)

To be held at: **Kanabec County Courthouse
Boardroom #164
317 Maple Avenue East
Mora, MN 55051**

Please use the Maple Ave entrance and parking lot.

The audience is invited to join the board in pledging allegiance:

*I pledge allegiance to the flag
of the United States of America,
and to the Republic for which it stands:
one nation under God, indivisible
with Liberty and Justice for all*

Scheduled Appointments: Times are approximate and time allotted to each subject will vary. Appointment times may be changed at the discretion of the Board.

9:00am a. Call to Order
 b. Pledge of Allegiance
 c. Agenda approval

9:02am **Public Comment** Telephone call-in number for public access: 1-408-418-9388
 Access Code: 2486 025 7783

9:20am Recess County Board to a time immediately following the CHB.
 Community Health Board

9:50am Tina Von Eschen, Assessor- Request to fill a vacancy

9:55am Brian Smith, Sheriff-
 a. Request to upgrade two existing Patrol Deputy positions to Patrol Sergeant
 positions
 b. Sheriff's Office Update

10:10am Chad Gramentz, Public Works

Other business to be conducted as time is available:

1. Minutes- February 20, 2024
2. Paid Bills
3. Regular Bills- Revenue Fund
4. Regular Bills- Road & Bridge Fund
5. SCORE Claims – January
6. Gambling Requests
 - a. TLC of Kanabec County DBA Kick Cancer to the Curb, June 8, 2024
 - b. TLC of Kanabec County DBA Kick Cancer to the Curb, August 3, 2024
 - c. TLC of Kanabec County DBA Kick Cancer to the Curb, August 10, 2024
7. Upcoming Public Hearing on the Intent to Adopt and Enact an Ordinance Regulating the Use of Cannabis and Cannabis Derived Products in Public Places within Kanabec County
8. Committee appointments (continued)
9. Future agenda items
10. Discuss any other matters that may come before the County Board
11. Adjourn

Kanabec County Community Health Board
AGENDA
Tuesday, March 5, 2024
9:20 a.m.

1. Call meeting to order
2. Agenda Approval page 1
3. Presentation: Home Care/QAPI – Farrah G., Adult Services Supervisor
-See attached QAPI Update page 2-3
4. Director's Report page 4
- Staffing – HHA; PHN
5. Homemaker to Home Health Aide Proposal
- Action requested
- See attached Proposal and resolution page 5-7
6. SHIP Additional Funding Addendums to Original Agreement
-Action requested
- See attached Addendums and resolution page 8-11
7. TTPT Procurement Policy
-Action requested
- See attached Procurement Policy, Procurement Policy Checklist and
resolution page 12-58
8. Financial Reports
– see attached
- Trial Balance page 59-60
- Jan 2023 Financial Report page 61
9. Abstract Approval
- Action Requested
- See attached Abstract and Vendor List page 62- 69
10. Other Business
11. Adjourn

Kanabec County Community Health (KCCH) Home Care Quality Assurance Update

Goal #1:

Decrease baseline infection rates by 5%. This will be achieved by improving education on infection control for incoming clients and current clients. KCCH implemented a new charting workflow to aid in the timely documentation of infections.

Action:

- Home care nurses review SCHA pamphlets with clients at the start of care, recertifications, resumption of care and as needed.
- The home care nurses document in Nightingale Notes (charting system) when an infection is known and the education, they provided to the home care client.
- The home care team has a weekly meeting. Recent discussions have been held regarding the known infections during that time.
- Infection reports are pulled to evaluate any possible transmissions from staff to clients.
- Document in new QAPI pathway.

Update:

There has not been a decrease in infection rates with the interventions that have been implemented. There has been an average of 4.5 infections monthly. Considering it is cold/flu/COVID season, this is not surprising.

Goal #2:

Decrease baseline falls by 5%. This will be achieved by the staff providing fall prevention education to clients at the start of care, recertification, and resumption of care. Staff will also ensure fall prevention reading material is in the start of care folders. KCCH implemented a new charting workflow for fall reporting to aid in timely documentation.

Action:

- Fall risk assessments are completed at every start of care, resumption and as needed. If the client is a fall risk, the nurse will provide education to the client.
- The home care nurses are documenting the falls in Nightingale Notes. The education provided is documented and the extent of the injuries is assessed and documented.
- The home care nurses ask the clients at every visit if they have had a fall. If they have, education is provided.
- All falls are discussed at our weekly meetings. This reminds staff to document.
- Fall reports are pulled quarterly by the supervisor to look for trends.
- Document in new QAPI pathway.

Update:

In the months of January 2023 - June 2023 clients averaged 11.5 falls per month. In the months of July 2023 - December 2023 the average number of falls dropped down to 7.5 per month. The goal will continue to be monitored.

Goal #3:

To standardize the medication set-up process among staff and avoid medication errors. One hundred percent (100%) of home care clients will have their medication administration lists audited and updated, if needed. This will be achieved by delegating one nurse to audit all medication administration lists to look for discrepancies.

Action:

- One nurse was delegated to audit the medication lists of all clients. Then, a second nurse was delegated to recheck them to ensure accuracy. The medication lists were then distributed to the corresponding home care nurse to update in the client's chart.
- Ongoing, nurses ask clients about any medication changes.
- Document in new QAPI pathway.

Update:

100% of medication lists were updated and there is now written instructions on how a medication list should look.

Goal #4:

Increase agency Star rating by two stars in 2026. This will be achieved by reviewing Oasis questions at meetings, discussing the importance of accurate and timely Oasis documentation and the review of the agency Star rating by the supervisor when released.

Action:

- Interim performance reports from CMS have been reviewed quarterly.
- Ongoing discussions and education provided to the home care nurses about the Oasis measures that directly affect the Agency's star rating. This is discussed frequently at weekly meetings.

Update:

There has been a small improvement in the Agency's performance score, and it is the hope that the star rating will continue to increase.

Kanabec County Community Health/Timber Trails
Director's Report
March 2024

Staffing (Public Health):

Home Health Aide – We received another resignation of a part-time intermittent Home Health Aide. We have had a continuous ad for months and months for other open positions and we have had four applications but only one of the applicants is qualified. We interviewed on 2/28/2024.

Nurse Position – we interviewed three nurses but did not make any job offers. We chose to continue to advertise and accept applications.

The 2024 legislature provided a rate increase to providers that deliver certain services under certain pay sources. Homemaker services paid under the Elderly Waiver and Alternative Care (EW and AC) programs were included in the law.

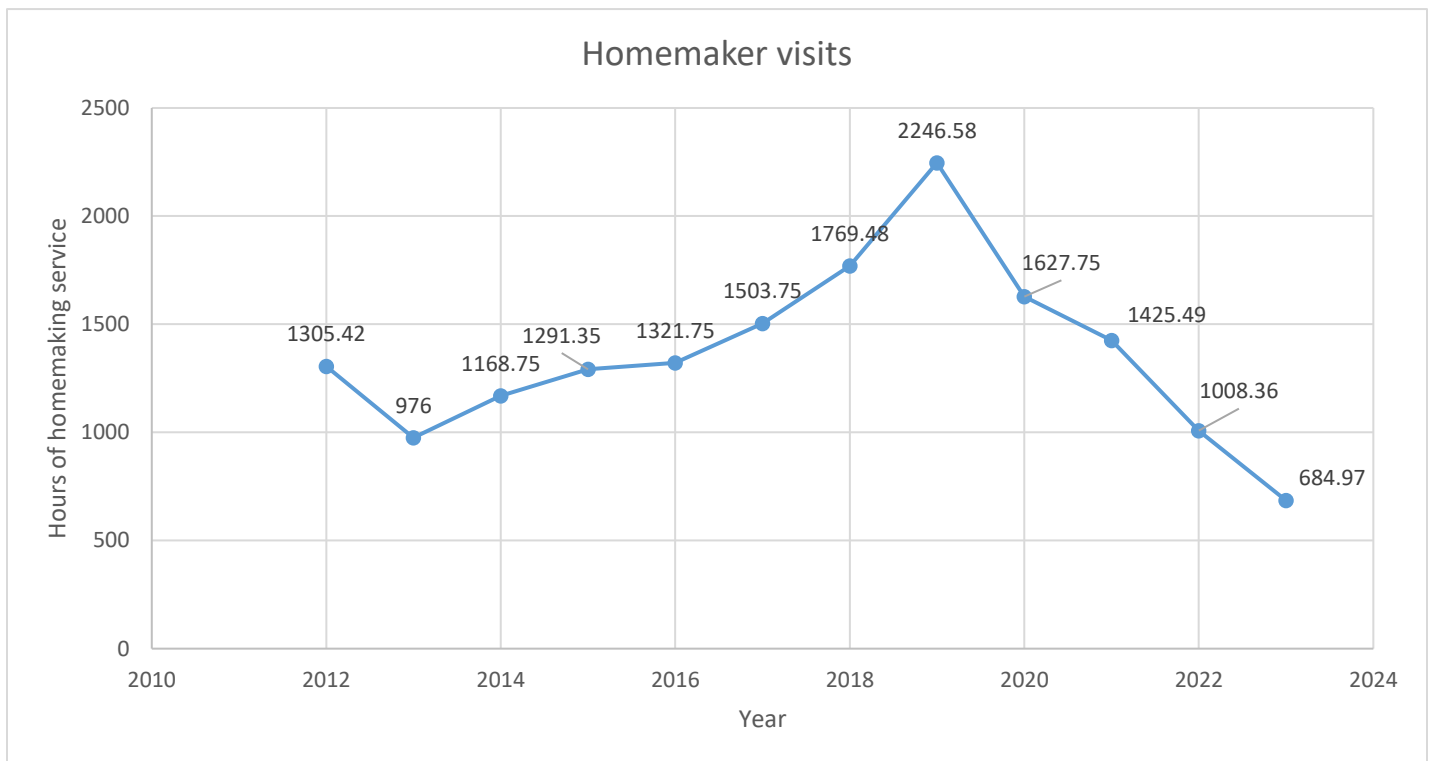
Minnesota law requires that each provider that receives the increased rate of pay use 80% of the marginal increase in revenue to increase compensation-related costs for employees directly employed by the provider. Providers are to prepare and post a distribution plan for new funds and make this plan available to all employees for at least six months. The rate increase is \$11.44/hour. Eighty percent (80%) of that is \$9.15/hour. However, for figuring out the increase in compensation, providers can estimate the total expected revenue increase for the year because of the rate increase and use 80% of that to increase compensation. Using 2023 numbers, the increase in revenue is about \$2,598 and 80% of that would be \$2,078. If I look at just the hours reimbursed by EW, it would increase compensation by about \$3.00/hour.

Kanabec County has staff that provide both home health aide services and homemaker services in some homes. Staff that provide the service are compensated at different rates of pay while performing different tasks. On the Kanabec County Wage Scale, staff are paid at the Range of 5 (\$17.37 - \$21.28/hour) while providing home health aide tasks and are paid minimum wage (below a Range of 1 - \$10.85 - \$12.96) when providing homemaker tasks. This pay differential was put into place in 2009 (Per County Board Resolution 11 - 5/13/2009).

For several reasons I would like to recommend that the pay differential is removed and that the Home Health Aide/Homemaker position is paid at the higher level (Range 5):

1. Reimbursement rates have improved over the years (2012 – EW and CADI were \$17.12, VA was \$40.00).
2. Kanabec County Community Health has difficulty attracting and retaining staff with lower pay. Even a \$3.00/hour increase in the homemaking rate of pay would not make a significant difference.
3. Our home care revenues exceeded the Director’s estimates by over \$40,000 in 2023.
4. It would make payroll less of a hassle.
5. Kanabec County has reduced the number of homemaker hours that it approves to provide. It is provided only to clients who have little or no family, friends, or neighbors who can provide tasks.

See chart below.



In 2023, KCCH billed for a total of 684.67 units of Homemaking.

Reimbursement per unit varies by product:

- CADI Waiver pays \$18.44/hour.
- Veterans Administration pays \$51/hour.
- Elderly Waiver paid \$20.16/hour in 2023 but will pay \$31.60/hour in 2024.

Product	Hours billed	Hourly rate	Reimbursement expected
CADI	74.8	\$18.44	\$1,409.23
VA	382.79	\$51.00	\$19,522.29
Elderly Waiver	227.08	\$20.16 / \$31.60	\$4,577.93/\$7,175.73
Total			\$25,509.45 / \$28,107.25

Staff compensated for a total of 767.25 (includes travel time, PTO, Holiday) hours at varying rates of pay for a total of **\$12,312.55**.

If the same staff would have been compensated for the same number of hours at their Home Health Aide rate of pay, it would have cost - **\$19,287.53**.

The cost above does not include the mileage that is reimbursed to staff, but we are paying that anyhow as staff are traveling to the home to provide Home Health Aide services first and then homemaking once the HHA tasks are completed.

Kanabec County Community Health # 3/5/2024
Resolution

Homemaker to Home Health Aide Resolution

WHEREAS, Kanabec County Community Health (KCCH) has individual staff that provide both Home Health Aide (certified) and Homemaker services in clients homes, and

WHEREAS, on May 13, 2009 the Kanabec County Board did resolve to create the Homemaker position and submit to the pay consultant for review (County Board Resolution 11), and

WHEREAS, the pay scale was determined to be at minimum wage (outside of county pay scale), and

WHEREAS, the situation has changed and there are several reasons to eliminate the homemaker position, leaving those duties to be performed by the Home Health Aides: the increase in reimbursement rates over the years, payroll would be more efficient for the Auditor and Community Health, Home Care revenues have exceeded the budgeted estimates and KCCH has had difficulty attracting and retaining staff due to the lower pay.

THEREFORE, the Community Health Director is requesting to eliminate the Homemaker pay scale and move the duties to the Home Health Aides at their current rate of pay.

THEREFORE, BE IT RESOLVED the Kanabec County Community Health Board approves the Community Health Director and HR Director eliminating the Homemaker position so those duties can be performed by the Home Health Aides at their current rate of pay.

Addendum to 2024 SHIP Agreement

This is an Addendum created to the Statewide Health Improvement Program (SHIP) contract dated November 1, 2023, between Kanabec County doing business as Kanabec County Community Health as the fiscal agent for the regional SHIP grant and Isanti County Public Health for the purpose of expending additional funding received through the SHIP program from the State JUUL Settlement.

Isanti County Public Health, through its SHIP representative agrees to conduct point-of-sale audits, present the results of said audits to the local community and attend (3) three virtual trainings during the (3) three-month period March 11, 2024, through June 14, 2024, with a cost not to exceed \$2,898.00.

All other stated terms and conditions of the original contract are to stay in force.

Isanti County Public Health Representative Date: _____

Kanabec County Community Health Representative Date: _____

Addendum to 2024 SHIP Agreement

This is an Addendum created to the Statewide Health Improvement Program (SHIP) contract dated November 1, 2023, between Kanabec County doing business as Kanabec County Community Health as the fiscal agent for the regional SHIP grant and Mille Lacs County Public Health for the purpose of expending additional funding received through the SHIP program from the State JUUL Settlement.

Mille Lacs County Public Health, through its SHIP representative agrees to conduct point-of-sale audits, present the results of said audits to the local community and attend (3) three virtual trainings during the (3) three-month period March 11, 2024, through June 14, 2024, with a cost not to exceed \$4,581.75.

All other stated terms and conditions of the original contract are to stay in force.

Mille Lacs County Public Health Representative

Date: _____

Kanabec County Community Health Representative

Date: _____

Addendum to 2024 SHIP Agreement

This is an Addendum created to the Statewide Health Improvement Program (SHIP) contract dated November 1, 2023, between Kanabec County doing business as Kanabec County Community Health as the fiscal agent for the regional SHIP grant and Pine County Public Health for the purpose of expending additional funding received through the SHIP program from the State JUUL Settlement.

Pine County Public Health, through its SHIP representative agrees to conduct point-of-sale audits, present the results of said audits to the local community and attend (3) three virtual trainings during the (3) three-month period March 11, 2024, through June 14, 2024 with a cost not to exceed \$4,079.25.

All other stated terms and conditions of the original contract are to stay in force.

Pine County Public Health Representative Date: _____

Kanabec County Community Health Representative Date: _____

Kanabec County Community Health # 3/5/2024
Resolution

Addendum to SHIP Agreement for Additional Funding Resolution

WHEREAS, Kanabec County Community Health with Isanti, Mille Lacs and Pine counties has received funds for the purpose of reducing tobacco use and exposure through increasing healthy eating, increased activity and managing chronic disease through the Statewide Health Improvement Program (SHIP) grant, and

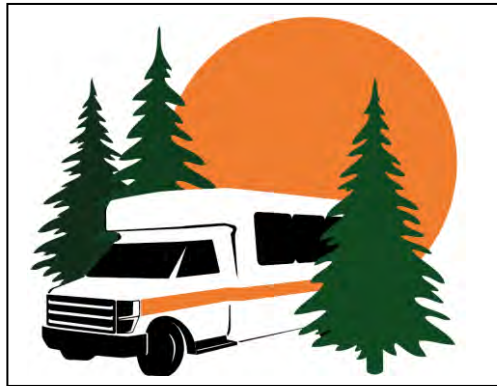
WHEREAS, funds have been made available to the Statewide SHIP program from the Juul Settlement for additional funding to local SHIP grantees, and

WHEREAS, the region of Isanti, Kanabec, Mille Lacs and Pine have agreed to conduct tobacco audits, present results to their local communities and attend three virtual training sessions with the additional funding to be received.

THEREFORE, Kanabec County Community Health, as the regional fiscal agent for the SHIP grant is requesting to create an addendum to the original agreements with Isanti, Mille Lacs and Pine counties dated November 1, 2023 for the following amounts:

Isanti County not to exceed \$2,898.00;
Mille Lacs County not to exceed \$4,581.75; and
Pine County not to exceed \$4,079.25

THEREFORE, BE IT RESOLVED the Kanabec County Community Health Board approves the Community Health Director creating an Addendum to the original Agreements dated November 1, 2023 with Isanti, Mille Lacs and Pine Counties to expend the additional SHIP funding received from the JUUL Settlement to conduct tobacco audits and attend training not to exceed the amounts noted above.



Kanabec County – Timber Trails Public Transit PROCUREMENT POLICY

3/5/2024

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1. INTRODUCTION

1.1. Purpose

This policy establishes guidelines and minimum standards that Kanabec County - Timber Trails Public Transit will use in the management of its third-party contracts. This manual is intended to ensure that Kanabec County - Timber Trails Public Transit complies with Federal Transit Administration (FTA) and the Minnesota Department of Transportation's standards to ensure full and open competition and equitable treatment of all potential sources for all purchases made with funding derived from the Federal, state, and local governments. In all purchasing activity, the goal of Kanabec County - Timber Trails Public Transit is to ensure maximum open and free competition consistent with:

- FTA Circular 4220.1F "Third Party Contracting Guidance" or latest version thereof.
- FTA Circular 4220.1F "FTA Best Practices Procurement and Lessons Learned Manual."
- 2 CFR § 200.318 – 200.327

The goal of this procurement policy is to provide an atmosphere in which all procurement transactions will be conducted in a manner providing full and open competition while preventing the use of state or federal funds for unallowable costs, as discussed in 2 C.F.R. 200 and other applicable regulations. Kanabec County - Timber Trails Public Transit outlines the local restrictions and guidance on unallowable costs within the [Financial Policy](#).

When Kanabec County - Timber Trails Public Transit undertakes any purchase utilizing FTA funds, this policy shall supersede any existing purchasing policy. When any conflict exists between this policy and the existing policies of the Kanabec County - Timber Trails Public Transit, the procedures in this policy shall prevail. If any employee of Kanabec County - Timber Trails Public Transit determines that a conflict exists between these policies and state or local law, Kanabec County - Timber Trails Public Transit shall contact MnDOT and communicate the conflict.

1.2. Third Party Contracting Capacity

FTA regulations (2 CFR § 200.319(c) and FTA Circular 4220.1F, Chapter III, § 3a) require Kanabec County - Timber Trails Public Transit to have written procurement procedures. This policy is designed to meet FTA and MnDOT's requirements in this regard.

1.3. Procurement Planning

Planning is Kanabec County - Timber Trails Public Transit's first step in the procurement process. It is the process of deciding what to buy, when, and from what sources. In order to plan effectively, Kanabec County - Timber Trails Public Transit must have the internal organizational capability with the proper checks and balances to facilitate the procurement process with the highest degree of integrity. This includes having trained, experienced contract personnel that have the authority to contractually bind the agency. Furthermore, Kanabec County - Timber Trails Public Transit uses Federal funds in support of their procurement actions and must ensure that contract personnel are fully knowledgeable of the numerous laws and regulations that apply to funded procurements. Kanabec County - Timber Trails Public Transit invests the time and resources to establish standards of conduct, organize effectively, and develop short- and long-range plans will avoid last minute, emergency or ill-planned procurements, which are contrary to open, efficient and effective procurements. FTA C. 4220.1F Best Practices.

1.4. Policy Review and Amendment

Once per year the TRANSIT DIRECTOR, OPERATIONS SUPERVISOR, and any employees the TRANSIT DIRECTOR requests to be present, shall meet and review this policy for revisions or updates that need to be made. The County Board of Commissioners shall be notified of changes that may be needed to this policy at their next regularly scheduled meeting and at that time, adopt any revisions or updates to the Policy.

If any changes or revisions are adopted to this policy, Kanabec County - Timber Trails Public Transit will upload the updated policy to BlackCat with an indication of the date when the changes were made.

2. CODE OF ETHICS AND CONFLICT OF INTEREST POLICY

2.1. Purpose

Federal grant management rules (2 CFR § 200.318(c)(1)) require each recipient to maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. This policy must address:

- Personal conflicts of interest
- Gifts; and
- Violations.

2.2. Applicability

No employee, officer or agent may participate in the selection, award, or administration of a contract supported by a Federal award if they have a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. 2 C.F.R. 200.318(c)(1).

2.3. Gifts/Gratuities

No officer, employee, agent, or board member of Kanabec County - Timber Trails Public Transit, may solicit or accept gratuities, gifts, favors, or anything of monetary value from contractors or parties to subcontracts. 2 C.F.R. 200.318(c)(1).

2.4. Employee Conflicts of Interest

2.4.1. Conflicts of Interest

It shall be a breach of ethical standards for any Kanabec County - Timber Trails Public Transit listed employee or member to participate directly or indirectly in a procurement when the employee or member knows:

- The employee or any member of the employee's immediate family, board member, officer, agent, his or her partner, has a financial interest pertaining to the procurement;
- A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
- Any other person, business or organization with whom the employee or any member of employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement. 2 C.F.R. 200.318(c)(1); FTA C. 4220.1F, Chpt. III(1)(a).

2.4.2. Discovery of Actual or Potential Conflict of Interest (Disqualification and Waiver)

Regardless of the organizational structure Kanabec County - Timber Trails Public Transit establishes for its procurement activities, a strong need for autonomy or independence of the procurement function from internal customers. It is very important that all procurement responsibilities are carried out without undue influence by the agency's internal customers and users of the goods and services procured. While the degree of autonomy and organizational reporting relationships will vary with the size of the organization and its established policies, autonomy enables procurement personnel to give unbiased consideration to procurement principles and requirements, as well as to the schedule, budget, functional and other requirements of the internal customers. The procurement personnel must be free from undue influence or pressure in the award and administration of contracts. (See 2 C.F.R. § 200.318 *General procurement standards*; FTA Circular 4220.1F, Chapter III, paragraph 3 – *Third Party Contracting Capacity*; and FTA Best Practices 2.2)

Remedies. FTA expects the recipient to analyze each planned acquisition in order to identify and evaluate potential organizational conflicts of interest as early in the acquisition process as possible, and avoid, neutralize, or mitigate potential conflicts before contract award. FTA C. 4220.1F, Chpt. VI(2)(h).

Upon discovery of an actual or potential conflict of interest, an employee participating directly or indirectly in a procurement shall:

- Promptly file a written statement of disqualification with the Transit Director as primary and Community Health Director as secondary; and
- Withdraw from further participation in the procurement.

The employee may, at the same time, request from the Transit Director or Community Health Director, an advisory opinion as to what further participation, if any, the employee may have in the procurement.

It shall be at the sole discretion of the Transit Director or Community Health Director to determine if the employee may have any further participation in the procurement and, if so, the extent to which the employee may participate. Any employee who fails to comply with the provisions of this paragraph may be subject to disciplinary action.

2.4.3. Employee Disclosure Requirements

A Kanabec County - Timber Trails Public Transit employee, who has reason to believe that they or their immediate family have an interest that may be affected by their official acts or actions as a Kanabec County - Timber Trails Public Transit employee or by the official acts or actions of Kanabec County - Timber Trails Public Transit, shall disclose the precise nature and value of such interest in a written disclosure statement to the Procurement Officer. The employee's disclosure statement will be reviewed by the Procurement Officer and the Procurement Officer will respond to the employee in writing with an opinion as to the propriety of said interest.

In the event that the Procurement Officer has reason to believe that they or their immediate family has an interest that may be affected by their official acts or actions as a Kanabec County - Timber Trails Public Transit employee or by the official acts or actions of Kanabec County - Timber Trails Public Transit, they shall disclose the precise nature and value of such interest in a written disclosure statement to the Transit Director.

2.4.4. Confidential Information

A Kanabec County - Timber Trails Public Transit employee may not directly or indirectly make use of, or permit others to make use of, for the purpose of furthering a private interest, confidential information acquired by virtue of their position or employment with Kanabec County - Timber Trails Public Transit. 2 C.F.R. 200.303(e).

2.5. Organizational Conflicts of Interest

The Procurement Officer and technical personnel are encouraged to closely scrutinize all situations that appear to have the potential for an organizational conflict of interest.

Organizational conflicts of interest may result in bias and potentially provide an unfair competitive advantage to a potential offeror. An organizational conflict of interest occurs due to the type of work to be performed under a third-party contract, or because of other activities or relationships such as:

- A contractor who is unable, or potentially unable, to render impartial assistance or advice to the Subrecipient;
- A contractor's whose objectivity in performing contract work is or might be impaired;
- A contractor who has an unfair competitive advantage; or
- An organization that has a parent, affiliate, subsidiary or similar organizational relationship with Kanabec County - Timber Trails Public Transit.

Bias arises when a contractor is placed in a situation where there may be an incentive to distort advice or decisions. Whenever a contract is awarded that involves the rendering of advice, the question must always be asked as to whether the potential for a conflict of interest exists for the contractor rendering the advice. Kanabec County - Timber Trails Public Transit will utilize a "Conflict of Interest Disclosure

Statement," in its solicitation when contracting for services of this nature. 2 C.F.R. 200.318(c)(2); 2 C.F.R. 200.319(b).

2.6. Penalties

For violation of any provision of this Code of Ethics or Conflict of Interest, the Kanabec County - Timber Trails Public Transit may avail itself of every remedy in law or equity, to enact penalties to the employee, up to and including dismissal.

Employees who violate this policy shall be subject to disciplinary action. A violation shall be reviewed by the (TRANSIT DIRECTOR or HUMAN RESOURCES) and may result in a verbal or written reprimand, suspension without pay, or termination of employment regardless of any personnel policies concerning progressive discipline.

Upon the discovery of an actual or potential conflict of interest, an employee participating directly or indirectly in a procurement shall 1) promptly file a written statement of disqualification with the DIRECTOR AND/OR HUMAN RESOURCES MANAGER and 2) withdraw from further participation in the procurement. The employee may request from the DIRECTOR AND/OR HUMAN RESOURCES MANAGER an advisory opinion as to what further participation, if any, the employee may have in the procurement.

The DIRECTOR AND/OR HUMAN RESOURCES MANAGER shall have sole discretion—considering the type of conflict of interest, the degree to which the employee may have dual interests in the procurement outcome, and the knowledge and ability of other members of the staff to handle the procurement without that employee—to determine if and to what extent the employee may participate further in the procurement.

Civil/Criminal Penalties Additionally, violation of the Ethics Policy or a provision thereof may subject the Employee to criminal or civil penalties under State or Federal law.

3. Kanabec County - Timber Trails Public Transit RESPONSIBILITIES

3.1. Third-Party Contracting Capacity

Kanabec County - Timber Trails Public Transit must maintain adequate technical capacity to carry out its FTA and State assisted projects and comply with Federal and State rules. Kanabec County - Timber Trails Public Transit's third party contracting capability must be adequate to undertake its procurements effectively and efficiently in compliance with applicable Federal, state, and local requirements. FTA C. 4220.1F, Chpt. 3(3).

3.2. Contract Administration System

Kanabec County - Timber Trails Public Transit must maintain a contract administration system to ensure that it and its third-party contractors comply with the terms, conditions, and specifications of their contracts or purchase orders and applicable Federal, state and local requirements. See Section 6 of this policy for a full discussion of contract administration. FTA C. 4220.1F, Chpt. 3(3).

3.2.1. Adequate Third-Party Contract Provisions

Kanabec County - Timber Trails Public Transit must include provisions in all of its third-party contracts that are adequate to form a sound and complete agreement. Provisions identified in the solicitation must carry over into the contract. FTA C. 4220.1F, Chpt. 3(3)(b).

