

1. Agenda And Meeting Materials

Documents:

[JULY 28 PACKET.PDF](#)

***REVISED
POLK COUNTY BOARD**

MEETING LOCATION:
POLK COUNTY ENVIRONMENTAL SERVICES (TRANSFER STATION)
320 INGERSOLL AVENUE
CROOKSTON, MN

AGENDA

JULY 28, 2020

- 8:00 A.M.** **MEETING OPEN/CONVENE**
- CALL TO ORDER**
- REVIEWAL & APPROVAL OF THE AGENDA**
- CONSENT AGENDA**
 No Consent Agenda Items
- COUNTY BOARD MEMBERS ISSUE FORUM**
- 8:30** **JAMES TADMAN - SHERIFF**
1. Polk County Sheriff's Vehicles Order
2. Resolution (2020-64) Accepting Financial Donations On Behalf Of Polk County Sheriff's Office From American Crystal Sugar Company
3. Monthly Sheriff Reports
- 8:50** **JON STEINER – ENVIRONMENTAL SERVICES**
1. Resolution (2020-65) Solid Waste Fee – Pandemic Relief
2. CY2021 Waste & Special Material Fee Schedules
3. Solid Waste Program Updates
- 9:10** **JACOB SNYDER – PLANNING AND ZONING**
1. Resolution (2020-66) Conditional Use Permit For Minnkota Power Cooperative Inc. For Reconstruction, Maintenance & Operation Of An Electrical Substation
2. Resolution (2020-67) Conditional Use Permit For Jonathan Olson For Hooking A Septic System To An Accessory Structure
3. Resolution (2020-68) Conditional Use Permit For Jay Holm An Accessory Structure That Bring The Total Square Footage Over 2500 Sq. Ft. On A Parcel Less Than 5 Acres In Size, But Greater Than 2
- 9:50** **RICHARD SANDERS – HIGHWAY**
1. Certificate of Performance/Final Acceptance SP 060-090-003 Fosston Bike Trail
2. Mower Tractor Purchase
3. Approve MnDOT Agreement 1044384
- a. Approve Resolution (2020-63) MnDOT Agreement No. 1044384 With The State Of Minnesota - Department Of Transportation
4. NG 911 Data Cleanup and Readiness
5. Polk County Parks – Maple Lake Vendor Fee's
- 10:05** **KAREN WARMACK – SOCIAL SERVICES**
1. Family Based Service Provider Replacement Request
- 10:00** **BREAK**

- 10:10** **SARAH REESE – PUBLIC HEALTH**
1. COVID Update
2. Tobacco 21
- 10:35** **RON DENISON - FINANCE**
1. Cash & Budget Reports
- 10:55** **MICHELLE COTE – PROPERTY RECORDS**
1. Extension Committee Appointee
2. Deputy Registrar – License Center
3. Election Cares Grant Application
 a. Resolution (2020-69) Election CARES Act Grant
- 11:00** ***MARK HOLY – POLK COUNTY RESIDENT**
1. Red Lake Watershed Ditch 39 Process
- 11:30** **CHUCK WHITING - ADMINISTRATOR**
1. CARES Funds and Options
2. 2021 Budget Status

ADJOURN

If you need any type of accommodation to participate in the Polk County Board meeting, please contact Chuck Whiting at (218) 281-5408 at least 1 working day before the meeting. This Board agenda is subject to change without notice.



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

FROM: Sheriff James Tadman

MEETING DATE: July 28, 2020

AGENDA ITEM:

1. Polk County Sheriff's 2021 Vehicle Order.
2. Resolution (2020-64) Accepting Financial Donations On Behalf Of Polk County Sheriff's Office From American Crystal Sugar Company
3. Sheriff's June Monthly Reports

SUMMARY:

1. For 2021 budget, Polk County Sheriff's Office will be ordering eight new vehicles through Enterprise. This is the number of new vehicles to stay with the turnaround mileage and sale.
2. I applied for an American Crystal Sugar Company Contribution Grant. The Sheriff's Office was selected for a \$5000.00 Community Grant to be used for K9 Program
3. Review Polk County Sheriff's Office June Monthly Reports.