3.2.2. Revenue Contracts

Kanabec County - Timber Trails Public Transit may enter into a revenue contract with a third-party to generate revenues in connection with a transit related activity, or to create business opportunities utilizing an FTA or State funded asset. Any such said contract opportunity will follow an open and competitive selection procedures and principles outlined herein. FTA C. 4220.1F, Chpt. 2(b)(4).

3.2.3. Record Keeping

Kanabec County - Timber Trails Public Transit must prepare and maintain adequate and readily accessible project performance and financial records, covering procurement transactions as well as other aspects of project implementation. Kanabec County - Timber Trails Public Transit must maintain these records in the event of litigation or in other limited circumstances, until six years (in accordance with MN State Record Retention requirements) after Kanabec County - Timber Trails Public Transit and any contractors or subcontractors have made final payment and all other pending matters are closed. Specific record keeping requirements include:

- (a) Written Record of Procurement History – Kanabec County - Timber Trails Public Transit must maintain and make available to MnDOT and FTA written records detailing the history of each procurement. For all procurements above the micro-purchase level Kanabec County - Timber Trails Public Transit must maintain records relating to:
 - (1) Procurement Method – Kanabec County - Timber Trails Public Transit must provide its rationale for the method of procurement it used for each contract, including a sole source justification for any acquisition that does not qualify as competitive;
 - (2) Contract Type – Kanabec County - Timber Trails Public Transit must state the reasons for selecting the contract type it used;
 - (3) Contractor Selection – Kanabec County - Timber Trails Public Transit must state its reasons for contractor selection or rejection;

- (4) Contractor Responsibility – Kanabec County - Timber Trails Public Transit must provide a written determination of responsibility for the successful contractor;
- (5) Cost or Price – Kanabec County - Timber Trails Public Transit must evaluate and state its justification for the contract cost or price; and
- (6) Reasonable Documentation – Kanabec County - Timber Trails Public Transit must retain documentation commensurate with the size and complexity of the procurement.
- (7) Vendor Verification – Kanabec County - Timber Trails Public Transit must include verification of acceptance with a selected vendor/supplier/manufacture through the Federal System of Award Management (SAM) for each project and associated project file.

- (b) Access to Records – Kanabec County - Timber Trails Public Transit must provide FTA and MnDOT officials, Minnesota Department of Management and Budget, the State Auditor, or any of their representatives, access to and the right to examine and inspect all records, documents, and papers, including contracts, related to any FTA project financed with Federal assistance.

2 C.F.R. 200.334.

3.3. Determination of Needs

Kanabec County - Timber Trails Public Transit must maintain and follow adequate procedures for determining the types and amounts of products and services it needs to acquire. Kanabec County - Timber Trails Public Transit shall comply with the following requirements when determining the types and amounts of products and services it needs to acquire:

3.3.1. Eligibility

All products and services to be acquired with FTA or State funds must be eligible under the Federal or State law authorizing the FTA or State assistance award and any regulations thereunder. All products and services to be acquired with FTA or State funds must also be eligible for support within the scope of the underlying grant or cooperative agreement from which the FTA or State assistance to be used is derived. FTA C. 4220.1F, Chpt. IV(1)(a).

3.3.2. Necessity

Kanabec County - Timber Trails Public Transit shall adhere to the following standards for avoiding the purchase of duplicative and/or unnecessary products and services it does not need. FTA C. 4220.1F, Chpt. IV(1)(b).

3.3.2.1. Unnecessary Reserves

Kanabec County - Timber Trails Public Transit shall limit the acquisition of Federally or State-assisted property, goods, and services to the amount it needs to support its operations. FTA C. 4220.1F, Chpt. IV(1)(b)(1).

3.3.2.2. Acquisition for Assignment Purposes

Kanabec County - Timber Trails Public Transit shall contract only for its current and reasonably expected public transportation needs and shall not add quantities or options to third-party contracts solely to permit assignment to another party at a later date. These limits on assignments, however, do not

preclude joint procurements that are entered into simultaneously by two or more parties to obtain advantages unavailable for smaller procurements. FTA C. 4220.1F, Chpt. IV(1)(b)(2).

- (a) General Prohibition – Kanabec County - Timber Trails Public Transit may contract only for its current and reasonably expected public transportation needs and may not add quantities or options to third-party contracts solely to permit assignment to another party at a later date.
- (b) Exceptions – These limits on assignments, however, do not preclude:
 - (1) Joint Procurements – Kanabec County - Timber Trails Public Transit and one or more other FTA recipients may enter into a single procurement at the same time to obtain advantages unavailable for smaller procurements.
 - (2) Participation in MnDOT Sponsored Vehicle Procurements – Kanabec County - Timber Trails Public Transit may enter into contracts developed by the State of Minnesota to acquire vehicles. See Section 4.3 of this policy for a full discussion of state government purchasing schedules and contracts.
- (c) Procurement Size – For every procurement, Kanabec County - Timber Trails Public Transit shall consider whether to consolidate or break out the procurement to obtain the most economical purchase. Absent efforts to foster greater opportunities for Disadvantaged Business Enterprises (DBEs), small and minority firms and women’s business enterprises, Kanabec County - Timber Trails Public Transit shall not split a larger procurement merely to gain the advantage of micro-purchase or small purchase procedures.
- (d) Options – Kanabec County - Timber Trails Public Transit shall justify, as needed, all option quantities included in every solicitation and contract. An option is a unilateral right in a contract by which, for a specified time, Kanabec County - Timber Trails Public Transit may acquire additional equipment, supplies, or services than originally procured. An option may also extend the term of the contract.
- (e) Lease Versus Purchase – Kanabec County - Timber Trails Public Transit shall review lease versus purchase alternatives for acquiring property and shall prepare or obtain an analysis to determine the most economical alternative. If Kanabec County - Timber Trails Public Transit chooses to lease an asset then it must prepare a written comparison of the cost of leasing the asset compared with the cost of purchasing or constructing the asset.
- (f) Lease of Rolling Stock – For rolling stock and related equipment, the Fixing America’s Surface Transportation (FAST) Act requires Kanabec County - Timber Trails Public Transit to submit a report to MnDOT, on behalf of FTA, within three years of executing a rolling stock lease that includes: (1) An evaluation of the overall costs and benefits of leasing rolling stock; and (2) A comparison of the expected short-term and long-term maintenance costs under a lease versus maintenance costs when buying rolling stock.

- (g) Specifications – Kanabec County - Timber Trails Public Transit's procurement specifications shall clearly describe the products or services to be procured and shall state how the proposals will be evaluated. Kanabec County - Timber Trails Public Transit's procurement specifications shall not be exclusionary, discriminatory, unreasonably restrictive, or otherwise in violation of Federal or Minnesota laws or regulations.

3.4. Contractor Responsibilities

Kanabec County - Timber Trails Public Transit, in awarding contracts financed in whole or in part with FTA financial assistance, shall follow guidance in this section to evaluate contractor capabilities to perform the contract.

In addition to the Federal rules (2 CFR § 200.318(h)) that require contract awards be made only to responsible contractors, Federal law at 49 U.S.C. § 5325(j) and State Law (CXXXXXX) limits third-party contractor awards to those contractors capable of successfully performing under the terms and conditions of the proposed contract. Before selecting a contractor for award, Kanabec County - Timber Trails Public Transit must consider such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

3.4.1. Debarment and Suspension

Debarment and suspension regulations and guidance include the following provisions.

3.4.1.1. DOT Debarment and Suspension Regulations

U.S. Department of Transportation (DOT) regulations apply to each third-party contract at any tier of \$25,000 or more, to each third party contract at any tier for a federally required audit (irrespective of the contract amount), and to each third party contract at any tier that must be approved by an FTA official irrespective of the contract amount (2 C.F.R.1200). Kanabec County - Timber Trails Public Transit shall apply DOT's debarment and suspension requirements to itself and each third-party contractor at every tier to the extent required by DOT's regulations that incorporate the requirements of the Office of Management and Budget (OMB), "Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)" (2 C.F.R. 180).

3.4.1.2. System for Award Management

Kanabec County - Timber Trails Public Transit will search and ensure that every offeror considered appears as a registered vendor within the results of a SAM.gov search and print the screen with the results of the search to be included in the procurement file. It is the policy of Kanabec County - Timber Trails Public Transit to verify that the prospective third-party vendor is not listed as a debarred contractor on SAM.

3.4.2. Lobbying Certification and Disclosure

If a third-party contract will exceed \$100,000, before awarding the contract, Kanabec County - Timber Trails Public Transit will obtain a signed lobbying certification, and if applicable, a lobbying disclosure from a prospective third party contractor (see DOT regulations, "New Restrictions on Lobbying," 49 CFR Part 20, modified as necessary by 31 U.S.C. Section 1352).

3.4.3. Required Contract Clauses

In addition to the requirements outlined above, there are various required clauses that may apply to Kanabec County - Timber Trails Public Transit's third-party contracts, depending upon the type of procurement and the anticipated dollar value of said contract. It is the responsibility of Kanabec County - Timber Trails Public Transit to assess each procurement and determine the applicable FTA third party terms and conditions that should be included in the solicitation and contract documents. Coordination with MnDOT on the appropriate clauses will be completed. These clauses may include:

- All FTA Assisted Third Party Contracts and Subcontracts:
 - No Federal government obligation to third-parties
 - False or fraudulent statements or claims
 - Access to records
 - Federal changes
 - Civil rights
 - Incorporation of FTA terms
 - Energy conservation
 - Safe operation of motor vehicles
 - Prohibition on certain telecommunications and video surveillance services or equipment
- Contracts Exceeding \$10,000:
 - Termination provisions
- Contracts Exceeding \$25,000:
 - Debarment and suspension
 - Notice regarding disputes, breaches, defaults, and litigation
- Contracts Exceeding \$100,000:
 - Byrd Anti-Lobbying Amendment
- Contracts Exceeding \$150,000:
 - Clean Air Act
 - Federal Water Pollution Control Act
 - Build America, Buy America ("BABA") & Buy America ("BA") (procurements involving iron, steel, manufactured products, and constructions materials)
- Contracts Exceeding the Simplified Acquisition Threshold:
 - Legal remedies for violation or breach
- Contracts for Construction:
 - Davis-Bacon Act
 - Copeland Anti-Kickback Act
 - Contract Work Hours and Safety Standards Act
 - Seismic safety
 - Veterans hiring preference
 - Bonding
- Contracts for Transit Operations:
 - School bus restrictions
 - Charter bus restrictions
 - Transit employee protective arrangements
 - Substance abuse requirements
- Miscellaneous:
 - Conformance with Intelligent Transportation Systems (ITS) national architecture

- Cargo preference
- Fly America
- Patent rights
- Rights in data and copyrights
- Procurement of recovered materials
- Rolling Stock Certifications:
 - Bus testing
 - Transit Vehicle Manufacturer (TVM) compliance with DBE requirements
 - Pre-Award Buy America Certification
 - Pre-Award Purchaser's Requirements
 - Pre-Award Federal Motor Vehicle Safety Standards (FMVSS) Certification
 - Post-Delivery Buy America Certification
 - Post-Delivery Purchaser's Requirements
 - Post-Delivery FMVSS Certification

FTA C. 4220.1F, Matrix D; *see also* FTA Master Agreement.

3.5. Bonding

Some procurements may necessitate Kanabec County - Timber Trails Public Transit to require the vendor to submit a bid bond, performance bond, or payment bond (typically construction projects).

3.5.1. Thresholds

3.5.2. For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, when bonding is required, MnDOT may accept the bonding policy and requirements of the Subrecipient provided that MnDOT has made a determination that the Federal interest is adequately protected. Acceptable Sureties

Federal rules for non-governmental recipients requires the non-governmental recipient to obtain construction bonds from companies holding certificates of authority as acceptable sureties under Department of the Treasury regulations, "Surety Companies Doing Business with the United States," (31 CFR Part 223). For a current list of approved sureties, see Department of the Treasury's Listing of Approved Sureties (Department Circular 570). As FTA encourages governmental recipient to require similarly acceptable sureties, it shall be the policy of Kanabec County - Timber Trails Public Transit to such accept sureties.

3.6. Preference for U.S. Property—Buy America

Any contract exceeding \$150,000 entered into by Kanabec County - Timber Trails Public Transit with FTA assistance requires that all iron, steel, manufactured products (including rolling stock), and construction materials used are produced or manufactured in the United States, unless FTA has granted a waiver authorized by Buy America regulations. FTA cautions that its Buy America regulations are complex and different from the Federal "Buy American Act" regulations in FAR Subparts 25.1 and 25.2. FTA C. 4220.1F, Chpt. IV(2)(c)(5).

Kanabec County - Timber Trails Public Transit will, to the great practical extent consistent with law, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States of America, even when Buy America and other regulations do not apply. 2 C.F.R. § 200.322

3.7. Accessibility

Facilities to be used in public transportation service must comply with 42 U.S.C. Sections 12101 *et seq.* and DOT regulations, “Transportation Services for Individuals with Disabilities (ADA),” 49 CFR § 37; and Joint ATBCB/DOT regulations, “Americans with Disabilities (ADA) Accessibility Specifications for Transportation Vehicles,” 36 CFR § 1192 and 49 CFR § 38. Notably, DOT incorporated by reference the ATBCB’s “Americans with Disabilities Act Accessibility Guidelines” (ADAAG), revised July 2004, which include accessibility guidelines for buildings and facilities, and are incorporated into Appendix A to 49 CFR Part 37. DOT also added specific provisions to Appendix A modifying the ADAAG, with the result that buildings and facilities must comply with both the ADAAG and amendments thereto in Appendix A to 49 CFR Part 37.

4. SOURCES OF ACQUISITIONS

4.1. Force Account

Force account means use of Kanabec County - Timber Trails Public Transit's own labor forces and equipment to undertake a project (typically construction, renovation, or repair). The use of force account labor is a project management function, rather than a procurement and contract administration function, except in the general sense of the Subrecipient’s ability to perform work with its own forces rather than contracting with another entity to acquire the property or services it needs, and the cost implications of the recipient’s decision. Kanabec County - Timber Trails Public Transit does not charge force account labor to its FTA grants. FTA C. 4220.1F, Chpt. V(1).

4.2. Joint Procurements

Kanabec County - Timber Trails Public Transit may participate in joint procurements whereby Kanabec County - Timber Trails Public Transit and one or more other entities agree from the outset to use a single solicitation document and enter into a single contract with a vendor for delivery of products or services. The following requirements apply to Kanabec County - Timber Trails Public Transit’s participation in joint procurements:

- Solicitation documents may not be drafted for the purpose of accommodating the needs of other parties that may later want to participate in the benefits of the contract.
- Kanabec County - Timber Trails Public Transit is responsible for ensuring that the joint procurement solicitation and contract complies with all Federal and State requirements and that the solicitation document and contract includes all required clauses and certifications.

FTA C. 4220.1F, Chpt. V(3).

4.3. State or Local Government Purchasing Schedules or Purchasing Contracts

4.3.1. Definition

FTA uses the term “state or local government purchasing schedule” to mean an arrangement that a State or local government has established with several vendors in which those vendors agree to provide

essentially an option to the State or local government, and its subordinate government entities, to acquire specific property or services in the future at established prices. These arrangements are somewhat similar to the General Services Administration's (GSA) Cooperative Purchasing Program available for Federal Government use. (FTA C. 4220.1F Chpt I 5.cc.)

4.3.2. Small Quantity Conditions for Rolling Stock

To the extent practicable, Kanabec County - Timber Trails Public Transit will use the innovative procurement tools authorized under section 3019 of the FAST Act. If Kanabec County - Timber Trails Public Transit conducts a stand-alone procurement (i.e., not part of a state contract or joint/cooperative procurement) for fewer than five buses, it must prepare a written justification for not using an authorized "innovative procurement tool" pursuant to 49 USC § 5339(a)(10)(B).

4.3.3. Applicability of Federal Provisions

When obtaining property or services in this manner, Kanabec County - Timber Trails Public Transit must ensure all Federal requirements, required clauses, and certifications (including Buy America) are properly followed and included, whether in the master intergovernmental contract or in the recipient's purchase document. While MnDOT takes all precautions to ensure that such provisions are in the original solicitation and contract documents, it is ultimately Kanabec County - Timber Trails Public Transit's responsibility to ensure such documents and certifications are obtained. Solicitation of these vendors is conducted in the same manner as any other procurement.

If such requirements, clauses, and certifications were not included in the original purchase solicitation and contracts, Kanabec County - Timber Trails Public Transit may request the vendor to append the required Federal clauses in the purchase order or other document that effects the Kanabec County - Timber Trails Public Transit's procurement. When this method is used, Kanabec County - Timber Trails Public Transit shall obtain Buy America certification before entering into the purchase order. This method cannot be used to circumvent FTA's Buy America requirements.

4.3.4. Existing Contracts

Kanabec County - Timber Trails Public Transit may use existing contract rights as an acquisition source. An "existing contract" means a contract that, when formed, was intended to be limited to the original parties thereto. FTA C. 4220.1F, Chpt. V(7).

4.3.4.1. Permissible Actions

Within the conditions set forth below, Kanabec County - Timber Trails Public Transit may use existing contract rights held by another recipient of FTA assistance:

- (a) Exercise of Options – Kanabec County - Timber Trails Public Transit may use contract options held by another recipient of FTA assistance with the following limitations:

- (1) Consistency with the Underlying Contract – Kanabec County - Timber Trails Public Transit must ensure that the terms and conditions of the option it seeks to exercise are substantially similar to the terms and conditions of the option as stated in the original contract at the time it was awarded.

- (2) Price – Kanabec County - Timber Trails Public Transit may not exercise an option unless it has determined that the option price is better than prices available in the open market, or that when it intends to exercise the option, the option is more advantageous.
- (3) Awards Treated as Sole Source Procurements – The following actions constitute sole source awards:
 - i. Failure to Evaluate Options Before Awarding the Underlying Contract – If a contract has one or more options and those options were not evaluated as part of the original contract award, exercising those options after contract award will result in a sole source award.
 - ii. Negotiating a Lower Option Price – Exercising an option after Kanabec County - Timber Trails Public Transit has negotiated a lower or higher price will also result in a sole source award unless that price can be reasonably determined from the terms of the original contract, or that price results from Federal actions that can be reliably measured.
- (b) Assignment of Contract Rights (“Piggybacking”) – If Kanabec County - Timber Trails Public Transit finds that it has inadvertently acquired contract rights in excess of its needs, it may assign those contract rights to another MnDOT subrecipient if the original contract contains an assignability provision that permits the assignment of all or a portion of the specified deliverables under the terms originally advertised, competed, evaluated, and awarded, or contains other appropriate assignment provisions. Kanabec County - Timber Trails Public Transit may use contractual rights through assignment from another recipient of FTA assistance after first determining the contract price remains fair and reasonable, and the contract provisions are adequate for compliance with all Federal requirements. Kanabec County - Timber Trails Public Transit need not perform a second price analysis if a price analysis was performed for the original contract; however, Kanabec County - Timber Trails Public Transit must determine whether the contract price or prices originally established are still fair and reasonable before using those rights. Kanabec County - Timber Trails Public Transit shall be responsible for ensuring the contractor’s compliance with FTA’s Buy America requirements and execution of all the required pre-award and post-delivery Buy America review certifications. Before proceeding with the assignment, however, Kanabec County - Timber Trails Public Transit shall review the original contract to be sure that the quantities the assigning recipient acquired, coupled with the quantities that Kanabec County - Timber Trails Public Transit seeks, do not exceed the amounts available under the assigning recipient’s contract.

4.3.4.2. Impermissible Actions

Kanabec County - Timber Trails Public Transit may not use Federal assistance to finance:

- (a) Improper Contract Expansion – A contract has been improperly expanded when it includes a larger scope, greater quantities, or options beyond the recipient’s reasonably anticipated needs. A contract has also been improperly expanded when excess capacity

has been added primarily to permit assignment of those contract rights to another entity.

- (b) Cardinal Changes – A significant change in contract work that causes a major deviation from the original purpose of the work or the intended method of achievement, or causes a revision of contract work so extensive, significant, or cumulative that, in effect, the contractor is required to perform very different work from that described in the original contract, is a cardinal change or “tag-on”. A change within the scope of the contract is not a cardinal change or “tag-on”.

5. PROCEDURES FOR OPEN MARKET PROCUREMENTS

5.1. Solicitation of Competitive Price Quotes, Bids or Proposals

Compliance with the solicitation procedures described in Section 5.4 below will fulfill FTA requirements for “full and open competition.” 2 C.F.R. 200.319(a).

5.2. Solicitation Requirements and Restrictions

Every procurement solicitation that Kanabec County - Timber Trails Public Transit issues above the micro-purchase level (currently established in Federal guidance at \$10,000), must include the following information and be advertised in a manner that ensures adequate and open competition. 2 C.F.R. 200.319(d).

5.2.1. Description of the Property or Services

The solicitation and the contract awarded thereunder must include a clear and accurate description of Kanabec County - Timber Trails Public Transit's technical requirements for the products or services to be acquired in a manner that provides for full and open competition. 2 C.F.R. 200.319(d)(1).

5.2.1.1. Descriptive Elements

Kanabec County - Timber Trails Public Transit will prepare descriptions of property, goods, or service in terms of functions to be performed or level of performance required, including the range of acceptable characteristics or minimum acceptable standards. Detailed product specifications should be avoided if at all possible; however, there is no prohibition against their use when appropriate. 2 C.F.R. 200.319(d)(1).

5.2.1.2. Quantities

Additional quantities or options above Kanabec County - Timber Trails Public Transit's needs at the time of acquisition may not be added to contracts solely to allow assignment of those quantities or options at a later date. FTA C. 4220.1F, Chpt. IV(1)(b).

5.2.1.3. Brand Name or Equal

When it is impractical or uneconomical to provide a clear and accurate description of the technical requirements of the property to be acquired, a “brand name or equal” description may be used

to define the performance or other salient characteristics of a specific type of property. The salient characteristics of the named brand that bidders or offerors must provide must be identified. 2 C.F.R. 200.319(b)(6).

5.2.1.4. Prohibited Practices

Solicitations with requirements that contain features that unduly restrict competition may not be used. Kanabec County - Timber Trails Public Transit shall not:

- Impose unreasonable business requirements for bidders or offerors.
- Impose unnecessary experience requirements for bidders and offerors.
- Use prequalification procedures that conflict with the prequalification standards described in Section 5.3.
- Make a noncompetitive award to any person or firm on a retainer contract with Kanabec County - Timber Trails Public Transit if that award is not for the property or services specified for delivery under the retainer contract.
- Impose unreasonable restrictive bonding requirements on bidders and offerors in excess of FTA and state requirements.
- Specify only a “brand name” product without allowing offers of an “equal” product, or allowing an “equal” product without listing the salient characteristics that the “equal” product must meet to be acceptable for award.
- Specify in-state or local geographical preferences or evaluating bids or proposals in light of in-state or local geographic preferences, even if those preferences are imposed by State or local laws or regulations. The only exception expressly mandated or encouraged by Federal law that may be applicable to Kanabec County - Timber Trails Public Transit is the procurement of Architectural and Engineering (A&E) Services. Geographic location may be a selection criterion in the procurement of A&E services if an appropriate number of qualified firms are eligible to compete for the contract in view of the nature and size of the project.
- Engage in practices that result in organizational conflicts of interest. An organizational conflict of interest occurs when any of the following circumstances arise:
 - Lack of Impartiality or Impaired Objectivity – When the bidder or offeror is unable, or potentially unable, to provide impartial and objective assistance or advice to Kanabec County - Timber Trails Public Transit due to other activities, relationships, contracts, or circumstances.
 - Unequal Access to Information – When the bidder or offeror has an unfair competitive advantage through obtaining access to nonpublic information during the performance of an earlier contract.
 - Biased Ground Rules – When during the conduct of an earlier procurement, the bidder or offeror has established the ground rules for a future procurement by developing specifications, evaluation factors, or similar documents.
- Support or acquiesce in noncompetitive pricing practices between firms or between affiliated companies.
- Take any arbitrary action in the procurement process.

2 C.F.R. 200.319.

5.2.2. Evaluation Factors.

All solicitations shall identify all factors to be used in evaluating bids or proposals. At the discretion of Procurement Officer, the relative order of importance and/or weights shall be communicated to prospective offerors. FTA C. 4220.1F, Chpt. VI2.c.1. and 2.

5.2.3. Permissible Contract Types

Kanabec County - Timber Trails Public Transit shall state the type of contract that will be awarded in all solicitation documents. The following types of contracts will typically be executed with the successful vendor:

5.2.3.1. Firm Fixed Price

A firm fixed price contract includes a price that remains fixed irrespective of the contractor's cost experience in performing the contract. A firm fixed price contract may include an economic price adjustment provision, incentives, or both.

5.2.3.2. Cost Reimbursement

A cost-reimbursement contract provides for payment of the contractor's allowable incurred costs, to the extent prescribed in the contract. Allowable costs may include incentives if the recipient believes they can prove helpful. Cost-reimbursement contracts are suitable for use only when uncertainties involved in contract performance do not permit costs to be estimated with sufficient accuracy to use any type of fixed price contract.

5.2.4. Prohibitive or Restricted Contract Types

The following contract types are prohibited or restricted:

5.2.4.1. Cost Plus Percentage of Cost

Cost plus Percentage of Cost type contracts are prohibited.

5.2.4.2. Time and Materials

Time and Materials type contracts may be used only after a written determination is made that no other contract type is suitable. In addition, the contract between Kanabec County - Timber Trails Public Transit and the Contractor must specify a ceiling price that the Contractor may not exceed except at its own risk.

5.2.5. Other Federal Requirements Affecting the Property or Services to be Acquired

The solicitation and resulting contract must identify those Federal requirements that will affect contract scope and performance.

5.2.6. Other Federal Requirements Affecting the Bidder or Offeror and the Contractor

The solicitation and resulting contract must identify all Federal requirements that a bidder or offeror must fulfill before and during contract performance.

5.2.7. Reservation of Right to Award to Other Than the Low Bidder or Offeror

The solicitation must specifically reserve Kanabec County - Timber Trails Public Transit right to award a contract to other than the low bidder or offeror. If the solicitation documents do not specify this right, Kanabec County - Timber Trails Public Transit will be obligated to award the contract to the low bidder.

5.2.8. Reservation of Right to Reject All Bids or Offers

The solicitation must specifically reserve Kanabec County - Timber Trails Public Transit's right to reject all bids or offers.

5.3. Methods of Procurement

Kanabec County - Timber Trails Public Transit shall use competitive procedure(s) appropriate for the acquisition undertaken. The procedures used must comply with Minnesota and local law as well as with Federal requirements. Federal restrictions vary with the type of procurement method used. The following guidance is based on the requirements of 2 CFR § 200.318 – 200.326, supplemented by FTA and State policies that address the needs of FTA recipients.

5.3.1. Informal Procurements: Micro Purchases

5.3.1.1. Definition

Per 2 C.F.R. 200.320, micro-purchases are those purchases of products and services that cost \$10,000 or less (or current threshold established by Federal Acquisition Regulations (FAR)); for purposes of this policy, Kanabec County - Timber Trails Public Transit will use \$10,000 as the threshold for relatively simple purchases as a means to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost.

5.3.1.2. Approval Authority

Micro-purchases must be approved in writing by one of the following Kanabec County - Timber Trails Public Transit employees:

- Transit Director
- Operations Supervisor

5.3.1.3. Competition

Kanabec County - Timber Trails Public Transit may acquire products and services valued at less than (Micro Purchase Limit) without obtaining competitive quotations. Micro-purchases should be distributed equitably among qualified suppliers.

Micro purchases are exempt from FTA's Buy America requirements. Davis-Bacon prevailing wage requirements, however, will apply to construction contracts exceeding \$2,000, even though the recipient uses micro-purchase procurement procedures. 2 C.F.R. 200.320(a)(1)(ii).

5.3.1.4. Prohibited Divisions

The size or dollar value of procurements may not be divided or reduced merely to come within the micro purchase limit. The only allowable exception to this restriction is for the express purpose of fostering greater participation of DBEs, small and minority firms and women's business enterprises in Kanabec County - Timber Trails Public Transit's Federally assisted procurements. FTA C. 4220.1F, Chpt. IV(3)(a)(2)(b).

5.3.1.5. Documentation

Every micro-purchase must be accompanied by a written determination that the price is fair and reasonable and a description of how that determination was made. FTA C. 4220.1F, Chpt. IV(3)(a)(2)(c).

5.3.2. Informal Procurements: Small Purchases

5.3.2.1. Definition

Minnesota law, which is applicable to Kanabec County-Timber Trails Public Transit per Minn. Stat. 471.345, defines small purchases as those purchases of products and services, including construction services, that cost greater than \$10,000 but not more than \$175,000. For purposes of this policy, Kanabec County-Timber Trails Public Transit will consider small purchase those that cost greater than \$10,000 but not more than \$175,000.

5.3.2.2. Approval Authority

Small purchases must be approved in writing by one of the following Kanabec County - Timber Trails Public Transit employees:

- Governing Board

5.3.2.3. Required Competition

Price or rate quotations must be obtained from an adequate number of qualified sources. It is the responsibility of Kanabec County - Timber Trails Public Transit to ensure that an adequate number of quotations, bids, or proposals are received. 2 C.F.R. 200.320(2)(i).

5.3.2.4. Prohibited Divisions

The size or dollar value of procurements may not be divided or reduced merely to come within the small purchase limit. The only allowable exception to this restriction is for the express purpose of fostering greater participation of DBEs, small and minority firms and women's business enterprises in Kanabec County - Timber Trails Public Transit's Federally assisted procurements. FTA C. 4220.1F, Chpt. IV(3)(b)(2)(b).

5.3.2.5. Documentation

Every small purchase must be documented in the grantee's written procurement history file. The level of documentation is stipulated in Section 6.6.1. 2 C.F.R. 200.334.

For small purchases, price quotations may be oral or written.

5.3.2.6. Special Considerations

Kanabec County - Timber Trails Public Transit reserves the right to use formal purchase methods, even if small purchase thresholds are met, if the Procurement Officer believes it is in the best interests of the Kanabec County - Timber Trails Public Transit to do so.

5.3.3. Formal Procurements

5.3.3.1. Definition

Per Minn. Stat. 471.345, formal purchases are those purchases of products and services that cost greater than the current state threshold of \$175,000. For purposes of this policy, Kanabec County-Timber Trails Public Transit will use formal procedures for all purchases over \$175,000.

5.3.3.2. Approval Authority

Large purchases must be approved in writing by the following Kanabec County - Timber Trails Public Transit employees or officials:

- Governing Board

No further delegation of approval authority for large purchases may be made.

5.3.3.3. Procurement Methods

There are two primary methods of procurement for large purchases of products and services:

- Sealed Bid method (IFB); and
- Competitive Proposal (RFP) method.

5.3.3.4. Required Competition

Formal bids and competitive proposals must be publicly advertised. 2 C.F.R. 200.320(b).

For formal purchases by the sealed bid method of procurement, two or more responsible bidders must be willing and able to compete effectively for the business. 2 C.F.R. 200.320(b)(1)(i)(B).

For formal purchases by the competitive proposal method of procurement, two or more offerors must be willing and able to submit an offer or proposal. 2 C.F.R. 200.320(b)(2).

5.3.3.5. Required Documentation

Every formal purchase must, at a minimum, be supported by a written independent cost estimate, formal bids or proposals, a written cost or price analysis as appropriate, a written justification and detailed rationale for contractor selection (including application of evaluation criteria) and a written determination of the responsibility of the contractor. Additional documentation requirements are dependent upon the formal procurement method that is utilized to make the purchase. 2 C.F.R. 200.320; 2 C.F.R. 200.324(a).

5.3.3.6. Procedural Methods for Sealed Bids

The sealed bid method of procurement is a formal method in which bids are publicly solicited and a firm fixed price contract is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the Invitation for Bids (IFB), is lowest in price. The IFB document contains technical specifications for the product or service to be purchased, a description of the procedures for submitting a bid, and the forms on which bids must be submitted. 2 C.F.R. 200.320(b)(1).

(a) When Appropriate – The sealed bid method of procurement is the preferred method for acquiring products and services that, including construction services, cost greater than simplified threshold or Small Purchase threshold. The sealed bid method of procurement may also be used for small purchases if it is determined to be appropriate. The sealed bid method of procurement is appropriate if the following conditions apply:

- (1) Precise Specifications – A complete, adequate, precise, and realistic specification or purchase description is available.
- (2) Adequate Sources – Two or more responsible bidders are willing and able to compete effectively for the business.
- (3) Fixed Price Contract – The procurement generally lends itself to a firm fixed price contract.
- (4) Price Determinative – The successful bidder can be selected on the basis of price and those price-related factors listed in the solicitation including, but not limited to, transportation costs, life cycle costs, and discounts expected to be taken. Apart from responsibility determinations, contractor selection may not be determined on the basis of other factors whose costs cannot be measured at the time of award.
- (5) Discussions Unnecessary – Discussions with one or more bidders after bids have been submitted are expected to be unnecessary as award of the contract will be made based on price and price-related factors alone.

FTA C. 4220.1F, Chpt. IV(3)(c)(1).

(b) Requirements for Sealed Bids – The following requirements apply to the sealed bid method of procurement:

- (1) Publicity – The Invitation for Bids must be publicly advertised.
 - i. The Procurement Officer shall ensure that sufficient time is allowed to prepare bids before the date of bid opening.
 - ii. Notice of bidding opportunities may be provided in other ways in addition, but not as a substitute, to a published notice. The methods may include, but not necessarily be limited to:
 - a. Direct notice, based on compiled vendor lists or from pre-qualification list, sent to prospective offerors; or
 - b. Use of advertisement by electronic means.
- (2) Adequate Sources – Bids must be solicited from an adequate number of known suppliers.
- (3) Adequate Specifications – The Invitation for Bids, including any specifications and pertinent attachments, must describe the property or services sought in sufficient detail that a prospective bidder will be able to submit a proper bid.
- (4) Sufficient Time – Bidders must be allowed sufficient time to prepare bids before the date of bid opening.
- (5) Public Opening – All bids must be publicly opened at the time and place prescribed in the Invitation for Bids.
- (6) Fixed Price Contract – A firm fixed price contract must be awarded in writing to the lowest responsive and responsible bidder unless the Invitation for

Bids specifically allowed for award of a fixed price incentive contract or the inclusion of an economic price adjustment provision.

- (7) Rejection of Bids – Any or all bids may be rejected if there is a sound, documented business reason.

FTA C. 4220.1F, Chpt. IV(3)(c)(2).

5.3.3.7. Competitive Proposals

The competitive proposal method of procurement is a formal method in which written proposals are publicly solicited and a contract is awarded to the responsible offeror whose proposal, taking into consideration price and other factors, is considered to be the most advantageous to Kanabec County - Timber Trails Public Transit or that is considered to be the “best value” to Kanabec County - Timber Trails Public Transit. The vehicle through which proposals are solicited is Request for Proposals (RFP). The RFP document contains technical specifications for the product or service to be purchased, a description of the procedures for submitting a proposal and the forms on which proposals must be submitted, if applicable. FTA C. 4220.1F, Chpt. IV(3)(d).

- (a) When Appropriate – The competitive proposal method of procurement is appropriate for the acquisition of products and services that cost greater than (Small Purchase Limit) when the nature of the procurement does not lend itself to sealed bidding and Kanabec County - Timber Trails Public Transit expects that more than one source will be willing and able to submit a proposal. The competitive proposal method of procurement may also be used for small purchases if it is determined to be appropriate. The competitive proposal method of procurement may not be used for the procurement of construction services. The competitive proposal method of procurement is appropriate when any of the following circumstances are present:

- (1) Type of Specifications – The products or services to be acquired are described in a performance or functional specification, or if described in detailed technical specifications, other circumstances such as the need for discussions or the importance of basing contract award on factors other than price alone are present.
- (2) Uncertain Number of Sources – Uncertainty about whether more than one bid will be submitted in response to an Invitation for Bids.
- (3) Price Alone Not Determinative – Due to the nature of the procurement, contract award need not be based exclusively on price or price-related factors.
- (4) Discussions Expected – Separate discussions with individual offerors are expected to be necessary after they have submitted their proposals.

FTA C. 4220.1F, Chpt. IV(3)(d)(1).

- (b) Requirements for Competitive Proposals – The following requirements apply to the competitive proposal method of procurement:

- (1) Publicity – The Request for Proposals must be publicly advertised.
- (2) Evaluation Factors – All evaluation factors and their relative importance must be specified in the solicitation, but numerical or percentage ratings or weights need not be disclosed.

- (3) Adequate Sources – Proposals must be solicited from an adequate number of qualified sources.
- (4) Evaluation Method – A specific method must be established and used to conduct technical evaluations of the proposals received and to determine the most qualified offeror.
- (5) Price and Other Factors – An award must be made to the responsible offeror whose proposal is most advantageous to Kanabec County - Timber Trails Public Transit or that represents the “best value” to Kanabec County - Timber Trails Public Transit with price and other factors considered.
- (6) Best Value – Kanabec County - Timber Trails Public Transit may award a contract to the offeror whose proposal provides the greatest value to Kanabec County - Timber Trails Public Transit. To do so, the solicitation must inform potential offerors that the award will be made on a “best value” basis and identify what factors will form the basis for award. Kanabec County - Timber Trails Public Transit must base its determination of which proposal represents the “best value” on an analysis of the tradeoff of qualitative technical factors and price or cost factors.

FTA C. 4220.1F, Chpt. IV(3)(d)(2).

5.3.3.8. Two-Step Procurements

Kanabec County - Timber Trails Public Transit may use two-step procurement procedures in both sealed bid and competitive proposal procurements, provided the opportunity for full and open competition is retained. FTA C. 4220.1F, Chpt. IV(3)(e).

Review of Technical Qualifications and Approach – The first step is a review of the prospective contractors’ technical approach to Kanabec County - Timber Trails Public Transit’s request and their technical qualifications to carry out that approach followed by the establishment of a competitive range consisting of prospective contractors that demonstrate a technically satisfactory approach and have satisfactory qualifications. FTA C. 4220.1F, Chpt. IV(3)(e)(1).

Review of Bids and Proposals Submitted by Qualified Prospective Contractors – The second step consists of soliciting and reviewing complete bids or proposals, including price, submitted by each prospective contractor determined to be qualified. Absent exceptional circumstances, bids or proposals must be solicited from at least three qualified prospective contractors. FTA C. 4220.1F, Chpt. IV(3)(e)(2).

5.3.3.9. Architectural and Engineering (A&E) Services and Other Services

FTA’s enabling legislation at 49 U.S.C. § 5325(b)(1) requires the use of the qualifications-based procurement procedures contained in the “Brooks Act,” 40 U.S.C. § 1101 through 1104, to acquire A&E services. FTA C. 4220.1F, Chpt. IV(3)(f).

- (a) Qualifications-Based Procurement Procedures Required – Kanabec County - Timber Trails Public Transit must use qualifications-based procurement procedures to acquire architectural and engineering (A&E) services as well as certain other services that are directly in support of, directly connected to, directly related to, or lead to construction, alteration, or repair of real property. In addition to A&E services, other services that must be procured by qualifications-based procurement procedures include:

- Program management;
- Construction management;
- Feasibility studies;
- Preliminary engineering;
- Design, architectural, engineering;
- Surveying, mapping; and
- Other related services.

The nature of the work to be performed and its relationship to construction, not the nature of the prospective contractor, determine whether qualifications-based procurement procedures may be used. FTA C. 4220.1F, Chpt. IV(3)(f)(1).

- (b) Qualifications-Based Procurement Procedures Prohibited – Unless FTA determines otherwise in writing, qualifications-based procurement procedures may not be used to acquire other types of services if those services are not directly in support of, directly connected to, directly related to, or do not lead to construction, alteration, or repair of real property. Qualifications-based procurement procedures may not be used for actual construction, alteration or repair to real property. FTA C. 4220.1F, Chpt. IV(3)(f)(2).
- (c) Qualifications-Based Procurement Procedures – The following procedures apply to qualifications-based procurements:
- (1) Qualifications – Unlike other two-step procurement procedures in which price is an evaluation factor, an offeror’s qualifications are evaluated to determine contract award.
 - (2) Price – Price is excluded as an evaluation factor.
 - (3) Most Qualified – Price negotiations are first conducted with only the most qualified offeror.
 - (4) Next Most Qualified - Only after failing to agree on a fair and reasonable price may negotiations be conducted with the next most qualified offeror. Then, if necessary, negotiations with successive offerors in descending order may be conducted until contract award can be made to the offeror whose price the recipient believes is fair and reasonable.

FTA C. 4220.1F, Chpt. IV(3)(f)(3).

5.4. Noncompetitive Procurements

Normally, Kanabec County - Timber Trails Public Transit must provide for full and open competition when soliciting bids or proposals. Federal regulations at 2 C.F.R. 200.320(f)(1) – (4), however, acknowledges that under certain circumstances, a recipient may conduct procurements without providing for full and open competition.

5.4.1. When Appropriate

Noncompetitive procurement procedures may only be used when the procurement is inappropriate for small purchase procedures, sealed bids, or competitive proposals, and at least one of the following circumstances are present:

5.4.1.1. Competition Adequacy

After soliciting several sources and receiving an inadequate response, Kanabec County - Timber Trails Public Transit shall review its specifications to determine if they are unduly restrictive or if changes can be made to encourage submission of more price quotes, bids or proposals. If Kanabec County - Timber Trails Public Transit determines that the specifications are not unduly restrictive and changes cannot be made to encourage greater competition, Kanabec County - Timber Trails Public Transit may determine the original competition adequate and complete the purchase from among the sources that submitted a price quote, bid or proposal. A cost analysis must be performed in lieu of a price analysis when this situation occurs. FTA C. 4220.1F, Chpt. IV(3)(i)(1)(a).

5.4.1.2. Sole Source

When Kanabec County - Timber Trails Public Transit requires products or services available from only one responsible source, and no other products or services will satisfy its requirements, Kanabec County - Timber Trails Public Transit may make a sole source award. In addition, when Kanabec County - Timber Trails Public Transit requires an existing contractor to make a change to its contract that is beyond the scope of that contract, Kanabec County - Timber Trails Public Transit will consider the change a sole source award that must be justified. Sole source awards are only appropriate when one of the following conditions apply:

- (a) Unique Capability or Availability – The products or services are available from only one source if one of the conditions described below is present:
 - (1) Unique or Innovative Concept – The offeror demonstrates a unique or innovative concept or capability not available from another source. Unique or innovative concept means a new, novel, or changed concept, approach, or method that is the product of original thinking, the details of which are kept confidential or are patented or copyrighted, and is available to Kanabec County - Timber Trails Public Transit only from one source and has not in the past been available to Kanabec County - Timber Trails Public Transit from another source.
 - (2) Patents or Restricted Data Rights – Patent or data rights restrictions preclude competition.
 - (3) Substantial Duplication Costs – In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.
 - (4) Unacceptable Delay – In the case of a follow-on contract for the continued development or production of a highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in unacceptable delays in fulfilling Kanabec County - Timber Trails Public Transit's needs.

FTA C. 4220.1F, Chpt. IV(3)(i)(1)(b)(1).

- (b) Single Bid or Proposal – Upon receiving a single bid or proposal in response to a solicitation, Kanabec County - Timber Trails Public Transit should determine if competition

was adequate. This should include a review of the specifications for undue restrictiveness and might include a survey of potential sources that chose not to submit a bid or proposal.

- (1) Adequate Competition – Competition is adequate when the reasons for a single response were caused by conditions beyond Kanabec County - Timber Trails Public Transit's control.
- (2) Inadequate Competition – Competition is inadequate when the reasons for a single response were caused by conditions within Kanabec County - Timber Trails Public Transit's control.

FTA C. 4220.1F, Chpt. IV(3)(i)(1)(b)(2).

- (c) Unusual and Compelling Urgency – Kanabec County - Timber Trails Public Transit may limit the number of sources from which it solicits bids or proposals when Kanabec County - Timber Trails Public Transit has such an unusual and urgent need for the products or services that Kanabec County - Timber Trails Public Transit would be seriously injured unless it were permitted to limit the solicitation. Kanabec County - Timber Trails Public Transit may also limit the solicitation when the public exigency or emergency will not permit a delay resulting from competitive solicitation for the products or services. FTA C. 4220.1F, Chpt. IV(3)(i)(1)(c).

- (d) Authorized by MnDOT – Kanabec County - Timber Trails Public Transit may request permission from MnDOT to allow it to use noncompetitive proposals for a particular procurement. FTA C. 4220.1F, Chpt. IV(3)(i)(1)(e).

- (e) When Prohibited – Less than full and open competition is not justified based on:

- (1) Failure to Plan – Kanabec County - Timber Trails Public Transit's lack of advance planning, resulting in limited competition, is not justification for a sole source or single bid award.
- (2) Limited Availability of Federal Assistance – Concerns about the amount of Federal assistance available to support the procurement.

FTA C. 4220.1F, Chpt. IV(3)(i)(2).

- (f) Procurement Procedures – The following requirements apply when Kanabec County - Timber Trails Public Transit completes a procurement utilizing less than full and open competition:

- (1) Potential Sources – Kanabec County - Timber Trails Public Transit must solicit offers from as many potential sources as is practicable under the circumstances.
- (2) Sole Source Justification – Kanabec County - Timber Trails Public Transit must justify all sole source procurements in writing. Sole source procurement justifications must describe the reasons for why a sole source procurement is appropriate, state which of the authorized justifications listed in Section 5.6.1.2 are applicable, include a cost analysis and be signed by the Procurement Officer. If Kanabec County - Timber Trails Public Transit decides to solicit an offer from only one source, Kanabec County - Timber Trails Public Transit must justify its decision in writing. The written justification must include the same elements as

a sole source justification except that it must state which of the authorized justifications listed in Section 5.6.1.2 are applicable to the sole source purchase.

- (3) Cost Analysis – Kanabec County - Timber Trails Public Transit must prepare or obtain a cost analysis verifying the proposed cost data, the projections of the data, and the evaluation of the costs and profits. A price analysis shall not be adequate to justify a sole source purchase.

FTA C. 4220.1F, Chpt. IV(3)(i)(3).

- (g) Exception for Procurement Activities Using Non-FTA Funds – When it is determined by the Procurement Coordinator or appropriate Director to be in the best interest of Kanabec County - Timber Trails Public Transit, noncompetitive procurement procedures may be utilized to acquire professional or other transportation-related services that do not involve the use of FTA or State financial assistance. Any such determination must be requested and authorized in writing by MnDOT.

5.5. Evaluation Requirements

The following standards shall apply to all evaluations of bids or proposals conducted by Kanabec County - Timber Trails Public Transit.

5.5.1. General

When evaluating bids or proposals received in response to a solicitation, Kanabec County - Timber Trails Public Transit shall consider all evaluation factors specified in the solicitation documents and shall evaluate the bids or offers proposals only on the evaluation factors included in those solicitation documents. Kanabec County - Timber Trails Public Transit may not modify its evaluation factors after bids or proposals have been received without re-opening the solicitation. FTA C. 4220.1F, Chpt. IV(7).

5.5.2. Options

The following standards shall apply when awarding contracts that include options:

5.5.2.1. Evaluation Required

In general, Kanabec County - Timber Trails Public Transit must evaluate bids or offers for any option quantities or periods contained in a solicitation if it intends to exercise those options after the contract is awarded. For formal procurements, the use of a team to conduct the evaluation will be used.

5.5.2.2. Evaluation Not Required

Kanabec County - Timber Trails Public Transit need not evaluate bids or offers for any option quantities when Kanabec County - Timber Trails Public Transit does not intend to exercise those options after the contract is awarded or if it determines that evaluation would not otherwise be in its best interests.

FTA C. 4220.1F, Chpt. IV(7)(b).

5.6. Contract Award Requirements

The following standards shall apply to all contract award decisions made by Kanabec County - Timber Trails Public Transit:

5.6.1. Award to Other Than the Lowest Bidder or Offeror

Kanabec County - Timber Trails Public Transit may award a contract to other than the lowest bidder if the award furthers an objective consistent with the purposes of 49 U.S.C. Chapter 53, including improved long-term operating efficiency and lower long-term costs. Kanabec County - Timber Trails Public Transit may also award a contract to other than the offeror whose price proposal is lowest, when stated in the evaluation factors of the solicitation. In both cases, Kanabec County - Timber Trails Public Transit must include a statement in its solicitation document reserving the right to award the contract to other than the low bidder or offeror. FTA C. 4220.1F, Chpt. IV(8)(a).

5.6.1.1. Award Only to a Responsible Bidder or Offeror

Kanabec County - Timber Trails Public Transit may only award contracts to responsible contractors possessing the ability, willingness, and integrity to perform successfully under the terms and conditions of the contract and who demonstrate that its proposed subcontractors also qualify as responsible. Kanabec County - Timber Trails Public Transit must consider such matters as contractor integrity, compliance with public policy, record of past performance and financial and technical resources when making a determination of contractor responsibility. Kanabec County - Timber Trails Public Transit must also ensure that the contractor is not listed as a debarred or suspended contractor on the System for Award Management (SAM), which is maintained by the General Services Administration (GSA), at the time of contract award. Entities that are listed as debarred or suspended contractors on SAM may not be determined to be responsible contractors by Kanabec County - Timber Trails Public Transit. For every procurement action above the micro-purchase level, Kanabec County - Timber Trails Public Transit must make a written determination of the responsibility of the contractor and include such determination in the applicable contract file (See Section 3.6).

To designate a prospective contractor “responsible” as required by 49 U.S.C. § 5325, Kanabec County - Timber Trails Public Transit, at a minimum, must determine and ensure that the prospective contractor satisfies the criteria of Integrity and Ethics, Debarment and Suspension, Affirmative Action and DBE, Public Policy, Administrative and Technical Capacity, Licensing and Taxes, Financial Resources, Production Capability, Timeliness, and Performance Record. FTA C. 4220.1F, Chpt. IV(8)(b).

5.6.1.2. Rejection of Bids and Proposals

Kanabec County - Timber Trails Public Transit may reject all bids or proposals submitted in response to an Invitation for Bids or Request for Proposals. Kanabec County - Timber Trails Public Transit must include a statement in its solicitation document reserving the right to reject all bids or proposals.

- (a) Extent and Limits of Contract Award – The selection of a contractor to participate in one aspect of a project does not, by itself, constitute a sole source selection of the contractor’s wholly owned affiliates to perform other work in connection with the project.

FTA C. 4220.1F, Chpt. IV(8)(c).

5.6.2. Affirmative Action and DBE

Is in compliance with the Common Grant Rules' affirmative action and FTA's Disadvantaged Business Enterprise requirements, including completing an ICE and Scope of Work for any federally or state funded projects over \$5,000. 2 C.F.R. 200.321.

5.7. Independent Cost Estimate and Cost and Price Analysis

5.7.1. Independent Cost Estimate

For every solicitation above the micro-purchase threshold, Kanabec County - Timber Trails Public Transit shall make a written independent estimate of cost prior to receiving price quotes, bids or proposals. FTA C. 4220.1F, Best Practices 4.6.1.

5.7.2. Cost or Price Analysis

Kanabec County - Timber Trails Public Transit shall perform a cost or price analysis in connection with every procurement over \$250,000, and ensure a Cost Analysis for all sole source and contract modifications. 2 C.F.R. 200.324(a); FTA C. 4220.1F, Chpt. IV(6).

5.7.2.1. Price Analysis

If Kanabec County - Timber Trails Public Transit determines that competition was adequate, a written price analysis, rather than a cost analysis, is required to determine the reasonableness of the proposed contract price. 2 C.F.R. 200.324(a); FTA C. 4220.1F, Chpt. IV(6).

5.7.2.2. Cost Analysis

Kanabec County - Timber Trails Public Transit must perform or obtain a cost analysis when:

- (a) A price analysis will not provide sufficient information to determine the reasonableness of the contract cost.
- (b) When the offeror submits elements of the estimated cost.
- (c) When only a sole source is available, even if the procurement is a contract modification.
- (d) In the event of a change order.

2 C.F.R. 200.324(a); FTA C. 4220.1F, Chpt. IV(6)(a).

6. CONTRACT ADMINISTRATION REQUIREMENTS AND CONSIDERATIONS

6.1. Kanabec County - Timber Trails Public Transit Staff Responsibilities

Prior to execution of third party contracts, Kanabec County - Timber Trails Public Transit shall designate a Project Manager to serve as Kanabec County - Timber Trails Public Transit's principal contact with the contractor and as the primary administrator of the contract. The designated Project Manager for each contract shall have responsibility for directing and overseeing the work performed by the contractor; reviewing and approving deliverables and invoices from the contractor; determining percentage of contract completion for progress payments (if applicable); making recommendations on the exercise of contract options (if applicable); recommending contract changes; preparing justifications for contract changes; performing independent cost estimates and cost or price analyses for contract changes; making recommendations on approval or rejection of subcontractors; assisting with the resolution of contract disputes; making recommendations on contract termination or other contractor disciplinary actions; maintaining complete contract files; and other contract administration duties that may be necessary.

6.2. Administrative Restrictions on the Acquisition of Property and Services

The following Federal laws and regulations impose administrative requirements, many of which will affect specific third-party procurements.

6.2.1. Legal Eligibility

The property or services acquired must be eligible for support under the scope or restrictions accompanying the Federal statute or State laws authorizing the Federal and/or State assistance to be used. FTA C. 4220.1F, Chpt. IV(1)(a).

6.2.2. Period of Performance

Kanabec County - Timber Trails Public Transit will use sound business judgment and be judicious in establishing and extending a contract's period of performance. FTA C. 4220.1F, Chpt. IV(b)(3).

6.2.2.1. General Standards

The period of performance generally should not exceed the time necessary to accomplish the purpose of the contract. Kanabec County - Timber Trails Public Transit will also consider competition, pricing, fairness, and public perception. Kanabec County - Timber Trails Public Transit's procurement files will document its rationale for determining the performance period designated for each contract. FTA C. 4220.1F, Chpt. IV(b)(3)(a).

6.2.2.2. Time Extensions

Consistent with the general tone of FTA Circular 4220.1F, contract time extensions shall be considered in light of whether they are permissible changes or impermissible cardinal changes. Once Kanabec County - Timber Trails Public Transit awards a third-party contract, an extension of the contract term length that amounts to a cardinal change will require a sole source justification. FTA C. 4220.1F, Chpt. IV(b)(3)(c).

6.2.2.3. Authority to Extend

The Transit Director has the sole authority to approve and execute contract modifications. The Procurement Officer for the contract shall recommend all contract time; prior to making a

recommendation for a contract time extension. The Procurement Officer shall prepare a written justification and cost analysis for the contract time extension and shall negotiate the appropriate contract modification with the contractor.

6.3. Federal Cost Principles

Federal rules require project costs to conform to applicable Federal cost principles for allowable costs. In general, costs must be necessary and reasonable, allocable to the project, authorized or not prohibited by Federal or State law or regulation, and must comply with Federal cost principles applicable to the recipient. FTA C. 4220.1F, Chpt. IV(b)(4).

OMB guidance for grants and agreements, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR § 200, applies to project costs incurred Kanabec County - Timber Trails Public Transit.

6.4. Payment Provisions

Kanabec County - Timber Trails Public Transit will follow the provisions of this section when using Federal or State funds to support its third party contracts. FTA C. 4220.1F, Chpt. IV(b)(5).

6.4.1. Financial Support for the Project

Costs may only be incurred by Kanabec County - Timber Trails Public Transit if MnDOT or FTA has awarded a financial assistance contract to Kanabec County - Timber Trails Public Transit.

6.4.1.1. Progress Payments

Progress payments are payments for contract work that has not been completed. Kanabec County - Timber Trails Public Transit may use MnDOT assistance to support progress payments provided the recipient obtains adequate security for those payments and has sufficient written documentation to substantiate the work for which payment is requested. FTA C. 4220.1F, Chpt. IV(b)(5)(c).

6.4.1.2. Adequate Security for Progress Payments

Adequate security for progress payments may include taking title or obtaining a letter of credit or taking equivalent measures to protect the recipient’s financial interest in the progress payment. Adequate security should reflect the practical realities of different procurement scenarios and factual circumstances. Kanabec County - Timber Trails Public Transit should always consider the costs associated with providing security (for example, the recipient may need to acquire bonds or letters of credit in the commercial marketplace) and the impact of those costs on the contract price, as well as the consequences of incomplete performance. FTA C. 4220.1F, Chpt. IV(b)(5)(c)(1).

6.4.1.3. Adequate Documentation

Sufficient documentation is required to demonstrate completion of the amount of work for which progress payments are made. FTA C. 4220.1F, Chpt. IV(b)(5)(c)(2).

6.4.1.4. Percentage of Completion Method

Federal rules require that any progress payments for construction contracts be made on a percentage of completion method described therein. Kanabec County - Timber Trails Public Transit, however, may not make progress payments for other than construction contracts based on this percentage method. FTA C. 4220.1F, Chpt. IV(b)(5)(c)(3).

6.5. Protections Against Performance Difficulties

Kanabec County - Timber Trails Public Transit shall include provisions in its third-party contracts that will reduce potential problems that might occur during contract performance, as follows:

6.5.1. Changes

Kanabec County - Timber Trails Public Transit shall include provisions that address changes and changed conditions in all third-party contracts except for routine supply contracts. FTA C. 4220.1F, Chpt. IV(b)(6)(a).

6.5.2. Remedies

Kanabec County - Timber Trails Public Transit shall include provisions that address remedies in its third-party contracts. Provisions related to remedies may include provisions for:

6.5.2.1. Liquidated Damages

Kanabec County - Timber Trails Public Transit may use liquidated damages if Kanabec County - Timber Trails Public Transit reasonably expects to suffer damages through delayed contract completion, or if weight requirements are exceeded, and the extent or amount of such damages are uncertain and would be difficult or impossible to determine. Rate and measurement standards must be calculated to reasonably reflect Kanabec County - Timber Trails Public Transit's costs should the standards not be met and must be specified in the solicitation and contract. The assessment for damages may be established at a specific rate per day for each day beyond the contract's delivery date or performance period. A measurement other than a day or another period of time, however, may be established if that measurement is appropriate, such as weight requirements in a rolling stock purchase. The contract file must include a record of the calculation and rationale for the amount of damages established. Any liquidated damages recovered must be credited to the transit system account. FTA C. 4220.1F, Chpt. IV(b)(6)(b)(1).

6.5.2.2. Violation or Breach

Third party contracts exceeding \$250,000 must include administrative, contractual, or legal remedies for violations or breach of the contract by the third-party contractor. FTA C. 4220.1F, Chpt. IV(b)(6)(b)(2).

6.5.2.3. Suspension of Work

Kanabec County - Timber Trails Public Transit may include provisions pertaining to suspension of work in its third-party contracts. FTA C. 4220.1F, Chpt. IV(b)(6)(b)(3).

6.5.2.4. Termination

Termination for cause and termination for convenience provisions must be included in third party contracts exceeding \$10,000. FTA C. 4220.1F, Chpt. IV(b)(6)(b)(4).

6.6. Contents of Complete Contract Files

The following documents shall comprise the contents of a complete contract file for procurements above the micro-purchase level:

6.6.1. Written Record of Procurement History

Kanabec County - Timber Trails Public Transit shall maintain written records detailing the history of the procurement, including records relating to:

6.6.1.1. Procurement Method

Kanabec County - Timber Trails Public Transit must provide its rationale for the method of procurement it used for each contract, including a sole source justification for any acquisition that does not qualify as competitive. FTA C. 4220.1F, Chpt. III(3)(d)(1)(a).

6.6.1.2. Contract Type

Kanabec County - Timber Trails Public Transit must state the reasons for selecting the contract type it used. FTA C. 4220.1F, Chpt. III(3)(d)(1)(b).

6.6.1.3. Contractor Selection

Kanabec County - Timber Trails Public Transit must state its reasons for contractor selection or rejection, including written justification and evaluation documents. FTA C. 4220.1F, Chpt. III(3)(d)(1)(c).

6.6.1.4. Contractor Responsibility

Kanabec County - Timber Trails Public Transit must provide a written determination of responsibility for the successful contractor. FTA C. 4220.1F, Chpt. III(3)(d)(1)(c).

6.6.1.5. Cost or Price

Kanabec County - Timber Trails Public Transit must evaluate and state its justification for the contract cost or price, including the independent cost estimate and cost or price analysis. FTA C. 4220.1F, Chpt. III(3)(d)(1)(d).

6.6.1.6. Reasonable Documentation

Kanabec County - Timber Trails Public Transit must retain documentation commensurate with the size and complexity of the procurement, including documents related to solicitation, receipt, and evaluation of offers, and contract award, negotiation and execution. FTA C. 4220.1F, Chpt. III(3)(d)(1)(e).

6.7. Contract Administration and Close-Out Documents

Kanabec County - Timber Trails Public Transit shall maintain written records detailing the performance and close-out of the contract, including records relating to:

6.7.1. Contract Deliverables

Kanabec County - Timber Trails Public Transit must maintain copies of all contract deliverables and records relating to approval, rejection and requested modifications of contract deliverables. FTA C. 4220.1F, Chpt. III(3)(d).

6.7.2. Contract Changes

Kanabec County - Timber Trails Public Transit must maintain copies of all contract modifications, including documentation related to the determination of need, written justification and rationale, cost analysis, negotiation, and execution. FTA C. 4220.1F, Chpt. III(3)(d).

6.7.3. Contract Payments

Kanabec County - Timber Trails Public Transit must retain documentation of invoices, approval of payments, requests for modifications to invoices, determination of percentage of contract completion for partial payments (if applicable), and ownership of title to partial work products. FTA C. 4220.1F, Chpt. III(3)(d).

6.7.4. Contract Close-Out

Kanabec County - Timber Trails Public Transit must retain documentation related to contractor performance and evaluation, approval of final deliverables and payments, transfer of title to complete work products to Kanabec County - Timber Trails Public Transit, and contract audit and final reconciliation. FTA C. 4220.1F, Chpt. III(3)(d).

6.8. Protest Procedures

See 2 C.F.R. 200.318(k); FTA C. 4220.1F, Best Practices 4.9.

6.8.1. Statement of Policy

Kanabec County - Timber Trails Public Transit is responsible for resolving all contractual and administrative issues, including protests of evaluations and contract awards, arising out of its third-party procurements using good administrative practices and sound business judgment. FTA C. 4220.1F, Chpt. VII.

In general, MnDOT will not substitute its judgment for that of Kanabec County - Timber Trails Public Transit unless the matter is primarily a federal concern. Nevertheless, MnDOT and FTA can become involved in Kanabec County - Timber Trails Public Transit's administrative decisions when a Kanabec County - Timber Trails Public Transit protest decision is appealed to MnDOT.

Kanabec County - Timber Trails Public Transit's procedure for addressing third party procurement protests is described in Paragraph 6.9.2 below. Kanabec County - Timber Trails Public Transit shall insert its protest procedure in all solicitation documents for products and services having an estimated value of \$100,000 or greater.

6.8.2. Kanabec County - Timber Trails Public Transit Staff Responsibilities

The following staff responsibilities shall be assigned in all protests:

- Procurement Officer – Responsibilities include: ensuring that the Kanabec County - Timber Trails Public Transit Protest Procedure is included in all solicitation documents; and providing information to and assisting the legal counsel with the resolution of protests.

- Transit Director and Governing Board – Responsibilities include reviewing all procurement protests; and advising and assisting the Subrecipient as needed with the resolution of all procurement protests.

FTA C. 4220.1F, Chpt. VII(1)(a).

6.8.3. Solicitation Provision

Kanabec County - Timber Trails Public Transit shall insert the following provision in all solicitation documents:

6.8.3.1. Pre-Proposal Protests

All protests concerning solicitation specifications, criteria and/or procedures shall be submitted in writing (defined as being sent or received via letter or facsimile on official firm/agency letterhead or by electronic mail) to the Procurement Officer as specified below not later than ten (10) business days prior to the deadline for submission of bids/proposals.

The Procurement Officer may, within his or her discretion, postpone the deadline for submission of bids/proposals, but in any case, shall provide a written response to all protests not later than five (5) business days prior to the deadline for submission of bids/proposals. If the deadline for submission of bids/proposals is postponed by the Procurement Officer as the result of a protest the postponement will be announced through an addendum to the solicitation.

The decision by the Procurement Officer shall be the final agency decision on the matter but shall be subject to judicial review as set forth by FTA below.

6.8.3.2. Pre-Award Protests

With respect to protests made after the deadline for submission of bids/proposals but before contract award by Kanabec County - Timber Trails Public Transit, protests shall be limited to those protests alleging a violation of Federal or State law, a challenge to the bids/proposals evaluation and award process, Kanabec County - Timber Trails Public Transit's failure to have or follow its protest procedures or its failure to review a complaint or protest. Such protests shall be submitted in writing (defined as being sent or received via letter or facsimile on official firm/agency letterhead or by electronic mail) to the Procurement Officer as specified below not later than five (5) business days after the Recommendation for Contract Award announcement by Kanabec County - Timber Trails Public Transit.

The Procurement Officer may, within his or her discretion, postpone the award of the contract, but in any case, shall provide a written response to all protests not later than three (3) business days prior to the date that Kanabec County - Timber Trails Public Transit shall announce the contract award.

The decision by the Procurement Officer shall be the final agency decision on the matter but shall be subject to judicial review as set forth or review by MnDOT as specified below.

6.8.4. Requirements for Protests

All protests must be submitted to Kanabec County - Timber Trails Public Transit in writing (defined as being sent or received via letter or facsimile on official firm/agency letterhead or by electronic mail), with sufficient documentation, evidence and legal authority to demonstrate that the Protestor is

entitled to the relief requested. The protest must be certified as being true and correct to the best knowledge and information of the Protestor, and be signed by the Protestor. The protest must also include a mailing address to which a response should be sent.

Protests received after the deadlines for receipt of protests specified above are subject to denial without any requirement for review or action by Kanabec County - Timber Trails Public Transit.

All protests must be directed in writing (defined as being sent or received via letter or facsimile on official firm/agency letterhead or by electronic mail) to the Procurement Officer at the address shown in the solicitation documents.

6.8.5. Protest Response

The Procurement Officer shall issue written responses to all protests received by the required protest response dates. All protest responses shall be transmitted by first-class U.S. Postal Service to the address indicated in the protest letter.

For convenience, Kanabec County - Timber Trails Public Transit will also send a copy of the response to a protest to the Protester by facsimile and/or electronic mail if a facsimile number and/or electronic mail address are indicated in the protest letter. The protest response transmitted by U.S. Postal Service shall be the official Kanabec County - Timber Trails Public Transit response to the protest and Kanabec County - Timber Trails Public Transit will not be responsible for the failure of the Protester to receive the protest response by either facsimile or electronic mail.

6.8.6. Review of Protests by MnDOT

All protests or complaints involving contracts financed with state or Federal assistance shall be disclosed to MnDOT and will keep FTA informed about the status of any such protest or complaint. Kanabec County - Timber Trails Public Transit shall disclose all information about any third party procurement protest to MnDOT upon request. Protesters shall exhaust all administrative remedies with Kanabec County - Timber Trails Public Transit prior to pursuing protests with MnDOT. MnDOT limits its reviews of protests to: a grantee's failure to have or follow its protest procedures; a grantee's failure to review a complaint or protest when presented an opportunity to do so; or violations of Federal law or regulation. Appeals to MnDOT must be received within five (5) working days of the date the Protester has received actual or constructive notice of Kanabec County - Timber Trails Public Transit final decision or within five (5) working days of the date the Protester has identified other grounds for appeal to MnDOT.

The Kanabec County Procurement Policy (A-104) addresses many of the points of non-compliance, just not in the level of detail that the MnDOT template does. County Policy A-104 specifically mentions the need to conform to 2 CFR 200 and even mentions specific sections of the code. I have attempted to compare and contrast the **Federal Awards portion of the County Policy** as well as some additional points from **Parts IV and V** with the non-compliance items listed in column four (4) of this document.

A note of explanation: MnDOT is attempting to clarify the requirements that must be adhered to as sub-recipients of Federal Funding. The use of a standardized procurement policy by all the transit systems aids in accomplishing this.

Procurement Policies and Procedures Information			
Requirements	Present in Policy	Requirements to be in Compliance	Compliant? Yes/No (add comment)
Date adopted by governing body	X		4/18/23
Date submitted to OTAT	X		4/20/23
Process for Reviewing Plan			N County policy does not address this
Process for Amending			N County policy does not address this
Procurement Planning			N County policy does not address this
Method of Selecting Procurement Type (look to FTA Best Practices Manual)	X	<ul style="list-style-type: none"> Who authorizes procurement Only use time-and-materials type contract (cost is sum of actual cost of materials and direct labor hours charged at fixed hourly rates) after determination that no other contract is suitable and if contract includes a ceiling price When to use noncompetitive methods 	yes
Steel, Iron, and manufactured products produced in U.S. (BA) for \$150,000+ (2 C.F.R. 184)			N This is a Buy American Act (BA) and Build America Buy America Act (BABA) - County policy does not appear to address this

Federal award obligated on/after 11/10/2022 and \$150,000+ uses construction materials produced in U.S. (BABA) Public Law No. 117—58, Nov. 15, 2021			N This is a Buy American Act (BA) and Build America Buy America Act (BABA) - County policy does not appear to address this
Domestic Preference (2 C.F.R. § 200.322)			N County policy does not appear to address this
Conflict of Interest (Organizational) (2 C.F.R. § 200.112; 2 C.F.R. § 200.318(c)(2))		<ul style="list-style-type: none"> Conflict of interest occurs when a contractor is unable or potentially unable to render impartial assistance/advice to recipient or has an unfair competitive advantage. <ul style="list-style-type: none"> bias: when contractor is placed in a situation where it may have an incentive to distort its advice or decisions unfair competitive advantage: when one contractor has information not available to other contractors in the normal course of business or has access to nonpublic information cover relationships with parent, affiliate, or subsidiary organization procedures for identifying real or apparent conflicts of interest 	N The county policy addresses conflict of interest fairly generically in <u>Part IV General/Chapter A</u> (not under the federal awards section). The template policy addresses it much more extensively, with six sections and an additional four subsections detailing the requirements.
Professional Ethics (2 C.F.R. § 200.318(c)(1))		<ul style="list-style-type: none"> governs actions of employees engaged in selection, award or administration of contracts employee may not participate in selection, award, or administration of contracts if real or apparent conflict of interest 	yes

		<ul style="list-style-type: none"> • employee cannot receive gifts from contracting part • conflict = when employee, officer, agent, member of family or organization has financial or other interest in contract • must provide for disciplinary actions to be applied for violations 	
Unallowable Costs		<ul style="list-style-type: none"> • internal controls to prevent requesting unallowable costs 	<p>N</p> <p>The county policy addresses expenses meeting “public purpose” in <u>Part V Authority Levels</u>, but does not address an allowable vs unallowable costs policy or procedure</p>
Cost and Price Analysis (2 C.F.R. § 200.324)	X	<ul style="list-style-type: none"> • applicable to all purchases more than \$250,000 	yes
Avoid the Acquisition of Unnecessary/Duplicative Items (2 CFR 200.318(d); FTA C 4220.1F, Ch. IV(1)(b))	X	<ul style="list-style-type: none"> • procuring only for current and reasonably expected needs 	yes
Only award contracts to responsible contractors (2 C.F.R. § 200.214; 2 C.F.R. § 200.318(h))	X		yes
Maintain records sufficient to detail history of procurement (2 C.F.R. § 200.318(i); 2 C.F.R. § 200.332; FTA C 4220.1F, Ch. III(3)(d))	X	<ul style="list-style-type: none"> • retain all “records pertinent to a Federal award” • rationale for method of procurement • selection of contract type • contractor selection or rejection • basis for contract price • maintain records for 6 years 	<p>No, must require records to be maintained for minimum of 6 years</p> <p>County policy addresses records retention and maintaining records for the procurement process in <u>Part IX Federal Awards/Chapter A General Procurement Standards/ Section 7</u>;</p>

			and in <u>Part IX Federal Awards/Chapter B Competition under Federal Awards</u> - but in a very general way and does not mention the six year minimum.
Procedures for Micro-Purchases (must be applicable to purchases of no more than \$10,000) (2 C.F.R. § 200.320 (a)(1))	X	<ul style="list-style-type: none"> distributes micro-purchases equitably (2 C.F.R. § 200.320(a)(1)(i)) documentation of determination that price is fair and reasonable (FTA C 4220.1F VI, 3(a)(2)(c)) 	<p>No, does not require equitable distribution, documentation and the limits are too high (must be \$10,000 not \$25,000 per FTA regs)</p> <p>The county policy addresses micro-purchases in <u>Part IX Federal Awards/Chapter C Methods of Procurement/Section 1</u>— see note above for specific details.</p>
Procedures for Small Purchases (must be applicable to purchases of no more than \$250,000) (2 C.F.R. § 200.320(a)(2); FTA C 4220.1F Ch. VI(3)(b))	X	<ul style="list-style-type: none"> price or rate quotes from adequate number of qualified sources (2 C.F.R. § 200.320(b)) receive price/rate quotes from “adequate” number of sources 	yes
Procedures for IFB (2 C.F.R. § 200.320(b)(1); FTA C 4220.1F Ch. VI(3)(c))	X	<ul style="list-style-type: none"> bids solicited from adequate number of qualified sources provided with sufficient response time invitation includes specifications and pertinent attachments and defines items/services to be provided bids opened at time and place prescribed fix price contract award made to lowest responsive and responsible bidder 	yes

Procedures for RFP (2 C.F.R. § 200.320(b)(2); FTA C 4220.1F Ch. VI(3)(d))	X	<ul style="list-style-type: none"> publicized and identify all evaluation factors and their relative importance solicited from adequate number of qualified offerors and must consider all proposals written method for conducting technical evaluations contracts awarded to the responsible offeror making most advantageous proposal 	yes
Procedures for A&E (49 U.S.C. § 5325(b)(1); 40 U.S.C. § 1101-1104)	X		yes
Procedures for Sole Source (2 CFR 200.320(c); FTA C 4220.1F Ch. VI(3)(i)(1))	X	<ul style="list-style-type: none"> justification and documentation cost analysis to ensure cost is fair and reasonable 	yes
Procedures for Formal Solicitation Protest (2 CFR 200.318(k); FTA C 4220.1F, Ch. 7(1))		<ul style="list-style-type: none"> process for sending, receiving and reviewing protest deadlines, required content, how and with whom to file state how response will be made, how makes decisions, and that determinations are final what happens during protest review or if protest is determined to be justified 	<p>N</p> <p>In <u>Part IX Federal Awards/Chapter A/Section 9</u> the county policy states being “responsible for the settlement....” of protests but it does not meet the stated criteria (see left)</p>
Procedures for noncompetitive procurement (2 C.F.R. 200.320(b)(3))	X	<ul style="list-style-type: none"> only utilized if: <ul style="list-style-type: none"> acquisition does not exceed micro-purchase threshold item only available from single source public exigency/emergency will not permit delay MnDOT expressly authorizes it after solicitation of a number of sources, competition is determined inadequate 	yes
DBE Requirements		<ul style="list-style-type: none"> complete ICE and SOW for federally funded projects \$5,000+ 	<p>N</p> <p>DBE (Disadvantaged Business Enterprise)</p>

		<ul style="list-style-type: none"> use affirmative steps discussed in 2 C.F.R. § 200.321 	is not specifically mentioned in the County Policy. It is generically mentioned in <u>Part IX Federal Awards/Chapter A/Section 2</u>. The required DBE goal setting is accomplished through MnDOT and includes the completion of an I.C.E. (Independent Cost Estimate) and S.O.W. (Statement of Work)
Contracts for more than simplified acquisition threshold address administrative, contractual, or legal remedies for instances where contractors violate or breach contract terms (2 CFR 200.318(k); FTA C 4220.1F, Ch. VII)	x	<ul style="list-style-type: none"> notify MnDOT if major dispute, breach, default, or litigation liquidated damages (construction) 	yes
Contracts in excess of \$10,000 address termination for cause and for convenience (2 CFR 200.318(k); FTA C 4220.1F, Ch. IV, 2(b)(6)(b)(4))	X		yes
Appropriate state and Federal clauses included (2 C.F.R. § 200.318(a); FTA C 4220.1F, Ch. IV(2))	X	<ul style="list-style-type: none"> 2 C.F.R. 200 (for which clauses to be included) 	yes

Procurement Policy Resolution

Resolution Number

RESOLUTION of Kanabec County Community Health Board

APPROVAL of PROCUREMENT POLICY for

Kanabec County - Timber Trails Public Transit

A resolution endorsing Kanabec County - Timber Trails Public Transit's Procurement Policy.

WHEREAS, Kanabec County - Timber Trails Public Transit is committed to operating a compliant Public Transit Service in Kanabec County, and

WHEREAS, Kanabec County - Timber Trails Public Transit must establish a Procurement Policy in compliance with Federal and State regulations.

BE IT RESOLVED THAT Kanabec County - Timber Trails Public Transit will follow the Procurement Policy compliance elements.

BE IT FURTHER RESOLVED THAT the Kanabec County Board of Commissioners authorizes the Transit Director and/or Kanabec County Community Health Director to implement and oversee compliance of Kanabec County - Timber Trails Public Transit's Procurement Policy.

CERTIFICATION

I certify that the above resolution is a true and correct copy of the resolution presented to and adopted by the Kanabec County - Board of Commissioners at a duly authorized meeting thereof held on the 5th day of March, 2024, as shown by the minutes of said meeting in my possession and attached.

Kanabec County Coordinator

Date

Notary:

Name and Stamp

Date



As of Date: 01/2024
Report Basis: 2 1 - Cash
 2 - Modified Accrual
 3 - Full Accrual

Save Report: N

Comment:

FUND Range From 15 Thru 15

*** Kanabec County ***



Sheila
3/1/24 7:38AM

TRIAL BALANCE REPORT
As of 01/2024

Report Basis: Modified Accrual

Page 2

15 Community Health Fund

<u>Account</u>		<u>Beginning Balance</u>	<u>Actual This-Month</u>	<u>Actual Year-To-Date</u>	<u>Current Balance</u>
-----Assets-----					
1001	Cash	706,254.33	126,282.08	126,282.08	832,536.41
1003	Audit Adjustments To Cash	23,163.57	23,163.57-	23,163.57-	0.00
1201	Accounts Receivable (Acc)	95,686.66	95,686.66-	95,686.66-	0.00
1261	Due From Other Funds (Acc)	3,325.85	3,325.85-	3,325.85-	0.00
1281	Due From Other Governments (Acc)	225,778.95	225,778.95-	225,778.95-	0.00
Total Assets		1,054,209.36	221,672.95-	221,672.95-	832,536.41
---Liabilities and Balance----					
Liabilities					
2020	Accounts Payable	523.17-	0.00	0.00	523.17-
2021	Accounts Payable (Acc)	1,539.90-	1,539.90	1,539.90	0.00
2030	Salaries Payable	77,447.27-	77,447.27	77,447.27	0.00
2100	Due To Other Governments	5,081.53-	5,081.53	5,081.53	0.00
Total Liabilities		84,591.87-	84,068.70	84,068.70	523.17-
Fund Balance					
2881	Assigned Fund Balance	969,617.49-	0.00	0.00	969,617.49-
2910	Revenue Control	0.00	3,749.00-	3,749.00-	3,749.00-
2925	Expenditure Control	0.00	141,353.25	141,353.25	141,353.25
Total Fund Balance		969,617.49-	137,604.25	137,604.25	832,013.24-
Total Liabilities and Balance		1,054,209.36-	221,672.95	221,672.95	832,536.41-
488	Kanabec Pine Community Health (fka 59)				
-----Assets-----					
Total Assets		0.00	0.00	0.00	0.00
---Liabilities and Balance----					
Liabilities					
Total Liabilities		0.00	0.00	0.00	0.00
Total Liabilities and Balance		0.00	0.00	0.00	0.00
15	Community Health Fund	0.00	0.00	0.00	0.00

Kanabec County Community Health - Board Financial Report
15-484

Department	Budget	Total year to date/ % of budget	Total	8.33% January	
Pilt-Housing Authority					<u>outstanding payments/payments not yet posted</u>
Rev	0		0.00	0.00	Workforce Dev.
Exp	0		0.00	0.00	CTC
Local Public Health Infrastructure					FAP
Rev	498,428.00	4.65%	23,163.57	23,163.57	LCTS
Exp	381,933.00	6.48%	24,767.41	24,767.41	LPHG 12,901.34
Prevent Infectious Disease					MCH
Rev	30,502.00	3.01%	916.87	916.87	SF/EBHV
Exp	34,377.00	2.18%	749.19	749.19	WIC TANF
Environmental Health					RPC
Rev	36.00	8.33%	3.00	3.00	SHIP 56,505.48
Exp	5,545.00	0.00%	0.00	0.00	TANF
Healthy Communities-Adult Health					WIC 25,050.00
Rev	176,781.00	8.71%	15,401.48	15,401.48	PHEP
Exp	173,472.00	12.79%	22,193.38	22,193.38	mental hlth
Healthy Communities-Health Improvement					Suicide Prev 6,516.48
Rev	632,346.00	17.14%	108,413.95	108,413.95	Covid Federal
Exp	598,642.00	8.55%	51,178.83	51,178.83	Home care 33,167.32 estimate only see note below
Healthy Communities-Family Health					134,140.62
Rev	653,351.00	18.05%	117,916.27	117,916.27	
Exp	600,263.00	6.21%	37,262.76	37,262.76	
Emergency Preparedness					
Rev	108,151.00	7.89%	8,528.10	8,528.10	
Exp	100,117.00	8.92%	8,926.08	8,926.08	
Assure Access-Case Management					
Rev	366,400.00	7.95%	29,111.75	29,111.75	SCHA Connector - We get reimbursed twice a year. Not
Exp	354,443.00	7.57%	26,848.13	26,848.13	included above.
Assure Access-Home Care					
Rev	551,500.00	8.75%	48,249.04	48,249.04	
Exp	768,703.00	6.96%	53,496.17	53,496.17	Home Care-This is the billed amount and we are paid a
Agency Totals					percentage of that and that percentage varies by
Rev	3,017,495.00	11.66%	351,704.03	351,704.03	0.00 paysource. Also, VA may pay up to two years after the
Exp	3,017,495.00	7.47%	225,421.95	225,421.95	0.00 date of service.

amount has changed

Board Meeting 03/05/2024

Abstract Totals for Commissioner Vouchers

Board Meeting 03/05/24	Amount	Vendors	Transactions
Abstract #1	\$27,991.17	29	71
Abstract #2			
Totals	\$27,991.17	29	71

Abstract Totals for Auditor Vouchers

Board Meeting 03/05/24	Amount	Vendors	Transactions
Abstract #1			
Abstract #2			
Abstract #3			
Abstract #4			
Abstract #5			
Totals			

Sheila
3/1/24 9:55AM

**** Kanabec County ****



Audit List for Board COMMISSIONER'S VOUCHERS ENTRIES

Page 1

Print List in Order By: 1
1 - Fund (Page Break by Fund)
2 - Department (Totals by Dept)
3 - Vendor Number
4 - Vendor Name

Explode Dist. Formulas: Y

Paid on Behalf Of Name
on Audit List?: N

Type of Audit List: D
D - Detailed Audit List
S - Condensed Audit List

Save Report Options?: N

Sheila
3/1/24 9:55AM
15 Community Health Fund

***** Kanabec County *****



Audit List for Board COMMISSIONER'S VOUCHERS ENTRIES

Page 2

Vendor	Name	Rpt	Warrant Description	Invoice #	Account/Formula Description	1099
No.	Account/Formula	Accr	Service Dates	Paid On Bhf #	On Behalf of Name	
1	104 Ace Hardware 15-484-496-8447-6411		cleaning supplies	321935	Supplies	N
	104 Ace Hardware		1 Transactions			
40	185 Bergstadt/Jennifer 15-484-496-8449-6331		Jan/Feb mileage		Mileage & Meals	N
	185 Bergstadt/Jennifer		1 Transactions			
41	1396 Biever/Laurie 15-484-496-8449-6331		Jan/Feb mileage		Mileage & Meals	N
	1396 Biever/Laurie		1 Transactions			
32	3094 Burski/Kathy 15-484-450-0000-6331		February mileage		Mileage & Meals	N
	3094 Burski/Kathy		1 Transactions			
42	1298 Gajewski/Farrah 15-484-496-8447-6331		February mileage		Mileage & Meals	N
	1298 Gajewski/Farrah		1 Transactions			
43	1326 Hansen/Erika 15-484-496-8447-6331		January mileage		Mileage & Meals	N
44	15-484-496-8447-6331		Jan/Feb mileage		Mileage & Meals	N
	1326 Hansen/Erika		2 Transactions			
2	324 Healthcare First 15-484-496-8447-6211		February HHCAHPS fee	5423393	Services & Charges	N
	324 Healthcare First		1 Transactions			
28	1951 Hemo Cue, Inc 15-484-487-8456-6432		3 HemoCue analyzers grant	1521688	Medical Supplies	N
29	15-484-487-8456-6432		shipping/handling grant	1521688	Medical Supplies	N
	1951 Hemo Cue, Inc		2 Transactions			
70	234 Holland/Jeff 15-484-496-8447-6331		January mileage		Mileage & Meals	N
71	15-484-496-8447-6331	R	December mileage		Mileage & Meals	N
	234 Holland/Jeff		2 Transactions			
	434 Inovalon Provider, Inc.					

Sheila
3/1/24 9:55AM
15 Community Health Fund

**** Kanabec County ****



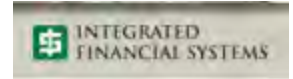
Audit List for Board COMMISSIONER'S VOUCHERS ENTRIES

Page 3

Vendor	Name	Rpt		Warrant Description	Invoice #	Account/Formula Description	1099
No.	Account/Formula	Accr	Amount	Service Dates	Paid On Bhf #	On Behalf of Name	
23	15-484-487-8453-6211		261.34	February billing svc/elig	24M-0022550	Services & Charges	N
22	15-484-493-8452-6211		221.74	February billing svc/elig	24M-0022550	Services & Charges	N
21	15-484-496-8447-6211		308.86	February billing svc/elig	24M-0022550	Services & Charges	N
434	Inovalon Provider, Inc.		791.94	3 Transactions			
1323	Johnstone/Kristi						
45	15-484-496-8447-6331		196.31	Jan/Feb mileage		Mileage & Meals	N
1323	Johnstone/Kristi		196.31	1 Transactions			
1308	Lejonvarn/Kirsten						
58	15-484-469-8440-6331		33.50	February mileage		Mileage & Meals	N
56	15-484-487-8450-6331		10.72	Jan/Feb mileage		Mileage & Meals	N
57	15-484-487-8453-6331		55.61	Jan/Feb mileage		Mileage & Meals	N
1308	Lejonvarn/Kirsten		99.83	3 Transactions			
667	Lighthouse Child & Family Services LLC						
30	15-484-487-8453-6211		300.00	2 hrs EBFHV 011624	7299	Services & Charges	N
31	15-484-487-8453-6211		60.30	mileage 011624	7299	Services & Charges	N
667	Lighthouse Child & Family Services LLC		360.30	2 Transactions			
377	Marco Inc						
61	15-484-450-8250-6341		826.47	Sharp MX5070v copier agmt	36005782	Rental & Service Contracts	N
377	Marco Inc		826.47	1 Transactions			
1604	McClellan/Brianne						
33	15-484-485-8444-6331		108.54	February mileage		Mileage & Meals	N
1604	McClellan/Brianne		108.54	1 Transactions			
1143	McKesson Medical-Surgical Govt Solution						
63	15-484-487-8456-6432		13.29	lancet, sensilance 28G 1.8mm		Medical Supplies	N
64	15-484-487-8456-6432		13.29	lancet, Sensilance 28G 1.8mm		Medical Supplies	N
65	15-484-487-8456-6432		7.20	towel, scott kitchen roll		Medical Supplies	N
66	15-484-487-8456-6432		7.34	stickers, best of Pixar		Medical Supplies	N
67	15-484-487-8456-6432		9.28	stickers, Disney Encanto		Medical Supplies	N
68	15-484-487-8456-6432		7.27	stickers, Avenger		Medical Supplies	N
69	15-484-487-8456-6432		7.20	shipping		Medical Supplies	N
5	15-484-496-8447-6432		38.59	adaptic dressing, tape		Medical Supplies	N
62	15-484-496-8447-6432		7.50	shopping		Medical Supplies	N
4	15-484-481-8481-6432		38.06	sanding discs	21657334	Medical Supplies	N
3	15-484-496-8447-6432		25.71	kerlix, cotton-tipped applicat	21657386	Medical Supplies	N

Sheila
3/1/24 9:55AM
15 Community Health Fund

**** Kanabec County ****



Audit List for Board COMMISSIONER'S VOUCHERS ENTRIES

Page 4

Vendor	Name	Rpt		Warrant Description	Invoice #	Account/Formula Descripti	1099
No.	Account/Formula	Accr	Amount	Service Dates	Paid On Bhf #	On Behalf of Name	
1143	McKesson Medical-Surgical Govt Solutio		174.73	11 Transactions			
198	Mille Lacs Co. Community & Veterans Ser						
24	15-484-485-8468-6880		3,400.20	January Eats strategy		Grant Admin- Pass thru	N
25	15-484-485-8468-6880		2,275.64	January tobacco strategy		Grant Admin- Pass thru	N
26	15-484-485-8468-6880		1,590.49	January well-being strategy		Grant Admin- Pass thru	N
27	15-484-485-8468-6880		274.16	January Moves strategy		Grant Admin- Pass thru	N
198	Mille Lacs Co. Community & Veterans Ser		7,540.49	4 Transactions			
52	Olson/Autumn						
38	15-484-469-8440-6331		10.72	February mileage		Mileage & Meals	N
34	15-484-487-8450-6331		5.36	February mileage		Mileage & Meals	N
35	15-484-487-8451-6331		16.08	February mileage		Mileage & Meals	N
36	15-484-487-8453-6331		217.75	February mileage		Mileage & Meals	N
37	15-484-487-8457-6331		40.87	February mileage		Mileage & Meals	N
52	Olson/Autumn		290.78	5 Transactions			
632	Pine County Health & Human Services						
16	15-484-485-8468-6880		1,575.75	January Eats strategy		Grant Admin- Pass thru	N
17	15-484-485-8468-6880		1,629.66	January tobacco strategy		Grant Admin- Pass thru	N
18	15-484-485-8468-6880		1,818.30	January well-being strategy		Grant Admin- Pass thru	N
19	15-484-485-8468-6880		1,683.55	January Moves strategy		Grant Admin- Pass thru	N
632	Pine County Health & Human Services		6,707.26	4 Transactions			
1322	Ringler/Jezzalyn						
46	15-484-496-8449-6331		81.07	Jan/Feb mileage		Mileage & Meals	N
1322	Ringler/Jezzalyn		81.07	1 Transactions			
3174	Rosburg/Diane						
39	15-484-496-8447-6331		244.55	February mileage		Mileage & Meals	N
47	15-484-496-8447-6331	R	134.28	December mileage		Mileage & Meals	N
48	15-484-496-8447-6331		306.19	January mileage		Mileage & Meals	N
3174	Rosburg/Diane		685.02	3 Transactions			
1452	Sandberg/Debbie						
49	15-484-493-8452-6331		45.56	January mileage		Mileage & Meals	N
50	15-484-493-8452-6331	R	25.55	December mileage		Mileage & Meals	N
1452	Sandberg/Debbie		71.11	2 Transactions			
105	St. Clare Living Community of Mora						

Sheila
3/1/24 9:55AM
15 Community Health Fund

**** Kanabec County ****



Audit List for Board COMMISSIONER'S VOUCHERS ENTRIES

Page 5

Vendor	Name	Rpt		Warrant Description	Invoice #	Account/Formula Description	1099
No.	Account/Formula	Accr	Amount	Service Dates	Paid On Bhf #	On Behalf of Name	
6	15-484-496-8447-6211		2,125.00	January PT visits		Services & Charges	Y
7	15-484-496-8447-6211		340.00	January OT visits		Services & Charges	Y
8	15-484-496-8447-6211		45.00	January consult time		Services & Charges	Y
9	15-484-496-8447-6211		600.00	January drive time		Services & Charges	Y
10	15-484-496-8447-6211		256.61	January mileage		Services & Charges	Y
105	St. Clare Living Community of Mora		3,366.61	5 Transactions			
51	1315 Sundsvold/Miranda		24.79	January mileage		Mileage & Meals	N
	1315 Sundsvold/Miranda		24.79	1 Transactions			
20	1893 Tamarac Medical,Inc		29.90	2 blood lead analysis	121725	Medical Supplies	N
	1893 Tamarac Medical,Inc		29.90	1 Transactions			
59	2048 The Lamar Companies		500.00	Child vax Hwy 23 and 65	115666737	Progam Supplies	N
60	15-484-490-8489-6411		350.00	Child vax Hwy 47 and 23	115666737	Progam Supplies	N
2048	The Lamar Companies		850.00	2 Transactions			
53	1333 Tomczak/Kailey		22.78	February mileage		Mileage & Meals	N
52	15-484-496-8448-6331		171.52	Jan/Feb mileage		Mileage & Meals	N
	1333 Tomczak/Kailey		194.30	2 Transactions			
55	1268 Tomczak/Kristi		56.28	Jan/Feb mileage		Mileage & Meals	N
54	15-484-496-8449-6331		242.54	Jan/Feb mileage		Mileage & Meals	N
	1268 Tomczak/Kristi		298.82	2 Transactions			
11	1328 True Directions, Inc.		600.00	4 weeks PRS on call	16	Contracted Work Peer Recovery Sup	N
12	15-484-485-8490-6285		171.26	February cell phone	16	Contracted Work Peer Recovery Sup	N
13	15-484-485-8490-6285		433.00	February admin	16	Contracted Work Peer Recovery Sup	N
14	15-484-485-8490-6285		896.76	PRSS treatment svcs	16	Contracted Work Peer Recovery Sup	N
15	15-484-485-8490-6285		250.00	Franklin advertising February	16	Contracted Work Peer Recovery Sup	N
	1328 True Directions, Inc.		2,351.02	5 Transactions			

15 Fund Total: 27,991.17 Community Health Fund 29 Vendors 71 Transactions

Sheila
3/1/24 9:55AM
15 Community Health Fund

**** Kanabec County ****



Audit List for Board COMMISSIONER'S VOUCHERS ENTRIES

Page 6

<u>Vendor Name</u>	<u>Rpt</u>	<u>Warrant Description</u>	<u>Invoice #</u>	<u>Account/Formula Description</u>	<u>1099</u>
<u>No. Account/Formula</u>	<u>Accr</u>	<u>Amount</u>	<u>Service Dates</u>	<u>Paid On Bhf #</u>	<u>On Behalf of Name</u>
Final Total:		27,991.17	29 Vendors	71 Transactions	

Sheila
3/1/24

9:55AM

**** Kanabec County ****



Audit List for Board COMMISSIONER'S VOUCHERS ENTRIES

Page 7

Recap by Fund	<u>Fund</u>	<u>AMOUNT</u>	<u>Name</u>	
	15	27,991.17	Community Health Fund	
	All Funds	27,991.17	Total	Approved by,
			
			

9:50am Appointment

March 5, 2024

REQUEST FOR BOARD ACTION

a. Subject: Request to Fill a Vacancy	b. Originating Department/Organization/Person: Assessor's Office
c. Estimated time: 5-10 Minutes	d. Presenter(s): Tina Von Eschen, County Assessor

e. Board action requested:

Approve the following resolution:

Resolution #__ – 3/5/24

WHEREAS there is a vacancy in the position of a Certified Appraiser, and

WHEREAS the Board desires to refill this vacant position;

BE IT RESOLVED that the County Board authorizes the County Assessor and the County Personnel Director to hire a Full Time Certified Appraiser or Appraiser Trainee to fill the position at the grade and step defined by the pay system and policy P-106, and

BE IT FURTHER RESOLVED that the hours of work for this position be limited to those budgeted.

f. Background:

Supporting Documents: None ☒ Attached:

Date Received in County Coordinator's Office:

Coordinators Comments:

9:55am Appointment

Item a.

March 5, 2024

REQUEST FOR BOARD ACTION

a. Subject: Request to Upgrade Two Existing Deputy Positions to Patrol Sergeants	b. Origination: Sheriff's Office- Law Enforcement Division
c. Estimated time: 10 minutes	d. Presenter(s): Sheriff Smith

e. Board action requested:

Approve the following resolution:

Resolution # -3/5/24

Upgrading Two Patrol Deputy Positions to Patrol Sergeant Positions

WHEREAS the Kanabec County Sheriff's Office 2024 budget provides for 15 Patrol Deputies and 2 Patrol Sergeants; and

WHEREAS the Sheriff's Office is currently staffed by 14 Patrol Deputies and 2 night-shift Patrol Sergeants with 1 unfilled vacancy; and

WHEREAS the Sheriff's Office is recommending upgrading 2 of the existing Patrol Deputy positions to become Patrol Sergeant positions, thus providing 2 Patrol Sergeant positions for both day and night shifts; and

WHEREAS this upgrade would not result in an overage in the Sheriff's Office budget due to the existing vacancy;

WHEREAS, this upgrade would result in immediate 24/7 patrol supervision including weekends and holidays; and

WHEREAS, this upgrade would also improve retention of existing officers through additional promotional opportunities, as well as allow for lateral movement within the internal sergeant ranks;

THEREFORE BE IT RESOLVED the Kanabec County Board of Commissioners hereby approves upgrading two Patrol Deputy positions into Patrol Sergeant positions;

BE IT FURTHER RESOLVED that the Sheriff's Office is authorized to proceed with performing their standard operating procedure for posting and promoting to fill the new Patrol Sergeant positions.

f. Background:

The estimated budget impact is \$10,000-12,000 based on the increase from Grade 14 to Grade 16.

January - March of the unfilled Deputy vacancy =\$15,859.

Existing		Proposed	
Day		Day	
<u>Schedule</u>		<u>Schedule</u>	
Sheriff		Sheriff	
Chief Deputy		Chief Deputy	
Administrative Sergeant		Administrative Sergeant	
2 Investigators		2 Investigators	
3 County Deputies	X 2 alternating	1 Patrol Sergeant	X 2 alternating
1 City Deputy	teams	2 County Deputies	teams
		1 City Deputy	

Supporting Documents: None: ☒ Attached:

Date received in County Coordinators Office:

Coordinators Comments:

9:55am Appointment

Item b.

March 5, 2024

REQUEST FOR BOARD ACTION

a. Subject: Sheriff's Office Update	b. Origination: Sheriff's Office- Law Enforcement Division
c. Estimated time: 5 minutes	d. Presenter(s): Sheriff Smith

e. Board action requested:

Information Only

f. Background:

Supporting Documents: None: **Attached:** ☒

Date received in County Coordinators Office:

Coordinators Comments:



Annual Consolidated Monthly

** For official use only **

Report covering 01/01/2022 through 12/31/2022

Compared to 1/1/2023 through 12/31/2023

	JAN			FEB			MAR			APR			MAY			JUN			JUL			AUG			SEP			OCT			NOV			DEC				
	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-					
911 Hang-ups, Abandoned, & Canceled	62	58	-6	40	78	95	42	84	100	37	78	111	42	153	264	38	166	337	56	100	79	45	72	60	47	35	-26	59	41	-31	48	28	-42	51	40	-22		
Agency Assist	23	26	13	21	31	48	22	26	18	38	29	-24	29	33	14	42	21	-50	37	34	-8	41	30	-27	25	40	60	32	27	-16	31	26	-16	34	33	-3		
Airplane - All incidents	0	0	0	0	0	0	0	0	0	1	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0			
Alarms All (Home, Business, Boat)	23	19	-17	17	16	-6	13	11	-15	8	27	238	20	14	-30	17	14	-18	25	28	12	18	20	11	20	20	0	14	26	86	18	19	6	19	7	-63		
Alcohol Compliance Checks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24	0	-100	0	22	0	0	0	0		
Animal-All Other	28	32	14	26	31	19	45	60	33	45	59	31	51	54	6	53	47	-11	47	48	2	54	42	-22	49	58	18	67	48	-28	76	62	-18	33	35	6		
Animal Bites	0	0	0	0	0	0	3	0	-100	4	2	-50	0	0	0	0	1	0	2	1	-50	1	1	0	0	1	0	2	2	0	0	0	0	0	0	0		
Animal Neglect	1	0	-100	0	1	0	1	0	-100	1	0	-100	0	0	0	2	1	-50	2	2	0	0	2	0	0	1	0	0	1	0	1	1	0	0	0	0		
County Dog Ordinance Violation	0	0	0	0	0	0	0	1	0	0	2	0	0	1	0	1	1	0	0	3	0	0	0	0	0	0	0	0	1	0	4	0	-100	1	1	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	-100	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	
Assault - All	9	2	-78	4	4	0	4	3	-25	5	4	-20	6	4	-33	2	7	250	8	6	-25	4	12	200	9	10	11	3	3	0	4	4	0	0	0	0	0	0
ATV Complaints - All including	0	0	0	1	0	-100	1	0	-100	4	2	-50	8	1	-88	1	3	200	4	2	-50	5	3	-40	1	1	0	2	1	-50	1	0	-100	0	0	0	0	0
Bicycle Calls	0	1	0	0	0	0	0	0	0	1	0	-100	0	0	0	0	2	0	0	0	0	1	0	-100	0	0	0	0	0	0	1	0	-100	0	0	0	0	0
Boat and Water all calls including	3	3	0	1	1	0	0	1	0	2	2	0	3	4	33	3	0	-100	0	1	0	0	0	0	0	0	0	1	0	-100	0	0	0	0	0	0	0	
Building Security Checks	5	2	-60	3	4	33	0	0	0	2	2	0	1	1	0	0	0	0	3	1	-67	1	0	-100	1	0	-100	1	1	0	1	1	0	2	10	400		
Burglary all calls	5	4	-20	3	8	167	3	4	33	4	2	-50	2	2	0	4	5	25	7	1	-86	6	4	-33	7	6	-14	5	1	-80	3	6	100	3	4	33		
City of Mora ordinance violation	0	0	0	0	1	0	1	0	-100	0	2	0	0	1	0	0	0	0	9	2	-78	0	0	0	2	1	-50	0	1	0	2	1	-50	0	0	0	0	
City of Ogilvie ordinance violation	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Civil Assist calls	20	13	-35	16	14	-13	32	30	-6	28	34	21	40	27	-33	32	24	-25	50	17	-66	26	38	46	48	23	-52	39	26	-33	27	23	-15	23	11	-52		
Civil Process calls including paper	0	0	0	1	0	-100	1	0	-100	1	2	100	2	1	-50	2	2	0	1	1	0	0	0	0	1	0	-100	0	1	0	1	1	0	1	1	0	0	
Community	0	2	0	0	1	0	0	0	0	1	0	-100	0	4	0	0	2	0	0	3	0	1	1	0	0	1	0	3	3	0	1	0	-100	0	1	0	0	
County Ordinance Violation	0	0	0	1	0	-100	1	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	-100	1	1	0	1	0	-100	0	0	0	0	
All Court and Courthouse calls	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	1	0	0	1	0	0	0	0	0	1	0	0	1	0	0	
Criminal Sexual conduct calls	3	8	167	0	1	0	5	5	0	2	4	100	5	5	0	3	3	0	2	2	0	8	3	-63	3	3	0	0	3	0	4	3	-25	1	2	100		
Child Custody calls	3	3	0	5	3	-40	2	7	250	0	5	0	6	7	17	6	4	-33	6	11	83	6	4	-33	4	2	-50	8	5	-38	7	9	29	7	2	-71		



Annual Consolidated Monthly

Thursday, February 29, 2024
11:46:14 am

** For official use only **

Report covering 01/01/2022 through 12/31/2022

Compared to 1/1/2023 through 12/31/2023

	JAN			FEB			MAR			APR			MAY			JUN			JUL			AUG			SEP			OCT			NOV			DEC				
	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-					
Damage to Property calls includ	9	8	-11	6	8	33	5	10	100	14	12	-14	13	10	-23	5	9	80	12	18	50	23	11	-52	5	8	60	7	7	0	9	5	-44	6	4	-33		
Sudden Deaths and Bodies fou	0	0	0	0	1	0	0	0	0	0	2	0	0	0	0	1	0	-100	0	3	0	0	0	0	1	1	0	0	0	0	0	0	0	2	0	-100		
Disorderly Conduct calls	10	7	-30	7	7	0	8	9	13	6	9	50	4	10	150	12	21	75	15	24	60	6	10	67	8	13	63	4	17	325	2	9	350	4	14	250		
DNR calls including Fish/Game,	0	0	0	0	1	0	0	0	0	1	0	-100	1	0	-100	1	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0		
Domestic Disturbance/Assaults	10	9	-10	7	7	0	8	11	38	12	9	-25	10	8	-20	13	16	23	9	12	33	13	9	-31	11	9	-18	15	10	-33	9	9	0	10	6	-40		
Drug calls - All	1	2	100	4	3	-25	3	4	33	2	5	150	2	1	-50	3	2	-33	2	1	-50	5	7	40	4	3	-25	4	3	-25	3	6	100	2	1	-50		
Escape / Flight	0	0	0	0	0	0	1	1	0	0	1	0	0	0	0	1	1	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0		
Escorts - including Funerals, R	2	2	0	3	2	-33	5	3	-40	4	0	-100	7	3	-57	4	3	-25	3	5	67	4	3	-25	4	6	50	4	2	-50	3	2	-33	3	2	-33		
Fires- Deputy Only or Outside l	3	3	0	5	4	-20	7	8	14	2	5	150	8	10	25	6	6	0	4	4	0	3	6	100	5	5	0	7	4	-43	7	3	-57	3	4	33		
Fire- Pages DNR Fire	0	0	0	0	0	0	0	0	0	1	0	-100	1	3	200	0	1	0	0	0	0	0	2	0	0	0	0	0	0	2	1	-50	1	0	-100	0	0	0
Fire- Pages Mora Area Fire	4	9	125	5	1	-80	6	7	17	3	1	-67	9	6	-33	3	8	167	5	2	-60	4	6	50	7	5	-29	8	7	-13	3	4	33	8	1	-88		
Fire- Pages Ogilvie Fire	2	0	-100	3	0	-100	0	0	0	1	3	200	2	0	-100	4	1	-75	2	2	0	2	1	-50	2	0	-100	0	0	0	3	4	33	1	0	-100		
Foot Patrol	24	27	13	20	18	-10	24	36	50	27	36	33	23	45	96	19	30	58	36	40	11	26	49	88	29	45	55	29	35	21	31	43	39	20	67	235		
Found - All calls including anim	4	4	0	5	2	-60	8	2	-75	6	8	33	10	8	-20	8	11	38	10	9	-10	12	14	17	7	6	-14	6	8	33	5	4	-20	9	4	-56		
Fraud	16	8	-50	8	8	0	4	6	50	6	18	200	10	3	-70	3	9	200	5	6	20	6	3	-50	8	0	-100	3	5	67	5	6	20	8	5	-38		
Garbage Dumping complaints	0	1	0	1	1	0	4	4	0	4	5	25	4	2	-50	2	4	100	4	1	-75	2	3	50	4	0	-100	6	4	-33	6	3	-50	1	0	-100		
Guns including permits	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	-100	0	0	0	
Harassing communications call	3	1	-67	5	4	-20	7	1	-86	7	8	14	9	11	22	6	11	83	12	9	-25	9	7	-22	11	6	-45	3	10	233	2	7	250	4	7	75		
Hazardous Materials Calls - all	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Health and Safety	2	3	50	2	6	200	1	5	400	4	2	-50	6	6	0	3	6	100	5	8	60	4	4	0	5	4	-20	1	1	0	4	1	-75	5	2	-60		
Secure Helipad	12	9	-25	7	8	14	5	10	100	5	8	60	9	11	22	13	8	-38	7	7	0	3	9	200	11	10	-9	13	12	-8	11	11	0	6	9	50		
Homicides	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	-100	0	0	0	0	0	0	0	0	0		
Hospice Deaths	4	9	125	5	2	-60	7	4	-43	5	4	-20	4	2	-50	4	5	25	2	2	0	12	2	-83	6	2	-67	5	4	-20	4	4	0	5	5	0		
Information and misc calls	35	26	-26	29	38	31	35	43	23	30	40	33	66	52	-21	49	55	12	65	67	3	51	58	14	58	45	-22	39	41	5	41	41	0	35	55	57		
Jail Incidents - Non Criminal	1	2	100	2	0	-100	1	2	100	2	0	-100	1	1	0	1	2	100	5	1	-80	4	1	-75	2	1	-50	0	2	0	0	0	0	1	0	-100		



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	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-				
Jail-Drugs	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0					
Jail Medical	0	1	0	0	0	0	0	0	0	0	1	0	1	0	-100	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	3	0	-100			
Jail-All OTHER (non-criminal)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	-100			
Jail-Crim Sex (PREA)	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
Jail-Suicide	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	-100			
Juvenile Alcohol complaints	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	2	0	-100	0	0	0	1	0	-100	0	0	0				
Juvenile Drug complaints	0	0	0	0	1	0	2	0	-100	1	0	-100	2	1	-50	1	0	-100	0	0	0	0	0	0	1	0	-100	1	0	-100	1	0	-100	0	0	0	
Juvenile calls excluding tobacco	7	6	-14	6	5	-17	13	9	-31	7	3	-57	18	18	0	9	12	33	7	10	43	13	16	23	9	13	44	13	9	-31	11	3	-73	11	12	9	
Juvenile Tobacco complaints	3	1	-67	6	5	-17	4	6	50	3	1	-67	0	2	0	0	0	0	0	0	0	0	0	0	2	0	-100	3	0	-100	6	0	-100	1	1	0	
Abduction / Kidnapping	0	0	0	0	0	0	0	0	0	0	0	0	1	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
All Lost calls including animals, Maltreatment	1	1	0	2	0	-100	0	1	0	0	0	0	2	0	-100	0	1	0	0	2	0	4	0	-100	2	0	-100	3	1	-67	1	0	-100	0	0	0	
Medical Emergency	26	27	4	25	19	-24	30	38	27	39	13	-67	20	27	35	16	15	-6	13	21	62	12	27	125	31	21	-32	22	29	32	17	33	94	30	32	7	
Medical - Drug Overdoses	134	150	12	122	116	-5	119	142	19	102	126	24	117	130	11	103	124	20	122	132	8	151	144	-5	124	138	11	122	127	4	126	120	-5	122	112	-8	
Meetings and Presentations	0	1	0	0	1	0	0	0	0	2	2	0	2	0	-100	0	0	0	1	0	-100	1	5	400	0	0	0	1	0	-100	1	1	0	0	1	0	
Missing Person(s)	2	2	0	1	2	100	0	1	0	0	2	0	0	0	0	2	0	-100	2	1	-50	1	1	0	2	0	-100	3	1	-67	2	1	-50	2	1	-50	
Motorist Assist calls	2	0	-100	2	0	-100	4	1	-75	1	4	300	2	2	0	2	4	100	3	4	33	3	5	67	4	3	-25	6	1	-83	3	6	100	3	1	-67	
Neighborhood Disputes	10	11	10	11	11	0	5	9	80	4	17	325	11	10	-9	5	8	60	3	15	400	4	10	150	8	6	-25	8	8	0	4	5	25	13	5	-62	
Noise complaints including loud	0	5	0	2	4	100	0	2	0	2	5	150	0	3	0	4	7	75	9	10	11	12	9	-25	6	7	17	4	3	-25	5	4	-20	2	4	100	
Parking Violations	0	1	0	2	1	-50	5	2	-60	4	5	25	6	7	17	9	15	67	19	22	16	8	11	38	5	5	0	4	3	-25	2	4	100	5	6	20	
Permit (Fireworks, Event, Other)	2	0	-100	0	2	0	1	1	0	2	1	-50	2	0	-100	2	1	-50	0	1	0	0	1	0	0	1	0	2	2	0	1	1	0	0	1	0	
All Predatory Offender calls including	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
All Public assist calls	3	73	2333	5	6	20	6	7	17	5	6	20	8	75	838	7	8	14	88	87	-1	10	8	-20	13	82	531	86	12	-86	11	5	-55	7	71	914	
Records checks including employment	16	21	31	15	18	20	18	10	-44	12	24	100	24	22	-8	13	22	69	11	21	91	11	16	45	21	20	-5	22	14	-36	20	22	10	12	7	-42	
Recovered goods including property	8	9	13	11	9	-18	7	15	114	9	15	67	24	28	17	18	12	-33	10	16	60	11	13	18	96	17	-82	32	19	-41	14	11	-21	6	9	50	
	0	0	0	0	0	0	1	0	-100	0	1	0	1	0	-100	0	1	0	2	2	0	2	0	-100	1	1	0	0	0	0	0	1	0	0	2	0	



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	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-				
Resident Security Check	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0					
Road hazards	2	12	500	4	6	50	5	5	0	10	21	110	38	14	-63	9	5	-44	8	14	75	8	63	688	15	9	-40	6	17	183	4	13	225	23	8	-65	
Robbery calls	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
Scams - All	6	3	-50	3	5	67	7	8	14	5	8	60	7	5	-29	2	7	250	8	4	-50	6	5	-17	6	3	-50	4	3	-25	7	5	-29	3	5	67	
Search Warrants	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	-100	0	1	0	0	0	0	0	0	0	0	0		
Shooting complaints	2	0	-100	2	0	-100	2	2	0	0	0	0	6	2	-67	4	2	-50	6	3	-50	2	4	100	2	2	0	8	2	-75	5	4	-20	0	2	0	
Shoplifting complaints	1	0	-100	2	0	-100	1	1	0	1	0	-100	0	0	0	1	1	0	2	1	-50	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Snowmobile calls - all including	1	0	-100	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Snowbird Parking	12	19	58	36	13	-64	70	29	-59	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Special Detail	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Stolen Property calls - all	0	2	0	2	1	-50	1	3	200	1	1	0	4	2	-50	4	1	-75	2	0	-100	2	2	0	3	0	-100	0	0	0	1	1	0	2	4	100	
Stop arm violations	0	2	0	1	1	0	0	3	0	0	1	0	1	0	-100	0	0	0	0	0	0	0	0	0	6	2	-67	0	1	0	3	2	-33	2	1	-50	
Sudden Deaths and Bodies fou	1	0	-100	0	0	0	1	0	-100	0	1	0	0	0	0	1	1	0	1	0	-100	1	0	-100	1	1	0	2	1	-50	1	1	0	0	0	0	
Suicide-Death	1	0	-100	0	0	0	0	0	0	0	0	0	1	1	0	0	1	0	0	1	0	2	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	
Suicide threats-attempts	7	8	14	4	3	-25	9	4	-56	7	3	-57	8	4	-50	8	9	13	15	5	-67	2	3	50	7	11	57	7	7	0	9	8	-11	3	5	67	
Suspicious calls including persc	57	33	-42	51	37	-27	71	44	-38	85	48	-44	70	76	9	73	58	-21	77	58	-25	72	65	-10	81	69	-15	60	67	12	54	49	-9	34	59	74	
Theft calls - all not including m	12	13	8	14	22	57	17	15	-12	23	13	-43	18	33	83	37	31	-16	22	17	-23	33	27	-18	26	26	0	27	28	4	22	13	-41	15	20	33	
All Threat calls	2	6	200	6	7	17	5	8	60	6	3	-50	10	9	-10	8	6	-25	8	9	13	9	10	11	3	7	133	8	7	-13	12	5	-58	10	10	0	
Tobacco compliance checks.	0	0	0	0	0	0	0	0	0	0	1	0	1	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Traffic / Driving complaints	15	25	67	10	13	30	26	25	-4	20	19	-5	23	40	74	35	37	6	34	38	12	36	36	0	18	54	200	38	40	5	23	40	74	20	29	45	
Traffic Accidents including all p	11	20	82	12	23	92	15	23	53	11	10	-9	17	14	-18	18	20	11	16	17	6	23	13	-43	12	9	-25	9	12	33	22	16	-27	23	14	-39	
Traffic violations all including ci	131	156	19	112	111	-1	124	134	8	127	227	79	109	267	145	153	269	76	148	205	39	147	181	23	175	208	19	192	198	3	124	155	25	83	194	134	
Transport all (jail) except medi	9	9	0	9	8	-11	21	12	-43	7	8	14	12	7	-42	13	12	-8	10	10	0	5	7	40	9	13	44	11	7	-36	13	10	-23	7	10	43	
Trespassing complaints	0	2	0	3	3	0	2	0	-100	0	3	0	6	0	-100	2	5	150	6	2	-67	1	5	400	3	4	33	1	5	400	6	5	-17	2	2	0	
TZD -All Towards Zero Death s	0	0	0	0	0	0	0	0	0	32	15	-53	0	0	0	0	0	0	0	27	0	38	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	0



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	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-	2022	2023	+/-			
Unwanted person non criminal	12	12	0	12	14	17	17	8	-53	13	13	0	16	16	0	16	4	-75	17	15	-12	14	14	0	12	8	-33	12	18	50	8	11	38	3	8	167
Vandalism calls all except mail	1	0	-100	2	0	-100	0	0	0	2	0	-100	0	0	0	2	1	-50	1	2	100	2	1	-50	4	1	-75	3	1	-67	1	1	0	0	2	0
Vehicle theft all including moto	1	1	0	1	0	-100	0	0	0	0	0	0	2	0	-100	2	2	0	1	1	0	1	0	-100	1	2	100	0	1	0	2	2	0	1	3	200
Violation of Court orders all inc	0	11	0	6	6	0	8	5	-38	5	6	20	6	4	-33	12	2	-83	8	4	-50	2	10	400	9	9	0	5	5	0	2	4	100	4	7	75
Vehicle off Road/Vehicle in Dite	24	22	-8	12	14	17	18	25	39	7	10	43	9	4	-56	8	2	-75	6	5	-17	9	1	-89	9	1	-89	4	8	100	9	3	-67	30	6	-80
Warrant entry and arrests	6	17	183	9	7	-22	10	18	80	15	9	-40	9	11	22	6	18	200	17	15	-12	7	25	257	6	12	100	8	10	25	11	7	-36	9	4	-56
Weapons offenses including fel	0	0	0	0	0	0	0	0	0	0	0	0	1	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Weather - Monthly Test	1	1	0	1	1	0	2	1	-50	3	2	-33	1	1	0	1	1	0	1	2	100	1	1	0	1	1	0	1	1	0	1	1	0	1	1	0
Weather - Severe Storm Warni	0	0	0	0	0	0	0	0	0	0	0	0	4	0	-100	0	0	0	1	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	
Weather - Tornado Warning	0	0	0	0	0	0	0	0	0	0	0	0	1	0	-100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Welfare checks	38	35	-8	25	32	28	22	33	50	31	30	-3	41	32	-22	41	34	-17	50	35	-30	47	45	-4	28	41	46	33	39	18	29	30	3	34	27	-21
	894	1022	14	813	845	4	984	1049	7	930	1112	20	1076	1375	28	1014	1273	26	1223	1321	8	1122	1226	9	1171	1181	1	1204	1074	-11	1014	1086	7	852	1103	29

March 5, 2024
10:10am Appointment Agenda of
Chad T. Gramentz, PE
Public Works Director

- | | |
|---|------------------------|
| 1. Final Payment 2023 Paving Contracts | Resolution #1 (3-5-24) |
| 2. CSAH 5 Right of Way Offers
Determination of Just Compensation | Resolution #2 (3-5-24) |
| 3. Tanks, Bulk Fuel, and Fuel Management System | Resolution #3 (3-5-24) |
| 4. Department Update | |
-

Resolution #1 (3-5-24)

Final Payment
2023 Bituminous Paving
SAP 033-608-015, SAP 033-626-007, Arthur township 23-01,
KCP 23-02 (County Road 43), KCP 23-05 (County Wide patching), City of Mora 2023-01

WHEREAS the projects, SAP 033-608-015, SAP 033-626-007, Arthur township 23-01, KCP 23-02 (County Road 43), KCP 23-05 (County Wide patching), City of Mora 2023-01 have in all things been completed and in accordance with the contract and the County Board being fully advised in the premises, and

THEREFORE BE IT RESOLVED that we do hereby accept said projects for and on behalf of the County of Kanabec and authorize final payment to Knife River Corporation in the amount of \$87,051.16

Resolution #2 (3-5-24)

SAP 033-605-023 Right-of-Way
Determination of Just Compensation
Notice of Possession

WHEREAS, the County Board has determined that it is necessary and in the public's interest and benefit to build upon and improve County State Aid Highway 5 (the "Project");

WHEREAS, the Project requires that the County acquire total fee title acquisition of PID No. 15.01340.10, and permanent and temporary easements over certain other parcels along CSAH 5 as depicted in Exhibit A (collectively the “Properties”);

WHEREAS, the County Board has determined that obtaining title and possession of the Properties as soon as legally possible is necessary and in the public’s interest for the construction of the Project;

WHEREAS, all efforts shall be made to seek the voluntary acquisition of the Properties, but eminent domain will be used as a last resort.

NOW, THEREFORE, BE IT RESOLVED BY THE KANABEC COUNTY BOARD THAT:

1. Acquisition of the Properties by the County over the real property listed in Exhibit A is necessary for the purposes of constructing the Project;
2. The County Engineer, together with Rinke Noonan, as special counsel for the County, are hereby authorized to secure appraisals for the acquisition of the Properties, which will be determined to be just compensation for the acquisition.
3. The County Engineer and Rinke Noonan, as special counsel for the County, are hereby authorized on behalf of the County to acquire the Properties through direct negotiation and, if necessary, by the exercise of the power of eminent domain pursuant to and as authorized by Minnesota Statutes Chapter 117.
4. Based upon the County’s need to obtain title and possession of the Properties to keep the Project on schedule, Rinke Noonan is specifically authorized to notify those property owners that have not yet voluntarily agreed to the sale and easements on the Properties of the County’s intent to take possession pursuant to Minnesota Statutes Section 117.042. The County Attorney and Rinke Noonan are further authorized to carry out eminent domain proceedings for said Properties in accordance with Minnesota Statutes Chapter 117.

Resolution #3 (3-5-24)

Tanks, Bulk Fuel, and Fuel Management System

WHEREAS the following listing quotes were received from Beaudry Oil and Propane and Federated Co-ops Inc. suppling Kanabec County Public Worsk with a three-year contract for fuel tanks, bulk fuel, and fuel management system:

Federated Co-ops Inc.:	No 1 & No 2 Diesel Rack plus \$0.35	Gasoline Rack plus \$0.35
Beaudry Oil and Propane:	No 1 & No 2 Diesel Rack plus \$0.21	Gasoline Rack plus \$0.21

WHEREAS Federated Co-ops Inc. quote did not provide a fuel management system, and

WHEREAS the annual costs for fuel based historical usage and on the low bid by Beaudry Oil and Propane is estimated to be \$19,440 for gasoline, \$29,650 for No. 1 Diesel, and \$107,900 for No. 2 Diesel for a total annual cost estimated to be \$156,990, and

THEREFORE BE IT RESOLVED to accept the quote of rack price plus \$0.21 for Gasoline, No 1 Diesel, and No. 2 Diesel by Beaudry Oil and Propane for tanks, bulk fuel, and fuel management system as quoted and authorize the Public Works Director to sign the agreement.

EXHIBIT A

DETERMINATION OF JUST COMPENSATION

SAP 033-605-023

PARCEL #	PARCEL ID	PERMANENT EASEMENT	TEMP. EASEMENT	DAMAGES TO REMAINDER	GRAND TOTAL
1	24.00017.00	\$560.87	\$10.88	\$200.00	\$771.75
2	24.00115.00	\$771.40	\$0.00	\$200.00	\$971.40
3	24.00020.00	\$806.20	\$0.00	\$50.00	\$856.20
4	24.00100.00	\$4,640.35	\$27.87	\$8,183.30	\$12,851.52
5	24.00135.00	\$2,277.05	\$53.95	\$3,354.30	\$5,685.30
6	24.00140.00	\$1,043.33	\$0.00	\$2,295.80	\$3,339.13
7	24.00145.00	\$3,503.20	\$7.55	\$284.00	\$3,794.75
8	24.00150.00	\$1,885.00	\$0.00	\$0.00	\$1,885.00
9	24.00005.00	\$4,232.73	\$40.93	\$1,650.00	\$5,923.66
10	24.00010.10	\$1,032.73	\$0.00	\$0.00	\$1,032.73
11	24.00010.20	\$625.70	\$0.00	\$0.00	\$625.70
12	24.00010.00	\$1,607.11	\$0.00	\$450.00	\$2,057.11
13	24.00015.00	\$2,321.68	\$12.86	\$250.00	\$2,584.54
14	15.01350.20	\$1,925.10	\$10.24	\$0.00	\$1,925.10
15	15.01350.30	\$1,666.45	\$0.00	\$4,106.05	\$5,772.50
16	15.01390.10	\$2,990.75	\$103.68	\$500.00	\$3,594.43
17	15.01400.00	\$3,084.04	\$140.90	\$7,480.60	\$10,705.53
18	15.01340.00	\$610.55	\$0.00	\$3,640.00	\$4,250.55
19	15.01400.10	\$1,805.65	\$0.00	\$6,657.95	\$8,463.60
20	15.01355.00	\$1,239.47	\$11.14	\$1,440.00	\$2,690.61
21	15.01355.10	\$377.74	\$51.52	\$718.00	\$1,147.26
22	15.01130.00	\$821.64	\$0.00	\$0.00	\$821.64
23	15.01135.10	\$735.02	\$0.00	\$0.00	\$735.02
24	15.01135.20	\$422.69	\$0.00	\$0.00	\$422.69
25	15.01135.00	\$2,230.53	\$25.31	\$988.00	\$3,243.85
26	15.01380.10	\$1,044.23	\$48.32	\$868.00	\$1,960.55
27	15.01380.00	\$576.94	\$22.02	\$50.00	\$648.96
28	15.01135.90	\$2,051.82	\$0.00	\$0.00	\$2,051.82
29	15.01190.10	\$297.62	\$0.00	\$810.00	\$1,107.62
30	15.01190.00	\$3,090.45	\$212.83	\$6,390.00	\$9,693.28
31	15.01140.10	\$1,334.98	\$24.26	\$2,340.00	\$3,699.23
32	15.01140.00	\$672.63	\$0.00	\$0.00	\$672.63
33	15.01100.00	\$8,991.40	\$0.00	\$0.00	\$8,991.40
34	15.01180.10	\$904.41	\$0.00	\$1,445.78	\$2,350.19
35	15.01180.00	\$3,551.22	\$22.08	\$1,500.00	\$5,073.30
36	15.01185.10	\$3,908.65	\$21.60	\$1,650.00	\$5,580.25

PERM. EASEMENT TOTAL	TEMP. EASEMENT TOTAL	DAMAGES TO REMAINDER TOTAL	ALL PARCELS GRAND TOTAL
\$69,641.28	\$847.94	\$57,501.78	\$127,990.99



"Value for life"

FEDERATED CO-OPS **Inc.**

Agronomy • Energy • Retail

502 South 2nd Street • Princeton, MN 55371-1941 • Phone 763-389-2582 • Fax 763-389-7499

February 28, 2024

Kanabec County Minnesota Fuel Bid Proposal.

Federated Co-ops will provide at no charge.

Two 2,000-gallon dual wall tanks with high-speed pumps and meters.

One 1,000-gallon dual wall tank with high-speed pump and meter.

Federated Co-ops will install a monitor to alert us to tank reading for filling purpose.

It will be up to Kanabec County to apply for and obtain any permits, and electrical insulation as needed.

Federated Co-ops WILL NOT provide a fuel management system.

This will be up to Kanabec County.

Any questions please contact.

Mike Sperbeck

763 260 3030

Michael Sperbeck

From: CHS Planet Press <ENERGYRFPICING@CHSINC.COM>
Sent: Tuesday, February 27, 2024 3:55 PM
Subject: Refined Fuels Price Notification

This sender is trusted.

CHS Inc -CENEX - Rack Pricing

This e-mail is intended solely for the individual(s) named above. It contains CONFIDENTIAL and/or proprietary information and should NOT be forwarded.

Rack Pricing for: FEDERATED CO-OPS INC

CENEX
MN MINNEAPOLIS - MGL
LAST UPDATED 02/27/2024 15:43
EFFECTIVE 02/27/2024 18:00

PRODUCT - BRANDED	CHANGE	GROSS PRICE	PRODUCT - BRANDED	CHANGE	GROSS PRICE
BLENDED CLEAR UNLE870	+0.0479	2.6011	UL 10% ETH 870	+0.0722	2.3204
E-85	+0.0384	1.4146	E-85 Blend 70% Eth -	+0.0387	1.6110
MID GRADE UL 890	+0.0611	2.7881	MG 3B 10% ETH 890	+0.0675	2.4422
E-15 880	+0.0709	2.2774	PREMIUM UL 910	+0.0464	2.7365
PUL 10% ETH 930	+0.0721	2.6982	PUL 3B 10% ETH 910	+0.0720	2.5467
ULSD15 WNTRMSTR CLR	-0.0289	2.8579	ULSD15 WNTRMSTR DYE	-0.0289	2.8619
ULSD15 WTRMSTR CL B1.	-0.0304	2.8577	ULSD15 WTRMSTR DY B1.	-0.0304	2.8617
CENEX ROADMASTER XL	-0.0289	2.6370	CENEX RDMSTR XL W/CFI	-0.0289	2.6495
CENEX #1 ROADMASTER X	-0.0289	2.9400	CENEX RDMSTR XL SE	-0.0289	2.7367
CENEX RDMSTR XL B20	-0.0337	2.6712	ULSD RUBY FM B20	-0.0337	2.6752
ULSD15 RUBY FLDMSTR	-0.0289	2.6410	ULSD15 R FLDMSTR W/CF	-0.0289	2.6535
ULSD15 #1 R FLDMSTR	-0.0289	2.9440	ULSD15 R FLDMSTR SE	-0.0289	2.7407
CENEX RDMSTR XL B3.3	-0.0328	2.7324	RUBY FIELDMASTER B3.3	-0.0328	2.7364
CENEX RDMSTR XL B10	-0.0344	2.6602	ULSD15 R FLDMSTR B10	-0.0344	2.6642
CENEX RDMSTR XL B5	-0.0344	2.6366	ULSD15 R FLDMSTR B5	-0.0344	2.6406
ULSD15 R FMSTR B5 CFI	-0.0344	2.6531	CENEX RDMSTR B5 CFI	-0.0344	2.6491
ULSD15 #1 CLEAR	-0.0289	2.8925	ULSD15 #1 DYED	-0.0289	2.8965
ULSD15 #1 DYED W/CFI	-0.0289	2.9090	ULSD15 #1 CLEAR W/CFI	-0.0289	2.9050
ULSD15 #1 CLEAR B5	-0.0344	2.8921	ULSD15 #1 DYED B5	-0.0344	2.8961
ULSD15 #2 CLEAR	-0.0289	2.5895	ULSD15 #2 DYED	-0.0289	2.5935
ULSD15 #2 CFI CLEAR	-0.0289	2.6020	ULSD15 #2 CFI DYED	-0.0289	2.6060
ULSD15 #2 CLEAR B10	-0.0344	2.6127	ULSD15 #2 CLEAR B20	-0.0337	2.6237
ULSD15 #2 CLEAR B5	-0.0344	2.5891	ULSD15 #2 DYED B5	-0.0344	2.5931
ULSD15 #2 CLR B5 W/CF	-0.0344	2.6016	ULSD15 #2 DYD B5 CFI	-0.0344	2.6056
ULSD15 #2 DYED B10	-0.0344	2.6167	ULSD15 #2 DYED B20	-0.0337	2.6277

CENEX
MN ALEXANDRIA - MGL
LAST UPDATED 02/27/2024 15:43
EFFECTIVE 02/27/2024 18:00

PRODUCT - BRANDED	CHANGE	GROSS PRICE	PRODUCT - BRANDED	CHANGE	GROSS PRICE
BLENDED CLEAR UNLE870	+0.0528	2.5971	UL 10% ETH 870	+0.0647	2.3443
E-85 Blend 70% Eth -	+0.0388	1.6312	MG 3B 10% ETH 890	+0.0625	2.4748
E-15 880	+0.0609	2.3120	PREMIUM UL 910	+0.0751	2.7496
PUL 10% ETH 930	+0.0638	2.7326	PUL 3B 10% ETH 910	+0.0638	2.5811
ULSD15 WNTRMSTR CLR	-0.0580	2.8794	ULSD15 WNTRMSTR DYE	-0.0580	2.8834
ULSD15 WTRMSTR CL B1.	-0.0579	2.8787	ULSD15 WTRMSTR DY B1.	-0.0579	2.8827
CENEX ROADMASTER XL	-0.0399	2.6585	CENEX #1 ROADMASTER X	-0.0657	2.9615
CENEX RDMSTR XL SE	-0.0476	2.7582	CENEX RDMSTR XL WA IV	-0.0399	2.6710
CENEX RDMSTR XL B20	-0.0286	2.7431	ULSD RUBY FM B20	-0.0286	2.7471
ULSD15 RUBY FLDMSTR	-0.0399	2.6625	ULSD15 #1 R FLDMSTR	-0.0657	2.9655
ULSD15 R FLDMSTR SE	-0.0476	2.7622	ULSD15 R FLDMSTR WA I	-0.0399	2.6750
CENEX RDMSTR XL B3.3	-0.0476	2.7582	RUBY FIELDMASTER B3.3	-0.0476	2.7622
CENEX RDMSTR XL B10	-0.0210	2.7087	CENEX RDMSTR B10 WA I	-0.0210	2.7212
ULSD15 R FLDMSTR B10	-0.0210	2.7127	ULSD15 R FMSTR B10 WA	-0.0210	2.7252
CENEX RDMSTR XL B5	-0.0397	2.6628	ULSD15 R FLDMSTR B5	-0.0397	2.6668
CENEX RDMSTR B5 WA IV	-0.0397	2.6753	ULSD15 R FMSTR B5 WA	-0.0397	2.6793
ULSD15 #1 CLEAR	-0.0657	2.9140	ULSD15 #1 DYED	-0.0657	2.9180
ULSD15 #1 DYED W/CFI	-0.0657	2.9305	ULSD15 #1 CLEAR W/CFI	-0.0657	2.9265
ULSD15 #2 CLEAR	-0.0399	2.6110	ULSD15 #2 DYED	-0.0399	2.6150
ULSD15 #2 CFI CLEAR	-0.0399	2.6235	ULSD15 #2 CFI DYED	-0.0399	2.6275
ULSD15 #2 CLEAR B10	-0.0210	2.6612	ULSD15 #2 CLR B10 CFI	-0.0210	2.6737

SIGNATURE PAGE

Name of Bidder: Federated Coops

Business Address: 502 South 2nd ST. Princeton

Signature: Michael Sperbeck

Printed Name: Michael Sperbeck

Title: Petroleum Sales and Delivery manager

*All Rack Pricing based on based on February 28, 2024, 2:00 p.m. prices.

Rack Prices

Gasoline, 87 Octane: \$ 2.32 /GAL

Diesel, No. 2: \$ 2.615 /GAL

Diesel, No. 1: \$ 2.918 /GAL

Markup

Gasoline, 87 Octane: \$.35 /GAL

Diesel, No. 1 / No. 2: \$.35 /GAL

Total Prices

Gasoline, 87 Octane: \$ 2.67 + any Taxes /GAL

Diesel, No. 2: \$ 2.965 + any Taxes /GAL

Diesel, No. 1: \$ 3.268 + any Taxes /GAL



2-29-24

Chad and Kanabec County Public Works.

Attached is our bid in response to your RFP for Fuel, equipment, and Fuel Management. We agree to all your requests, but have noted our responses below:

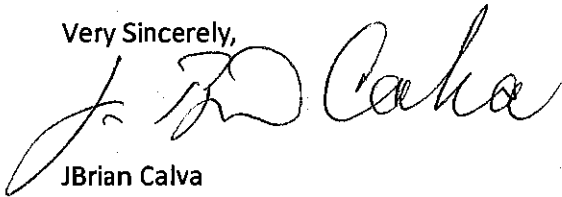
- We will provide an above ground dual wall tank for diesel fuel with a minimum capacity of 4,000 gallons.
- We will provide an above ground dual wall tank for gasoline with a minimum capacity of 1,000 gallons.
- We will provide a fuel management system with the capabilities to track the following:
 - a) The unit filled.
 - b) Employee filling the unit.
 - c) Date the unit was filled.
 - d) Number of gallons dispensed
 - e) Product dispensed.
 - f) Tank level
 - g) Cloud-based or equivalent remote monitoring.
- Our tank will have two high-flow diesel nozzles and be able to operate simultaneously, and function on either side of the fuel island.
- One gasoline nozzle shall be provided and be functional on either side of the fuel island.
- We will apply for and obtain the required permits (with the exception of the electrical.)
- The fuel system will comply with instructions and the general layout of the photo provided. We will cooperate with the county in every way and coordinate with your electrical services.
- We will be installing Tecalemit Fuel management and will support training and maintenance.
- Diesel shall be No. 2 low sulfur diesel fuel confirming to: ASTM:D-975-53T with a 45 Cetane Rating. We will provide blended diesel No. 1 and No.2 as requested by the County. This is something we monitor closely and would do so anyway, having decades of experience in Minnesota winters. That said we will deliver exactly what you request.
- We will provide Regular unleaded 87 Octane gasoline.
- Beaudry Oil and Propane's Mora Office and plant is literally less than 1 mile away from you. We can deliver fuel same day, or next day, without issue. That plant has a large storage facility

containing thousands of gallons of the products you use, all the time. We do not run out and never ration deliveries or make partial fills. In addition, we will monitor tanks to ensure you do not run out.

We have appreciated serving you for years and look forward to continuing our relationship for many years to come.

Please let me know if you have any questions regarding this bid and thank you for the opportunity to serve.

Very Sincerely,

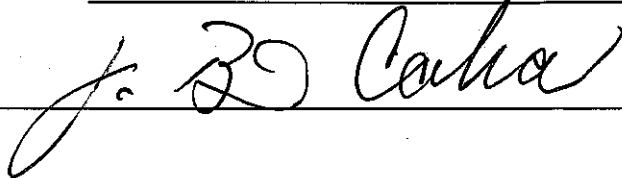
A handwritten signature in black ink, appearing to read "JBrian Calva". The signature is fluid and cursive, with the first name "JBrian" and last name "Calva" clearly distinguishable.

JBrian Calva
Beaudry Oil and Propane
763-633-1471
jbrianc@beaudryoil.com

SIGNATURE PAGE

Name of Bidder: Beaudry Oil and Propane

Business Address: 1015 North Industrial Rd. Mora, Mn. 55051

Signature: 

Printed Name: JBrian Calva

Title: Sales Manager

*All Rack Pricing based on based on February 28, 2024, 2:00 p.m. prices.

Rack Prices*

Gasoline, 87 Octane: \$ 2.22 /GAL

Diesel, No. 2: \$ 2.4875 /GAL

Diesel, No. 1: \$ 2.755 /GAL

Markup

Gasoline, 87 Octane: \$ 0.21 /GAL

Diesel, No. 1 / No. 2: \$ 0.21 /GAL

Total Prices *

Gasoline, 87 Octane: \$ 2.43 /GAL

Diesel, No. 2: \$ 2.6975 /GAL

Diesel, No. 1: \$ 2.965 /GAL

*plus applicable tax

Agenda Item #1

PROCEEDINGS OF THE COUNTY BOARD

State of Minnesota
County of Kanabec
Office of the County Coordinator

UNAPPROVED MINUTES

February 20, 2024

The Kanabec County Board of Commissioners met at 9:00am on Tuesday, February 20, 2024 pursuant to adjournment with the following Board Members present: Rick Mattson, Tom Roeschlein, Wendy Caswell and Peter Ripka. Absent: Alison Holland. Others Present: Board Clerk Kris McNally, County Attorney Barbara McFadden (WebEx) and Recording Secretary Kelsey Schiferli.

The meeting was held in the County Board Room and via WebEx for anyone wishing to attend virtually.

The Chairperson called the meeting to order at 9:00am and led the assembly in the Pledge of Allegiance.

Action #1 – It was moved by Peter Ripka, seconded by Tom Roeschlein and carried unanimously to approve the agenda as presented.

Action #2 – It was moved by Wendy Caswell, seconded by Peter Ripka and carried unanimously to approve minutes of February 6, 2024 as presented.

Action #3 – It was moved by Peter Ripka, seconded by Wendy Caswell and carried unanimously to approve the corrected minutes of January 16, 2024 as presented.

9:02am – The Chairperson called for public comment three times. None responded.

9:03am – The Chairperson closed public comment.

Action #4 – It was moved by Wendy Caswell, seconded by Peter Ripka and carried unanimously to approve the following paid claims:

<u>Vendor</u>	<u>Amount</u>
AT&T Mobility	3,101.08
AT&T Mobility	3,099.49
Blaze Credit Union	5,695.55
Card Services (Coborn's)	13.99
Card Services (Coborn's)	65.18

Card Services (Coborn's)	273.84
Consolidated Communications	1,147.84
Kanabec County AT ACH_VISA	1,503.86
Kanabec County Auditor HRA	6,000.00
Kanabec County Auditor-Treas	17,190.91
Kwik Trip Inc	12,620.11
Marco Inc	178.12
Midcontinent Communications	435.08
Minnesota Department of Finance	338.30
Minnesota Department of Finance	4,724.00
Minnesota Energy Resources Corp	8,491.07
Office of MN.IT Services	1,338.65
Quality Disposal	262.30
Quality Disposal	283.80
Quality Disposal	224.79
Quality Disposal	574.90
Verizon Wireless Cell Phones	3,535.40

22 Claims Totaling: \$ 71,098.26

Action #5 – It was moved by Peter Ripka, seconded by Wendy Caswell and carried unanimously to approve the following claims on the Revenue Fund:

<u>Vendor</u>	<u>Amount</u>
Advanced Correctional Healthcare	19,890.93
Amazon Capital Services	13.99
Amazon Capital Services	45.72
Amazon Capital Services	26.99
American DataBank	68.80
Anne M. Carlson Law Office, PLLC	2,020.00
Anoka County Sheriff's Office	80.00
Barlow, Jeffery	590.27
Bliss, Erica	140.70
Buresh, Corey	175.00
DS Solutions	140.11
East Central Regional Juvenile Center	4,957.00
EATI	1,865.25
EATI	3,330.68
ECM Publishers	50.00
Election Systems & Software Inc	4,152.68
Fairview Health Services	190.00
FBG Service Corporation	4,829.00
FBG Service Corporation	2,543.00
FBG Service Corporation	672.00

Galls	171.23
Glen's Tire	131.23
Glen's Tire	84.00
Granite City Jobbing Co	1,026.10
Granite Electronics	141.00
Granite Electronics	969.00
Gratitude Farms	500.00
Hoefert, Robert	874.35
Horizon Towing	1,337.81
Industrial Health Services Network Inc	47.90
Itsavvy LLC	141.18
Jamar Company	3,036.90
Johnsons Hardware	89.31
K & S Engraving, LLC	480.00
Kanabec Publications Inc	146.00
Kanabec Publications Inc	177.60
Kanabec Publications Inc	20.01
Kanabec Publications Inc	371.01
Kanabec Publications Inc	583.00
Kubesh, JohnClair	723.47
Made of Mora/Promotional Designs	45.00
Made of Mora/Promotional Designs	47.95
Marco, Inc	159.00
MCCC Lockbox	4,935.00
McFadden, Barbara	84.42
Michael Keller, Ph.D., L.P.	1,300.00
Mid-American Research Chemical	248.00
Mid-American Research Chemical	169.01
Mid-American Research Chemical	169.01
Minnesota County Attorney's Association	66.00
Minnesota Monitoring, Inc	368.00
Mora Chamber of Commerce	250.00
Morris Electronics	1,263.50
Motorola Solutions	2,115.00
Motorola Solutions	7,142.50
Oak Gallery	23.55
ODP Business Solutions	13.38
ODP Business Solutions	62.40
ODP Business Solutions	172.23
Office Depot	52.23
Office of MNIT Services	864.52
Premium Waters, Inc.	35.10
Primdata	4,500.00

Q Media Properties LLC	75.00
Quill	51.78
RELX Inc. DBA LexisNexis	220.00
RELX Inc. DBA LexisNexis	238.70
Ritter, Jane	135.64
River Valley Forensic Services, PA	250.00
Seachange	3,216.33
Stellar Services	142.63
Stellar Services	44.87
Summit Food Service Management	3,923.20
Summit Food Service Management	3,889.66
Therapeutic Services Agency, Inc.	161.22
Thomsen, Brandon	395.74
Thomsen, Brandon	339.47
Tinker & Larson Inc	1,543.68
Van Alst, Lillian	1,154.41
WEX Health, Inc.	434.50

80 Claims Totaling: \$ 97,135.85

Action #6 – It was moved by Wendy Caswell, seconded by Peter Ripka and carried unanimously to approve the following claims on the Road & Bridge Fund:

<u>Vendor</u>	<u>Amount</u>
Aramark	555.90
Beaudry Oil	21,785.60
Central McGowan	239.17
Central Pension Fund	529.35
Federated Co-ops	164.83
Gopher State One-Call	59.45
JMD	7,279.77
Johnson Hardware	335.90
Kanabec County Highway Dept	76.20
Kwik Trip	26.63
Marco	352.17
MKJ Trucking	2,820.00
MCHAA	250.00
Oslin Lumber	1,072.97
Owens Auto Parts	90.54
Power Plan	192.75
Scientific Sales	69.50
Stepp MFG	222.72
Trent Terpstra	261.30

Trueman Welters	1,288.80
Vault Health	561.16
Walk-N-Roll	593.32
Widseth Smith Nolting	2,290.56
Wiarcom	675.30
Ziegler Inc	1,918.14
25 Claims Totaling:	<u>\$ 43,712.03</u>

County Coordinator Kris McNally led a discussion regarding committee appointments.

Action #7 – It was moved by Wendy Caswell, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #7 – 2/20/24

BE IT RESOLVED to appoint Derek Hippen-Koch to the Insurance Committee as a representative of the Local 107 Union for a three-year term commencing immediately and expiring January 5, 2027.

BE IT FURTHER RESOLVED to appoint Farrah Gajewski to the Insurance Committee as a non-union representative for a three-year term commencing immediately and expiring January 5, 2027.

BE IT FURTHER RESOLVED to appoint Andrew Magaard to the Insurance Committee as an alternate non-union representative for a three-year term commencing immediately and expiring January 5, 2027.

Action #8 – It was moved by Tom Roeschlein, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #8 – 2/20/24

BE IT RESOLVED to appoint Jean Mattson to the Extension Committee for a special term until another representative from District 3 can be appointed, or up to one year, whichever occurs first.

Action #9 – It was moved by Peter Ripka, seconded by Wendy Caswell and carried unanimously to recess the meeting at 9:14am to a time immediately following the Family Services Board.

The Kanabec County Family Services Board met at 9:14am on Tuesday, February 20, 2024 pursuant to adjournment with the following Board Members present: Tom Roeschlein, Rick Mattson, Wendy Caswell and Peter Ripka. Absent: Alison Holland. Family Services Director Chuck Hurd presented the Family Services Board Agenda.

Family Services Director Chuck Hurd gave the Director's report.

Action #FS10 – It was moved by Peter Ripka, seconded by Wendy Caswell and carried unanimously to approve the Family Services Board Agenda as presented.

Action #FS11 – It was moved by Tom Roeschlein, seconded by Wendy Caswell and carried unanimously to approve the following resolution:

Resolution #FS11 – 2/20/24

Health & Human Services Administrative Assistant Replacement Resolution

WHEREAS the Health & Human Services long term Administrative Assistant has given notice that she will be retiring on May 3, 2024, and

WHEREAS this position is budgeted and essential to the directors in both agencies, and

THEREFORE the Family Services Director is requesting to replace the Health & Human Services Administrative Assistant.

THEREFORE BE IT RESOLVED the Kanabec County Family Services Board authorizes the Family Service Director and Community Health Director assisted by the HR Director to hire a full time Administrative Assistant at Grade 9 Step A which is \$21.93 per hour and to backfill any position that could become vacant due to a promotion or lateral move.

Action #FS12 – It was moved by Wendy Caswell, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #FS12 – 2/20/24

Family Services Community Support Tech to Social Worker Resolution

WHEREAS the Children's Services 24-year veteran Community Support Tech (CST) has given notice that she will be retiring the first week in May, and

WHEREAS the position of Children's Services CST was given an exception from DHS to bill for Targeted Case Management (TCM) in years past, and

WHEREAS finding a person to meet this exception would be difficult and would potentially not meet DHS's requirements for billing for our TCM services, and

WHEREAS the Family Services Director is requesting to replace the CST with a social worker to continue performing and billing for the TCM duties she has been providing.

THEREFORE BE IT RESOLVED the Kanabec County Family Services Board

authorizes the Family Service Director assisted by the HR Director to hire a full time social worker to replace the Children's Services CST who is retiring at level 12 step B rate of pay of \$28.44 with a Social Worker Grade 14 Step A which is \$30.48 per hour and to backfill any position that could become vacant due to a promotion or lateral move.

Action #FS13 – It was moved by Wendy Caswell, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #FS13 – 2/20/24

Family Services Community Supports Social Worker Resolution

WHEREAS a Social Worker in the Community Supports adult area has given notice of their resignation effective 2/12/2024, and

WHEREAS the adult area has another vacancy and a staff person out on leave at this time leaving the adult area down three staff, and

WHEREAS the Family Services Director is requesting to replace this social worker.

THEREFORE BE IT RESOLVED the Kanabec County Family Services Board authorizes the Family Service Director assisted by the HR Director to hire a full time social worker at Grade 14 Step A which is \$30.48 per hour and to backfill any position that could become vacant due to a promotion or lateral move.

Action #FS14 – It was moved by Peter Ripka, seconded by Wendy Caswell and carried unanimously to approve the following resolution:

Resolution #FS14 - 2/20/24

Clay County Document Management Hosting Agreement resolution

WHEREAS, Kanabec County Family Services has a need for an electronic document management system to insure the capability of sharing resources, authority and accountability for human services programs, and

WHEREAS, Clay County has been providing the technological “Host Environment” with a centrally located server in Moorhead, MN, and

WHEREAS, Next Chapter Technology, Inc. will continue to provide the software, software maintenance and professional services needed for the system.

THEREFORE BE IT RESOLVED Kanabec County Family Services Board approves the Family Services Director entering into an Agreement with Clay County, through its Human Services Division for technically hosting an electronic document management system for the period February 20, 2024 through December 31, 2024.

Action #FS15 – It was moved by Wendy Caswell, seconded by Tom Roeschlein and carried unanimously to approve the following resolution:

Resolution #FS15 – 2/20/24

Pine County Psychiatric Services Resolution

WHEREAS, Minn. Stat. §§235.461 through 235.486 and Minn. Stat. §§235.487 through 235.488 establishes the Minnesota Comprehensive Adult Mental Health Act and the Minnesota Comprehensive Children’s Mental Health Act, respectively; and

WHEREAS, on December 21, 2023 this Board approved an Agreement with Pine County Health & Human Services for Psychiatric Services, and

WHEREAS, upon receipt of the partially signed Agreement Pine County has chosen to revise said Agreement.

NOW, THEREFORE BE IT RESOLVED that the Kanabec County Family Services Board approves the revised Psychiatric Services Agreement with Pine County Health & Human Services which commenced on January 1, 2024 through December 31, 2024.

Action #FS16 – It was moved by Peter Ripka, seconded by Wendy Caswell and carried unanimously to approve the following resolution:

Resolution #FS16 – 2/20/24

Agreement for Foster Children and Youth Transportation resolution

WHEREAS, it is directed by the State of Minnesota that Local Education Agencies and Child Welfare agencies will collaborate in order to establish transportation procedures for foster care youth to ensure their educational stability, and

WHEREAS, Mora, Braham and Ogilvie Public Schools and Kanabec County Family Services agree to collaborate to design a comprehensive transportation plan to ensure that transportation for children in foster care is arranged, provided and funded when a best interest determination indicates that the student should remain in the school of origin, and

WHEREAS, Kanabec County Family Services and Braham, Mora and Ogilvie Public Schools agree that transportation must be provided in a “cost effective” manner and that all federal, state and local funding sources should be maximized to ensure transportation costs are not unduly burdensome to one agency.

THEREFORE BE IT RESOLVED the Kanabec County Family Services Board approves the Family Services Director signing Agreements with Braham, Mora and Ogilvie Public Schools for a Transportation Procedures Agreement to provide transportation for foster care youth to ensure their educational stability, effective upon the date of execution. These agreements shall be reviewed every three years by mutual agreement.

Action #FS17 – It was moved by Wendy Caswell, seconded by Peter Ripka and carried unanimously to approve the payment of 103 claims totaling \$263,064.83 on Family Services Funds.

Action #FS18 – It was moved by Peter Ripka, seconded by Tom Roeschlein and carried unanimously to adjourn Family Services Board at 9:34am and to meet again on Tuesday, March 19, 2024 at 9:20am.

The Board of Commissioners reconvened.

County Coordinator Kris McNally presented a proposal from the Norsemen Motorcycle Club & Minnesota DNR for the AlanDale Motorcycle Trail through the Off-Highway Vehicle Grant-in-Aid Program.

Action #19 – It was moved by Wendy Caswell, seconded by Tom Roeschlein and carried unanimously to approve the following resolution:

Resolution # 19 – 2/20/2024

RESOLUTION AUTHORIZING SPONSORSHIP OF THE ALANDALE TRAIL PROJECT, AN OFF HIGHWAY MOTORCYCLE TRAIL SYSTEM FOR PUBLIC RIDING, OPERATED BY THE NORSEMEN MOTORCYCLE CLUB

WHEREAS, the State of Minnesota has made funding available through the Minnesota Trails Assistance Program for the purpose of constructing and maintaining Off Highway Vehicle trails for Off Highway Motorcycles (OHM) and All-Terrain Vehicles (ATVs), and

WHEREAS, the County of Kanabec desires to make available to its citizens and visitors, such an area for the aforementioned purposes, in harmony and keeping with its comprehensive plan,

THEREFORE, BE IT RESOLVED that Kanabec County act as the legal sponsor for an application for the funding to the State of Minnesota Department of Natural Resources for acquisition, construction, and maintenance of an OHM and ATV riding area, open to the public, and managed by the Norsemen Motorcycle Club, for a period of up to five (5) years; and

BE IT FURTHER RESOLVED that upon approval of its application by the State, Kanabec County may enter into any agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement; and

BE FURTHER RESOLVED that the County Auditor-Treasurer is authorized to sign such an agreement with the Minnesota Department of Natural Resources and would be named the fiscal agent for this project; and

BE IT FINALLY RESOLVED THAT, notwithstanding the financial assistance provided for in the state contract, Kanabec County shall not be liable for any or such costs as are incurred by the Norsemen Motorcycle Club, should state funds become depleted.

ADOPTED BY the Kanabec County Board of Commissioners this 20th day of February, 2024.

Public Works Director Chad Gramentz met with the Board to discuss matters concerning his department.

Action #20 – It was moved by Wendy Caswell, seconded by Tom Roeschlein and carried unanimously to approve the following resolution:

Resolution #20 – 2/20/24

Mussel survey agreement for Bridge # 33507 on CSAH 6

WHEREAS: the MnDNR is requiring that a mussel survey be conducted for Bridge 33507, and

WHEREAS: three price quotes were received as follows:

Daguna Consulting	\$26,515.00
Edge Aquatic Service LLC	\$1,000.00
Endangered Resource Services	\$3,333.00

WHEREAS: the Public Works Director has evaluated the proposals for, service availability, experience, schedule and cost, and

WHEREAS Endangered Resource Services can best accommodate the required schedule, and

THEREFORE BE IT RESOLVED; to accept the quote from Endangered Resource Services for \$3,333.00 as the best value in services.

Action #21 – It was moved by Tom Roeschlein, seconded by Wendy Caswell and carried unanimously to approve the following resolution:

Resolution #21 – 2/20/24

Carpet bids for Courthouse Second Floor

WHEREAS the following quotes were provided for carpet replacement in the 2nd floor of the Courthouse:

DKN Construction	\$95,000.00
Multiple Concepts Interiors	\$99,475.00

Sam Schusted, LLC

\$118,000.00

WHEREAS said quotes were presented before the board, and

THEREFORE BE IT RESOLVED to accept the quote of \$95,000.00 by DKN Construction for carpet replacement in the courthouse.

Action #22 – It was moved by Tom Roeschlein, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #22 – 2/20/24

Purchase Tractor

WHEREAS the following quotes were provided by Kubota and Trueman Welters for highway maintenance tractors:

Tractor (2024 Kubota M5-091HDC12-1 4WD w/Loader)	\$88,636.53
Trade-In (unit no. 1503 Kubota L6060-20)	-\$25,000.00
Trade-In (unit no. 1502 Kubota L6060-20)	-\$25,000.00
Kubota Total:	\$38,636.53

Tractor (2024 Case IH Farmall 90C 4WD w/Loader)	\$78,151.00
Trade-In (unit no. 1503 Kubota L6060-20)	-\$12,000.00
Trade-In (unit no. 1502 Kubota L6060-20)	-\$12,000.00
Trueman Welters Total:	\$54,151.00

WHEREAS said quotes are based on State Contract pricing and were presented before the Board, and

THEREFORE BE IT RESOLVED to accept the quote of \$38,636.53 by Kubota for a 2024 Kubota M5-091HDC12-1 4WD w/Loader, trade-in of units 1503 and 1502, and approve the purchase thereof.

Action #23 – It was moved by Wendy Caswell, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #23 – 2/20/24

Purchase Lawn Tractor

WHEREAS the following quotes were provided by Midwest Machinery for highway maintenance lawn tractor:

Lawn Tractor (2024 John Deere X730)	\$13,391.30
Trade-In (unit no. 448 John Deere X724)	-\$1,000.00
Total:	\$12,391.30

WHEREAS said quotes are based on State Contract pricing and were presented before the Board, and

THEREFORE BE IT RESOLVED to accept the quote of \$12,391.30 by Midwest Machinery for a 2024 John Deere X730, trade in of unit no 448, and approve the purchase thereof.

Action #24 – It was moved by Tom Roeschlein, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #24 – 2/20/24

Purchase Brush Cutter

WHEREAS the following quotes were provided by Schulte and Trueman Welters for highway maintenance brush cutter:

Schulte:	FX-107 Rotary Cutter	\$12,384.96
Trueman Welters:	BH417 Rotary Cutter 7'	\$10,949.00

WHEREAS said quotes are based on State Contract pricing and were presented before the Board, and

THEREFORE BE IT RESOLVED to accept the quote of \$10,949.00 by Trueman Welters BH417 Rotary Cutter 7' and approve the purchase thereof.

Action #25 – It was moved by Tom Roeschlein, seconded by Wendy Caswell and carried unanimously to approve the following resolution:

Resolution #25 – 2/20/24

Sign Inventory Quotes

WHEREAS the following quotes were received for signs and supplies inventory:

Newman Signs	\$23,155.44
MR Sign	\$23,710.17
Sign Solutions	\$28,614.38

BE IT RESOLVED to accept the low quote of \$23,155.44 submitted by Newman Signs.

Action #26 – It was moved by Wendy Caswell, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #26 – 2/20/24

Purchase Drone

WHEREAS the 2024 Public Works budget includes the purchase of a drone for inspections and surveys, and

WHEREAS the following quote was received for a Skydio 2+ drone: Skydio \$1,873.00

THEREFORE BE IT RESOLVED to accept the quote of \$1,873.00 submitted by Skydio for a Skydio 2+ drone.

The Board decided to hold a closed session toward the end of the meeting and deferred the resolution for SAP 033-603-026 Right-of-Way Determination of Just Compensation for 2376 Quarter Street until after the closed session discussion (MN Statute 13d.05 Subd3.c.3).

Public Works Director Chad Gramentz gave an overview of the five-year plan for road projects.

Action #27 – It was moved by Tom Roeschlein, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #27 – 2/20/24
Advertise for Bids
2024 Construction Projects

WHEREAS the Kanabec County Board of Commissioners wish to proceed with the following projects:

Road	Type	Length	From	To
5	Reconstruction	2.5 mi.	TH 23	CSAH 19
86	Reclamation	1.0 mi.	CSAH 5	E. Co. Line
71	Resurfacing	4.3 mi.	CR 70	CSAH 11
6	Bridge Replacement	0.2 mi.	Ann River	

BE IT RESOLVED to authorize the County Engineer, upon final plans, specifications, and proposal, to advertise for bids for said projects.

10:17am – The Board took a five minute break.

10:22am – The Board reconvened.

Environmental Services Supervisor Ryan Carda met with the Board to discuss criteria to define successful implementation/functionality of the Snake River Watershed Plan Partnership. Board consensus was that they would define successful implementation/functionality of the Snake River Watershed Plan Partnership as the actual initiation of at least one project with a projected cost of under \$20,000 and one project with a projected cost of over \$20,000 within the next 12 months.

Extension Educator 4-H Youth Development Nikki Priebe met with the Board to request that County Commissioners serve as judges for 4-H interviews at the County Fair this summer. Commissioners Tom Roeschlein and Peter Ripka volunteered to serve. A department update was also given. Information only, no action was taken.

Commissioner Wendy Caswell presented a Resolution to supersede the original Resolution to Withdraw from South Country Health Alliance Joint Powers Agreement (#19 – 12/19/23) to clarify the date of the notice as well as the actual membership withdrawal date.

Action #28 – It was moved by Tom Roeschlein, seconded by Peter Ripka and carried unanimously to approve the following resolution:

Resolution #28 – 2/20/24

Resolution to Withdraw from South Country Health Alliance Membership

WHEREAS Kanabec County is a member county in the South Country Health Alliance joint powers entity through a joint powers agreement; and

WHEREAS the Kanabec County Board of Commissioners believes it is in the best interest of Kanabec County to withdraw its membership from South Country Health Alliance joint powers entity and to collect Kanabec County's share of South Country Health Alliance's capital and surplus; and

WHEREAS withdrawal from said membership will have minimal impact on Kanabec County clients due to new providers and a transition plan being in place; and

THEREFORE, BE IT RESOLVED the Kanabec County Board of Commissioners hereby approves the withdrawal from the South Country Health Alliance joint powers entity membership pursuant to Section 11 of the joint powers agreement;

BE IT FURTHER RESOLVED that Kanabec County requests its share of South Country Health Alliance's capital and surplus be disbursed to Kanabec County pursuant to Section 11.3 of the joint powers agreement;

BE IT FURTHER RESOLVED that the date of the Notice of Withdrawal from the South Country Health Alliance Joint Powers Agreement and entity membership is December 19, 2023 per Board Resolution #19-12/19/23;

BE IT FURTHER RESOLVED that the effective date of Kanabec County's withdrawal from the South Country Health Alliance Joint Powers Agreement and entity membership is December 31, 2024.

Commissioner Rick Mattson led a discussion regarding consideration of approval of a resolution in opposition to the North Star Act.

Action #29 – It was moved by Tom Roeschlein, seconded by Peter Ripka and carried

unanimously to approve the following resolution:

Resolution #29 – 2/20/24
OPPOSITION TO NORTH STAR ACT (SF2724, HF2860)

WHEREAS, a “Sanctuary State” is a jurisdiction that restricts state and local officials from cooperating with federal immigration enforcement efforts; and

WHEREAS, it is the duty of Congress to establish all laws and rules regarding naturalization, and

WHEREAS, the 14th Amendment to the United States Constitution was ratified on July 9, 1869, and granted citizenship to “all persons born or naturalized in the United States” are citizens of the United States and of the State wherein they reside, and

WHEREAS, law enforcement in Kanabec County is dedicated to protecting the communities they serve and promoting public safety requires the assistance and cooperation of the community, so law enforcement has the ability to gather the information necessary to investigate and deter crime, and

WHEREAS, the Kanabec County Board of Commissioners supports all law enforcement officers, federal, state, county and municipal, upholding the Constitution of the United States and the State of Minnesota, and

WHEREAS, the Legislature is reviewing approval of Senate File (SF) 2724 and House File (HF) 2860 effectively making Minnesota a “Sanctuary State” by prohibiting law enforcement, county employees, and schools from collecting information on immigration or citizenship status, prohibiting the sharing of any other information about individuals for the purposes of immigration enforcement, and prohibiting the use of county resources for immigration enforcement, and

WHEREAS, SF2724 and HF2860 interferes with the County and its employees’ ability to perform current functions, imposes implementation hurdles and burdens upon the County, creates ambiguity and possible conflicts with federal law, may subject the County and its employees to statutory violations, employment consequences, and possible civil and criminal liability; and

WHEREAS, Kanabec County supports legal immigration and the positive impact it provides for our communities and the local and state economy; and

WHEREAS, Kanabec County citizens should not be negatively impacted from results caused by illegal immigration and the North STAR Act on the budgeting of taxpayer dollars and public resources.

NOW, THEREFORE, BE IT RESOLVED, the Kanabec County Board of Commissioners hereby urges our legislative delegation and the Governor to reject the North

STAR Act proposals in Senate File 2724 and House File 2860, and give ample acknowledgment to public and local government input and the true impact of a “Sanctuary State” designation.

County Coordinator Kris McNally led a discussion regarding a request to re-allocate committed ARPA funds.

Action #30 – It was moved by Peter Ripka, seconded by Wendy Caswell and carried unanimously to approve the following resolution:

Resolution #30 – 2/20/24

Reallocation of Surplus ARPA Funds to a Courthouse Security Project

WHEREAS the Kanabec County Board of Commissioners committed ARPA funds to multiple projects within the County and community; and

WHEREAS, to date, some projects have been completed under budget resulting in an \$18,885 surplus; and

WHEREAS a request to upgrade certain security features in the Courthouse has been received; and

WHEREAS an estimate for this upgrade is \$5,511; and

WHEREAS the ARPA Committee has voted in favor of the re-allocation of a portion of the surplus ARPA funds to this security project;

THEREFORE, BE IT RESOLVED the Kanabec County Board of Commissioners hereby approves the re-allocation of up to \$5,600 from the ARPA surplus to the Courthouse security project request;

THEREFORE, BE IT RESOLVED the Kanabec County Board of Commissioners hereby approves the estimate and authorizes moving forward with the project;

BE IT FURTHER RESOLVED that Public Works Director Chad Gramentz is authorized to sign agreements related to said project.

The Commissioners gave reports regarding the boards and committees in which they participate. Information only, no action was taken.

Future Agenda Items: Upcoming cannabis public hearing

Action #31 – It was moved by Peter Ripka, seconded by Wendy Caswell and carried unanimously to enter into a closed session at 11:18am pursuant to MN Statute §13D.05 subd.3.c.3 to discuss matters related to a real estate transaction. Those present during the closed portion of the meeting were Commissioners Rick Mattson, Tom Roeschlein, Wendy Caswell and Peter Ripka; as well as Public Works Director Chad Gramentz and County Coordinator Kris

McNally.

Action #32 – It was moved by Peter Ripka, seconded by Wendy Caswell and carried unanimously to return to open session at 11:42am.

Action #33 – It was moved by Wendy Caswell, seconded by Tom Roeschlein and carried unanimously to approve the following resolution:

Resolution #33 – 2/20/24

SAP 033-603-026 Right-of-Way Determination of Just Compensation

WHEREAS Kanabec County wishes to proceed with the project development of improvements to CSAH 5 from TH 23 to CSAH 19 as identified in the five-year plan, and

WHEREAS the planned improvements require acquisition of additional right-of-way, and

WHEREAS a qualified and licensed appraiser has completed appraisal work on the subject property and the appraisal is included herein, and

THEREFORE BE IT RESOLVED the Kanabec County Board determines the appraised value as presented is just compensation, and

BE IT FURTHER RESOLVED to authorize the Public Works Director to initiate property acquisition based on the appraised value.

Action #34 – It was moved by Wendy Caswell, seconded by Tom Roeschlein and carried unanimously to adjourn the meeting at 11:44am and to meet again in regular session on Tuesday, March 5, 2024 at 9:00am.

Signed _____

Chairperson of the Kanabec County Board of Commissioners,
Kanabec County, Minnesota

Attest: _____

Board Clerk

Agenda Item #2

Paid Bills

<u>Vendor</u>	<u>Amount</u>	<u>Purpose</u>	<u>Dept</u>
Cigna Health & Life Ins Co	774.46	3.24 Accident, Group Hosp, Critical Illness Ins Prem	Employee Benefits
City of Mora	1,708.12	Water Tower, Hwy Bldg, Metered Lights	Highway
Dearborn National life Insurance Co	453.12	3.24 Short Term Disability Ins Premiums	Employee Benefits
East Central Energy	293.26	Intersection Lighting	Highway
East Central Energy	1,736.14	Intersection Lighting	Highway
Kanabec County AT ACH_VISA	1,454.36	See Below	
Marco Inc	3,335.71	Phone Lease	IS
Marco Inc	178.12	Printer Contract	Transit
MetLife	6,650.54	3.24 Dental Ins Premiums	Employee Benefits
Minnesota Energy Resources Corp	12,133.28	Gas Utilities	Various
Park Forest Estates	1,758.00	2024 Prepay Refund	Prepaid Tax Fund
Snyder, Denise	24.00	2024 Prepay Refund	Prepaid Tax Fund
Sunrise Construction	26.00	2024 Prepay Refund	Prepaid Tax Fund
The Hartford Priority Accounts	6,709.62	3.24 Life & Long Term Disability Insurance Premiums	Employee Benefits
Verizon Wireless Aircards	1,575.70	Monthly Aircards	Various
VSP Insurance Co	547.74	3.24 Vision Insurance Premiums	Employee Benefits
16 Claims Totaling:	<u><u>\$ 39,358.17</u></u>		
Kanabec County AT ACH_VISA	61.78	Amazon - Dry Erase Boards - Courthouse	Building Maintenance
	31.46	Amazon - Compressed Air Duster - Courthouse	Building Maintenance
	93.34	Grace Alley - MIA Flags - Courthouse	Building Maintenance
	462.12	Home Depot - Filters - Courthouse	Building Maintenance
	93.34	Grace Alley - MIA Flags - Courthouse - PSB	Building Maintenance
	69.75	Office Replacement Parts Co. - Jail	Building Maintenance
	58.67	Grace Alley - MIA Flags - Jail	Building Maintenance
	111.63	Amazon - Toilet Gaskets - Jail	Building Maintenance
	174.28	Amazon - Fan Blower Motor	Building Maintenance
	297.99	Amazon - Furnace Vent Motor	Highway
10 Claims Totaling:	<u><u>\$ 1,454.36</u></u>		

Agenda Item #3

Regular Bills - Revenue Fund

Bills to be approved: 3/5/24

Department Name	Vendor	Amount	Purpose
BUILDINGS MAINTENANCE	Amazon Capital Services	12.94	Return Shipping for Pillow Bearings - Jail
BUILDINGS MAINTENANCE	Dale's Heating & Appliance	533.00	Diagnosed and Replaced Gas Valve & Pressure Switch - Transit
BUILDINGS MAINTENANCE	Grainger	326.73	Fuse Link, Fork Conn (2), GP Motor 1/3 HP - Courthouse
BUILDINGS MAINTENANCE	Grainger	83.60	Pillow Block (2) - Jail
		956.27	
COMMISSIONERS	Caswell, Wendy	100.23	Mileage Reimbursement for Committee Meetings 1/1 - 2/9
COMMISSIONERS	Ripka, Peter	38.06	Mileage to February County Board Meetings 2/6 & 2/20
		138.29	
COUNTY ATTORNEY	SCSS/CRS	32.22	KCAO Ink Stamp with New Address
		32.22	
COUNTY COORDINATOR	Marco, Inc	477.00	Quarterly Printer Lease
		477.00	
COUNTY CORONER	Hamilton Funeral Homes	430.00	Removal & Transport
		430.00	
COUNTY EXTENSION	Ernest, Jennifer	75.00	Extension Committee Per Diem 2/20/24
COUNTY EXTENSION	Holcomb, Lisa	75.00	Extension Committee Per Diem 2/20/24
COUNTY EXTENSION	Mattson, Jean	75.00	Extension Committee Per Diem 2/20/24
COUNTY EXTENSION	Paulsen, Stephanie	75.00	Extension Committee Per Diem 2/20/24
COUNTY EXTENSION	Porter, Dan	75.00	Extension Committee Per Diem 2/20/24

COUNTY EXTENSION	Schiferli, Kelsey	<u>75.00</u>	Extension Committee Per Diem 2/20/24
		450.00	
COUNTY RECORDER	Holcomb, Lisa	398.13	Lodging MACO Winter Conference - St. Louis Park 2/19-2/21
COUNTY RECORDER	Holcomb, Lisa	103.18	Mileage to MACO in Minneapolis 2/19-2/21
COUNTY RECORDER	MNCCC	<u>57.41</u>	Adobe Subscription 2/10/24-11/9/24
		558.72	
COURT ADMINISTRATOR	Minneapolis Forensic Psychological Services, LLC	<u>2,668.75</u>	Doctor Fees for Psych Evaluation 10/26-12/5
		2,668.75	
ECONOMIC DEVELOPMENT	Northern Technology Initiative, Inc.	<u>1,090.00</u>	Membership Dues to East Central Reg Partnership (GPS) 2024
		1,090.00	
ELECTIONS	Johnson, Deanna	60.00	PNP Roster Guides (25 ct)
ELECTIONS	Kanabec Publications	83.96	PNP 2024 Election Notice
ELECTIONS	SEACHANGE	<u>71.22</u>	PNP Voter Receipts
		215.18	
ENVIRONMENTAL SERVICES	Kanabec County Highway Department	37.89	January 2024 Fuel & Postage
ENVIRONMENTAL SERVICES	Squires, Waldspurger & Mace, P.A.	<u>1,500.00</u>	Env Service/Land Use 4Q23 Quarterly Retainer 10/1-12-31/23
		1,537.89	
HUMAN RESOURCES	DC Design Works LLC	106.50	Employee Recognition Jackets (3)
HUMAN RESOURCES	Ratwik, Roszak & Maloney, PA	4,392.12	Professional Fees - January 2024
HUMAN RESOURCES	SwipeClock LLC	332.00	Monthly Billing 3/20-4/20/24
INFORMATION SYSTEMS	VC3	<u>407.40</u>	Microsoft 365 Subscription PH QTY 6
		5,238.02	
PROBATION & JUVENILE PLACEMENT	Chisago County Probation	410.00	2024 MACPO Agent Membership and Training
PROBATION & JUVENILE PLACEMENT	East Central Regional Juvenile Center	4,957.00	February 2024 Contracted Beds at East Central RJC
PROBATION & JUVENILE PLACEMENT	RS Eden	41.80	Drug Testing

		5,408.80	
PUBLIC TRANSPORTATION	American DataBank LLC	96.25	Background Checks
PUBLIC TRANSPORTATION	Barlow, Jeffery	993.01	Volunteer Mileage, Meals, Parking 2/12 - 2/25
PUBLIC TRANSPORTATION	Fourness, Chris	80.40	Mileage to K&S Engraving in Champlain 1/24 & 2/22
PUBLIC TRANSPORTATION	Hoefert, Robert	758.44	Volunteer Mileage 2/12 - 2/25
PUBLIC TRANSPORTATION	Innovative Office Solutions, LLC	254.03	Office Supplies
PUBLIC TRANSPORTATION	Kanabec County Highway Department	237.32	Bus Repairs
PUBLIC TRANSPORTATION	Milaca Chiropractic Center	170.00	DOT Physicals (2)
PUBLIC TRANSPORTATION	Northland Fire Protection	218.00	Service and Recertification of Fire Extinguishers
PUBLIC TRANSPORTATION	Van Alst, Lillian	1,252.23	Volunteer Mileage 2/12-2/25
		4,059.68	
SANITATION	East Central Solid Waste Commission	53.01	Kanabec County Highway Dept, Mixed Solid Waste
		53.01	
SHERIFF	Crider, Grant	1,084.90	Reimbursement for Firearm, Sight, Holster
SHERIFF	Horizon Towing	579.50	Towing Services, 2 Vehicles
SHERIFF	IT SAVVY	73.66	Squad Thermal Printer Paper
SHERIFF	Oak Gallery	30.16	USP Shipping to BCA
SHERIFF	VanGorden, Dylan	104.99	Reimbursement for Pants (2)
		1,873.21	
SHERIFF - 911 EMERGENCY	State of Minnesota - Dept of Transportation	4,263.10	2024 ARMER Motorola Agreement 1/1-12/31/24
		4,263.10	
SHERIFF - BOAT & WATER	Ace Hardware	15.13	Keys (6), Key Colored Rings (7)
		15.13	
SHERIFF - JAIL/DISPATCH	Adam's Pest Control, Inc.	250.00	Prevention Plus
SHERIFF - JAIL/DISPATCH	Amazon Capital Services	39.23	8 Tab Dividers & Folders
SHERIFF - JAIL/DISPATCH	Aspen Mills	271.72	Initial Issue - GH

SHERIFF - JAIL/DISPATCH	Aspen Mills	234.21	Brown Pants & Black Boots - CD
SHERIFF - JAIL/DISPATCH	Bob Barker	680.00	Nitrile Gloves, Various Sizes (80 Boxes)
SHERIFF - JAIL/DISPATCH	Emma's Pizza	39.00	Jail Training
SHERIFF - JAIL/DISPATCH	Granite City Jobbing Co	448.90	Trash Bags (8 Cases)
SHERIFF - JAIL/DISPATCH	MNCCC	57.41	Adobe Subscription 2/10/24-11/9/24
SHERIFF - JAIL/DISPATCH	RS Eden	34.00	Drug Testing
SHERIFF - JAIL/DISPATCH	St. Louis County	346.52	2024 NEECB Membership Fees
SHERIFF - JAIL/DISPATCH	Stellar Services	9.50	Canteen 2/12
SHERIFF - JAIL/DISPATCH	Stellar Services	56.12	Canteen 2/19
SHERIFF - JAIL/DISPATCH	Summit Food Service Management	4,009.77	Inmate Meals 2/17-2/23
SHERIFF - JAIL/DISPATCH	Summit Food Service Management	3,949.63	Inmate Meals 2/10-2/26
SHERIFF - JAIL/DISPATCH	Summit Food Service Management	3,876.35	Inmate Meals 2/3-2/9
SHERIFF - JAIL/DISPATCH	ULINE	59.55	Jail Supplies - 32oz Spray Bottles
		14,361.91	
SHERIFF - RESERVES	Kanabec Publications	376.40	Reserves Ad 2/4, 2/8, 2/11, 2/15
		376.40	
SNAKE RIVER WATER MGMT BOARD	Peterson Company LTD	5,800.00	Snake River Audit 2021 & 2022, Audit Completed
		5,800.00	
TAX & PENALTY	RHTC LLC	56,270.00	2021 & 2022 Tax Court Abatement P 22-08060-00
		56,270.00	
UNALLOCATED	Clifton Larson Allen LLP	16,275.00	FY2023 Audit
UNALLOCATED	Quadient Finance USA, Inc.	64.60	Postage Machine Labels (1 Courthouse & 1 PSB)
UNALLOCATED	RHTC LLC	5,515.77	Interest 2021-2022 P 22-08060-00
		21,855.37	
71 Claims Totaling:		\$ 128,128.95	

Agenda Item #4
Regular Bills - Road & Bridge
Bills to be approved: 3/5/2024

Vendor	Amount	Purpose
Avenu Insights & Analytics	6,933.29	New Roads software support
Auto Value	2,177.64	Repair parts
Beaudry Oil & Propane	362.67	Shop supplies
Kanabec County Highway Dept	85.45	Petty cash, postage
Koch's Hardware Hank	99.98	Repair parts
LHB Inc	1,680.75	Engineering bridge 33514
Little Falls Machine	939.77	Repair parts
Mille Lacs County Public Works	273.40	Snow removal
MN Equipment	836.37	Repair parts
Northern States Supply	971.53	Shop supplies
North Second Street Steel	967.48	Repair parts
Oak Gallery	87.58	Shipping UPS
Pioneer Tree Services	3,750.00	Tree removal
Rinke Noonan	4,065.00	ROW SAP 033-605-023
Scientific Sales	60.50	Safety Glass
Ziegler	199.40	Repair parts

16 Claims Totaling: \$ 23,490.81

Agenda Item #5

March 5, 2024

REQUEST FOR BOARD ACTION

a. Subject: SCORE Claims – January	b. Originating Department: County Coordinator
c. Estimated time: 2 minutes	d. Presenter(s): None

f. Board action requested:

Resolution #__ – 3/5/24 SCORE CLAIMS

WHEREAS the board has been presented with claims for recycling efforts to be paid from SCORE Funds, and

WHEREAS these claims have been reviewed, tabulated and approved by the Kanabec County Solid Waste Officer, and

WHEREAS SCORE Funds appear adequate for the purpose;

BE IT RESOLVED to approve payment of the following claims on SCORE Funds:

Waste Management	\$816.84
Quality Disposal	\$3,486.20
Arthur Township	\$500.00
Total	\$4,803.04

g. Background:

Provider	Billed	Paid Amount
QUALITY DISPOSAL (January)	\$2,986.20	\$2,986.20
WASTE MANAGEMENT (January)	\$816.84	\$816.84
Sub-Total	\$3,803.04	\$3,803.04
Recycling Center Incentive Payments:		
Quality Disposal (January)	\$500.00	\$500.00
Arthur Township (January)	\$500.00	\$500.00
TOTAL PAYMENTS =		\$4,803.04

Date received in County Coordinators Office: Various dates in February

January 1, 2024 SCORE Fund balance = \$121,734.95

Revenue: 01-391-392-0000-5332 =

Expenditure: 01-391-392-0000-6211 = \$4,803.04

Current SCORE Funds balance is = \$116,931.91

Agenda Item #6a

March 5, 2024

REQUEST FOR BOARD ACTION

a. Subject: Gambling Request	b. Originating Department/Organization/Person: TLC of Kanabec County DBA Kick Cancer to the Curb
c. Estimated time: 2 Minutes	d. Presenter(s): None

e. Board action requested: Approve the following resolution:

Resolution #__ – 3/5/24

WHEREAS the Kanabec County Board of Commissioners has been presented with a request for lawful gambling within Kanabec County, and

WHEREAS the application was complete, included all necessary documentation, appears in accordance with County Policies and the applicant and facility owners are in good standing with the County;

BE IT RESOLVED to approve the Application for Exempt Permit for TLC of Kanabec County DBA Kick Cancer to the Curb, for a raffle event to be held at Ogilvie Raceway, 1539 MN-23, Ogilvie, MN 56358 on June 8, 2024.

f. Background:

Supporting Documents: None: **Attached:** ☒

Date received in County Coordinators Office: 2/26/24

Coordinators Comments:

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: TLC of Kanabec County dba Kick Canasta to the Cure Previous Gambling Permit Number: X- 94003

Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 46-1002788

Mailing Address: 2867 Rainbow St

City: Brook Park State: MN Zip: 55007 County: Kanabec

Name of Chief Executive Officer (CEO): Dan Troupe

CEO Daytime Phone: 320-980-2563 CEO Email: _____
(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): dee.lilienthal@outlook.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

- ☐ Fraternal ☐ Religious ☐ Veterans ☒ Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- ☐ **A current calendar year Certificate of Good Standing**
Don't have a copy? Obtain this certificate from:
MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103
Secretary of State website, phone numbers:
www.sos.state.mn.us
651-296-2803, or toll free 1-877-551-6767
- ☒ **IRS income tax exemption (501(c)) letter in your organization's name**
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- ☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
If your organization falls under a parent organization, attach copies of both of the following:
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Ogilvie Raceway

Physical Address (do not use P.O. box): 1539 MN-23 Ogilvie, MN 56358

Check one: ☒ City: Ogilvie Zip: 56358 County: Kanabec

☐ Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): June 8, 2024

Check each type of gambling activity that your organization will conduct:

- ☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards ☒ Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

4/23
Page 2 of 3

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
<input type="checkbox"/> The application is acknowledged with no waiting period. <input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city). <input type="checkbox"/> The application is denied.	<input type="checkbox"/> The application is acknowledged with no waiting period. <input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days. <input type="checkbox"/> The application is denied.
Print City Name: _____	Print County Name: _____
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date: _____	Title: _____ Date: _____
<div style="border: 1px solid black; padding: 5px; text-align: center;"> The city or county must sign before submitting application to the Gambling Control Board. </div>	TOWNSHIP (if required by the county) On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.) Print Township Name: _____ Signature of Township Officer: _____ Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: Dan Troupe Date: 2/25/24
 (Signature must be CEO's signature; designee may not sign)

Print Name: Dan Troupe

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- a copy of your proof of nonprofit status; and
- application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is \$100; otherwise the fee is \$150. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

This form will be made available in alternative format (i.e. large print, braille) upon request.

An equal opportunity employer

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Copy

Date: OCT 29 2014

TLC OF KANABEC COUNTY DBA KICK
CANCER TO THE CURB
1847 SUNDET ROAD
MORA, MN 55051-7012

Employer Identification Number:
46-1002788
DLN:
26053679001404
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
505 (a) (2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
December 31, 2012
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 5436

Agenda Item #6b

March 5, 2024

REQUEST FOR BOARD ACTION

a. Subject: Gambling Request	b. Originating Department/Organization/Person: TLC of Kanabec County DBA Kick Cancer to the Curb
c. Estimated time: 2 Minutes	d. Presenter(s): None

e. Board action requested: Approve the following resolution:

Resolution #__ – 3/5/24

WHEREAS the Kanabec County Board of Commissioners has been presented with a request for lawful gambling within Kanabec County, and

WHEREAS the application was complete, included all necessary documentation, appears in accordance with County Policies and the applicant and facility owners are in good standing with the County;

BE IT RESOLVED to approve the Application for Exempt Permit for TLC of Kanabec County DBA Kick Cancer to the Curb, for a raffle event to be held at Ogilvie Community Center, 203 Oric Ave N., Ogilvie, MN 56358 on August 3, 2024.

f. Background:

Supporting Documents: None: **Attached:** ☒

Date received in County Coordinators Office: 2/26/24

Coordinators Comments:

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: TLC of Kanabec County Previous Gambling Permit Number: X- 94003
aka Kick Cancer to the Curb
 Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 46-1002788
 Mailing Address: 2867 Rainbow St
 City: Brook Park State: MN Zip: 55007 County: Kanabec
 Name of Chief Executive Officer (CEO): Dan Troupe
 CEO Daytime Phone: 320-980-2563 CEO Email: _____
 (permit will be emailed to this email address unless otherwise indicated below)
 Email permit to (if other than the CEO): dee.lilienthal@outlook.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

☐ Fraternal ☐ Religious ☐ Veterans ☒ Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- ☐ **A current calendar year Certificate of Good Standing**
 Don't have a copy? Obtain this certificate from:
 MN Secretary of State, Business Services Division
 60 Empire Drive, Suite 100
 St. Paul, MN 55103
 Secretary of State website, phone numbers:
www.sos.state.mn.us
 651-296-2803, or toll free 1-877-551-6767
- ☒ **IRS income tax exemption (501(c)) letter in your organization's name**
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- ☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
 If your organization falls under a parent organization, attach copies of both of the following:
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Ogilvie Community Center
 Physical Address (do not use P.O. box): 203 Oriz Ave N. Ogilvie, MN 56358
 Check one:
☒ City: Ogilvie Zip: 56358 County: Kanabec
☐ Township: _____ Zip: _____ County: _____
 Date(s) of activity (for raffles, indicate the date of the drawing): August 3, 2024

Check each type of gambling activity that your organization will conduct:

☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards ☒ Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

4/23
Page 2 of 3

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
<input type="checkbox"/> The application is acknowledged with no waiting period.	<input type="checkbox"/> The application is acknowledged with no waiting period.
<input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).	<input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
<input type="checkbox"/> The application is denied.	<input type="checkbox"/> The application is denied.
Print City Name: _____	Print County Name: _____
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date: _____	Title: _____ Date: _____
<p>The city or county must sign before submitting application to the Gambling Control Board.</p>	
<p>TOWNSHIP (if required by the county) On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)</p>	
Print Township Name: _____	
Signature of Township Officer: _____	
Title: _____ Date: _____	

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: *Dan Troupe* Date: 2/25/24
(Signature must be CEO's signature; designee may not sign)

Print Name: Dan Troupe

REQUIREMENTS	MAIL APPLICATION AND ATTACHMENTS
<p>Complete a separate application for:</p> <ul style="list-style-type: none"> all gambling conducted on two or more consecutive days; or all gambling conducted on one day. <p>Only one application is required if one or more raffle drawings are conducted on the same day.</p> <p>Financial report to be completed within 30 days after the gambling activity is done: A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.</p> <p>Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).</p>	<p>Mail application with:</p> <ul style="list-style-type: none"> a copy of your proof of nonprofit status; and application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is \$100; otherwise the fee is \$150. Make check payable to State of Minnesota. <p>To: Minnesota Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113</p> <p>Questions? Call the Licensing Section of the Gambling Control Board at 651-539-1900.</p>

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

An equal opportunity employer

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Copy

Date: OCT 29 2014

TLC OF KANABEC COUNTY DBA KICK
CANCER TO THE CURB
1847 SUNDET ROAD
MORA, MN 55051-7012

Employer Identification Number:
46-1002788
DLN:
26053679001404
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
505 (a) (2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
December 31, 2012
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 5436

Agenda Item #6c

March 5, 2024

REQUEST FOR BOARD ACTION

a. Subject: Gambling Request	b. Originating Department/Organization/Person: TLC of Kanabec County DBA Kick Cancer to the Curb
c. Estimated time: 2 Minutes	d. Presenter(s): None

e. Board action requested: Approve the following resolution:

Resolution #__ – 3/5/24

WHEREAS the Kanabec County Board of Commissioners has been presented with a request for lawful gambling within Kanabec County, and

WHEREAS the application was complete, included all necessary documentation, appears in accordance with County Policies and the applicant and facility owners are in good standing with the County;

BE IT RESOLVED to approve the Application for Exempt Permit for TLC of Kanabec County DBA Kick Cancer to the Curb, for a raffle event to be held at the DeAnna Lilienthal Residence, 2867 Rainbow St, Brook Park, MN 55007 on August 10, 2024.

f. Background:

Supporting Documents: None: **Attached:** ☒

Date received in County Coordinators Office:	2/26/24
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Coordinators Comments:

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: TLC of Kanabec County dba Kick Canan to the Curb Previous Gambling Permit Number: X- 94003
 Minnesota Tax ID Number, if any: _____ Federal Employer ID Number (FEIN), if any: 46-1002788
 Mailing Address: 2867 Rainbow St
 City: Brook Park State: MN Zip: 55007 County: Kanabec
 Name of Chief Executive Officer (CEO): Dan Troupe
 CEO Daytime Phone: 320-980-2563 CEO Email: _____
 (permit will be emailed to this email address unless otherwise indicated below)
 Email permit to (if other than the CEO): dee.lilienthal@outlook.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

☐ Fraternal ☐ Religious ☐ Veterans ☒ Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

☐ **A current calendar year Certificate of Good Standing**

Don't have a copy? Obtain this certificate from:

MN Secretary of State, Business Services Division
 60 Empire Drive, Suite 100
 St. Paul, MN 55103

Secretary of State website, phone numbers:

www.sos.state.mn.us

651-296-2803, or toll free 1-877-551-6767

☒ **IRS income tax exemption (501(c)) letter in your organization's name**

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**

If your organization falls under a parent organization, attach copies of both of the following:

1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): DeAnna Lilienthal Residence

Physical Address (do not use P.O. box): 2867 Rainbow St Brook Park MN 55007

Check one:

☐ City: _____ Zip: 55007 County: _____

☒ Township: Pomroy Zip: 55007 County: Kanabec

Date(s) of activity (for raffles, indicate the date of the drawing): August 10, 2024

Check each type of gambling activity that your organization will conduct:

☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards ☒ Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LG220 Application for Exempt Permit

4/23
Page 2 of 3

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
<input type="checkbox"/> The application is acknowledged with no waiting period.	<input type="checkbox"/> The application is acknowledged with no waiting period.
<input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).	<input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
<input type="checkbox"/> The application is denied.	<input type="checkbox"/> The application is denied.
Print City Name: _____	Print County Name: _____
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date: _____	Title: _____ Date: _____
<p>The city or county must sign before submitting application to the Gambling Control Board.</p>	
<p>TOWNSHIP (if required by the county) On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)</p>	
Print Township Name: _____	
Signature of Township Officer: _____	
Title: _____ Date: _____	

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: *Dan Troupe* Date: 2/25/24
(Signature must be CEO's signature; designee may not sign)

Print Name: Dan Troupe

REQUIREMENTS

Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

- _____ a copy of your proof of nonprofit status; and
- _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

This form will be made available in alternative format (i.e. large print, braille) upon request.

An equal opportunity employer

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Copy

Date: OCT 29 2014

TLC OF KANABEC COUNTY DBA KICK
CANCER TO THE CURB
1847 SUNDET ROAD
MORA, MN 55051-7012

Employer Identification Number:
46-1002788
DLN:
26053679001404
Contact Person:
CUSTOMER SERVICE ID# 31954
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
505 (a) (2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
December 31, 2012
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 5436

Agenda Item #7

March 5, 2024

REQUEST FOR BOARD ACTION

a. Subject: Discuss Upcoming 3/7/24 Public Hearing on the Intent to Adopt and Enact an Ordinance Regulating the Use of Cannabis and Cannabis Derived Products in Public Places within Kanabec County	b. Origination: Commissioner Mattson
c. Estimated time: 5 minutes	d. Presenter(s): Commissioner Mattson

e. Board action requested:

f. Background:

Supporting Documents: None: Attached: ☒

Date received in County Coordinators Office:

Coordinators Comments:

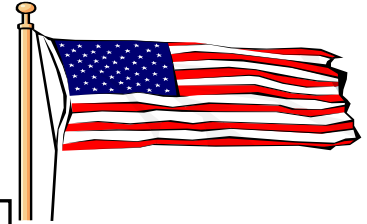


Kanabec County Board of Commissioners

Public Hearing Agenda

March 7, 2024 6:00PM

To be held at: Kanabec County Jail Training Room
100 South Vine Street
Mora, MN 55051



The audience is invited to join the board in pledging allegiance:

*I pledge allegiance to the flag
of the United States of America,
and to the Republic for which it stands:
one nation under God, indivisible
with Liberty and Justice for all.*

1.
 - a. Call to Order
 - b. Pledge of Allegiance
 - c. Notice of Public Hearing on the Intent to Adopt and Enact an Ordinance
Regulating the Use of Cannabis and Cannabis Derived Products in Public Places
within Kanabec County
2. Presentation by Community Health Director Kathy Burski
3. Comments from City and Township Representatives
4. Public Comment
 - a. Written statements submitted prior to the hearing
 - b. Oral statements by public members in attendance
5. Board discussion
6. Adjourn

The following notice was published in the legal notice section of the Kanabec County Times on February 15 and February 22, 2024:

PUBLIC HEARING NOTICE INTENT TO ADOPT AND ENACT AN ORDINANCE REGULATING THE USE OF CANNABIS AND CANNABIS DERIVED PRODUCTS IN PUBLIC PLACES WITHIN KANABEC COUNTY

NOTICE IS HEREBY GIVEN that the Kanabec County Board of Commissioners intends to adopt and enact an ordinance regulating the use of cannabis and cannabis derived products in public places within Kanabec County.

A public hearing will be held on this topic at 6:00 p.m. on Thursday, March 7, 2024 at the Kanabec County Jail Training Room; 100 South Vine Street, Mora, MN 55051.

Written comments may be submitted prior to the meeting at:

Kanabec County Coordinator 317 Maple Avenue East, Suite 181 Mora, MN 55051 or via email at coordinator@co.kanabec.mn.us

For further information, contact the office of the Kanabec County Coordinator at 679-6440 or coordinator@co.kanabec.mn.us or visit our website at kanabeccounty.org

ORDINANCE No. _____

**ORDINANCE REGULATING THE USE OF CANNABIS AND CANNABIS
DERIVED PRODUCTS IN PUBLIC PLACES**

SECTION 1. PURPOSE AND INTENT

This Ordinance is adopted by the Kanabec County Board of Commissioners for the purpose of protecting public health and safety by regulating/prohibiting the use of cannabis and cannabis-derived products in public places and places of public accommodation within Kanabec County ("the County").

The County recognizes the risks that unintended access and use of cannabis products present to the health, welfare, and safety of youth in Kanabec County.

By enacting 2023 Session Law, Chapter 63, H. F. No. 100 ("State Legislation"), the Minnesota Legislature passed the adult-use cannabis bill. Under that bill, the adult use, possession, and personal growing of cannabis became legal August 1, 2023.

State legislation authorizes adoption of a local ordinance establishing a petty misdemeanor offense for public use of cannabis. See State Legislation Sec. 19, MINN. STAT. §152.0263 subd. 5, or successor statute.

SECTION 2. DEFINITIONS

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them except where the context clearly indicates a different meaning.

- a. "Adult-use cannabis flower" means cannabis flower that is approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by that office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp- derived consumer products.
- b. "Adult-use cannabis products" means a cannabis product that is approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by that office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.
- c. "Cannabis flower" means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.
- d. "Cannabis product" means any of the following:

- (1) cannabis concentrate;
- (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted, or derived from cannabis plants or cannabis flower; or
- (3) any other product that contains cannabis concentrate.

e. Hemp derived consumer products.

- (1) "Hemp derived consumer products" means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:
 - (a) contains or consists of hemp plant parts; or
 - (b) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.
- (2) "Hemp derived consumer products" does not include artificially derived cannabinoids, lower- potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

f. "Lower-potency hemp edible" means any product that:

- (1) is intended to be eaten or consumed as a beverage by humans;
- (2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients;
- (3) is not a drug;
- (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts;
- (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
- (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
- (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and

- (8) is a type of product approved for sale by the office or is substantially similar to a product approved by the Office of Cannabis Management, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.
- g. "Public place" means any outdoor or indoor area, whether privately or publicly owned, to which the public have access by right of invitation, expressed or implied. This includes but is not limited to a public park or trail, public street or sidewalk, any enclosed, indoor area used by the general public, including, but not limited to, theaters, restaurants, bars, food establishments and their decks, places licensed to sell intoxicating liquor, wine, or malt beverages, retail businesses, gyms, common areas in buildings, public shopping areas, auditoriums, arenas, or other places of public accommodation.
- h. "Place of public accommodation" means a business, refreshment, entertainment, recreation, or transportation facility of any kind, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.
- i. Exceptions to definition of public place or place of public accommodation:
 - (1) a private residence, including the individual's curtilage or yard.
 - (2) private property, not generally accessible by the public, unless the individual is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or
 - (3) on the premises of an establishment or event licensed to permit on-site consumption.
- j. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products. Smoking includes carrying or using an activated electronic delivery device for human consumption through inhalation of aerosol or vapor from the product.

SECTION 3. PROHIBITED ACTS

Subd. 1. No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use cannabis flower and adult use cannabis products. See State Legislation Sec. 9, MINN. STAT. § 342.09 subd. 1(2), or successor statute. See also State Legislation, MINN. STAT. § 342.09, subd. 1 (7)(iii), or successor statute, and State Legislation Sec. 19, MINN. STAT. § 152.0263, subd. 5, or successor statute.

Subd. 2. No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor. See State Legislation Sec. 9, MINN. STAT. §342.09, subd. 1(7)(b)(9) or successor statute.

SECTION 4. PENALTY

Criminal Penalty. A violation of this ordinance shall be a petty misdemeanor having a fine payable up to \$300.00. Nothing in this ordinance prohibits the County from seeking prosecution for an alleged violation.

SECTION 5. SEVERABILITY

If any section or provision of this ordinance is held invalid, such invalidity will not affect other sections or provisions that can be given force and effect without the invalidated section or provision.

SECTION 6. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and publications as required by law.

Agenda Item #8

March 5, 2024

REQUEST FOR BOARD ACTION

a. Subject: Board & Committee Appointments	b. Origination: Coordinator's Office
c. Estimated time: 10 minutes	d. Presenter(s): Kris McNally, Coordinator

e. Board action requested:

Request to appoint Mandy Odencrans as an alternate on the Emergency Medical Service Board:

EMERGENCY MEDICAL SERVICE BOARD

Advisory Committee

Todd Groninga	02/15/22	01/07/25	1 st
alternate - Vacant			

Evaluates the funding for Emergency Medical Services and advises the executive board on recommended expenditures. There is one opening for an alternate position on this board for a three year term. This committee meets six times per year.

f. Background:

Supporting Documents: None Attached: ☒

Date received in County Coordinators Office:

Coordinators Comments:

Remaining Vacancies on the 2024 BOARDS & COMMITTEES

CITY/COUNTY AIRPORT ZONING BOARD

<u>Person</u>	<u>Appointed</u>	<u>Expires</u>	<u>Term</u>
Vacant			
Greg Yankowiak	02/06/24	01/05/27	3 rd

APPLICANT(S) FOR VACANCY: Re-Advertising

Description: This board is designated under state statute and consists of members appointed by the City of Mora and the County. The board meets to make, revise and approve airport zoning. This is a Joint Airport Zoning Board pursuant to §360.063, Subd. 3.

EXTENSION COMMITTEE

<u>Person</u>	<u>Appointed</u>	<u>Expires</u>	<u>District</u>	<u>Term</u>
Jean Mattson	02/20/24	01/07/25*	3	5 th partial
Jennifer Ernest	01/03/23	01/06/26	2	3 rd
Stephanie Paulsen	01/16/24	01/05/27	5	1 st
Kelsey Schiferli	01/03/23	01/06/26	4	3 rd
Vacant			1	
Dan Porter	01/02/24	01/05/27	at large	1 st
Peter Ripka	01/03/23	01/06/26	Commissioner	1 st
Rick Mattson	2024 Chairperson of the County Board (Statutory)			
Lisa Holcomb	Auditor/Treasurer Designee (Statutory)			

Description: The Minnesota State Legislature established County Extension Committees in 1923. The statute mandates a committee of nine:

1. The chair of the County Board of Commissioners,
2. One other commissioner
3. The County Auditor (or their designee) as Secretary
4. Six county residents selected by the County Board.

Committee responsibilities include: attending Extension Committee meetings, Performance evaluation of the educators, program development, assist in marketing Extension programs, and evaluation and budget development.

APPLICANT(S) FOR VACANCIES: Re-advertising.

RAILROAD AUTHORITY ADVISORY COMMITTEE

<u>Person</u>	<u>Appointed</u>	<u>Expires</u>	<u>Represents</u>	<u>Term</u>
Rick Mattson - Chairperson	ex officio (voting)			
Kyle Shepard	01/16/24	01/02/27	City of Mora	1 st
VACANT			Whited Township	
VACANT			Comfort Township	
VACANT			At Large	
Lanny Stegeman	01/04/22	01/07/25	At Large	6 th
Teri Huro	01/04/22	01/07/25	City of Quamba	1 st

Kristine McNally, Advisory Committee Clerk Appointed 01/08/19 non-voting

Advise the Railroad Authority Board of interests and recommendations of the use of the railroad bed. This committee meets as needed.

APPLICANT(S) FOR VACANCIES: Re-advertising.

SNAKE RIVER WATERSHED CITIZEN ADVISORY COMMITTEE

<u>Person</u>	<u>Appointed</u>	<u>Expires</u>	<u>Term</u>
Darrel Golly	01/02/24	01/05/27	1 st
VACANT			

3 year terms. Works with the Snake River Watershed Board overseeing restoration projects on the Snake River. This committee meets monthly as needed, with a minimum of one meeting per quarter.

APPLICANT(S) FOR VACANCY: Re-advertising.