ACTION REQUESTED:

1. Motion to approve going forward and ordering eight new patrol vehicles for 2021 budget.
2. Approve Resolution (2020-64) Accepting Financial Donations On Behalf Of Polk County Sheriff's Office From American Crystal Sugar Company
3. For Information Only.

June											
Date:	Reason	Mileage	Deputy/Deputies	Medical	Mental Health	MN Prison/Jails	Out of state	ME	Federal	Other	Hours
3	MCF St Cloud/Ramsey	607	5008/5016			607					28.5
4	Chippewa Co on 10-69	457	5028			457					8.5
9	Burleigh County on 10-69	546	5028				546				8.75
9	MCF St Cloud/Le Sueur	698	5008			698					14
11	Federal to GF	59	5008/5021						59		10
12	GF County on 10-69	54	5028				54				1.25
15	Rush City on 10-69	613	5028			613					10.75
15	GF County on 10-69	54	5005				54				1.25
16	Dickinson on 10-69	698	5019				698				11.75
20	Sandoval County New Mexico	1312	Inmate Services				1312				
23	MCF St Cloud	474	5021			474					8.75
24	GF County on 10-69	56	5008				56				1.25
30	RRBH to CBHH Baxter	424	5016		424						424
	Totals	6052		0	424	2849	2720	0	59	0	528.75

Summary
Comparison
Transport
Log

	2018	2019	2020	2021	2022
January	7318	7638	9712		
February	8009	7565	6536		
March	8800	7314	7868		
April	7732	8179	3563		
May	9707	6606	4045		
June	8490	5965	6052		
Subtotal	50056	43267	37776	0	0
July	7182	11450			
August	6855	10886			
September	8030	8251			
October	9423	14304			
November	5378	8236			
December	9288	7567			
Totals	96212	103961	37776	0	0

Summary
Comparison
Transport
Log

	2013	2014	2015	2016	2017
January	4507	5093	9735	8421	9255
February	4696	5545	5816	9321	11869
March	8652	5737	8367	13085	9314
April	5103	5385	9039	5719	5385
May	5871	7266	6875	9299	7115
June	5736	5787	7437	5961	13013
Subtotal	34565	34813	47269	51806	55951
July	4130	7762	7097	6324	8698
August	8073	8137	9799	7251	10931
September	4582	6815	7076	4941	7150
October	7260	7299	6417	7388	7867
November	5504	7926	9251	9509	10469
December	5792	9869	10015	4691	5587
Totals	69906	82621	96924	91910	106653

Document Service Statistics June 202

Continuing Lien Garnishee Summons; Notice	3
Established Summons & Complaint; Supporting Affidavit	2
Juvenile Petition; Summons; Scheduling Order; Notice of Teleconference Hearing; Juvenile Order for Shelter Care; Order Appointing Guardian Ad Lite; Juvenile Affidavit of Shelter Care Hearing	1
Notice	2
Notice of Motion & Motion; Affidavit; Other; Letter	2
Order	1
Order of Protection	1
Statement of Rights; Other; Notice; DANCO; Established Summons & Complaint; Supporting Affidavit	1
Statement of Rights; Your Privacy Rights; Notice; Summons & Complaint; Supporting Affidavit	1
Subpoena	6
Summons	1
Summons & Complaint	21
Summons; Complaint; Notice of Motion & Motion; Supporting Affidavit	4
Summons; Other; Petition for Dissolution of Marriage	1
Summons; Petition	2
Summons; Petition for Dissolution of Marriage	3
Supporting Affidavit; Other; Notice	1
Amended Order for Protection	1
DANCO	4
Harrassment Restraining Order	1
Order for Dismissal of Order for Protection	2
Order for Hearing	1
Order for Protection	5
Total	<u>67</u>

Paid Services: \$2790.98

No Charge Services: \$763.40

POLK COUNTY SHERIFF'S OFFICE

Sheriff James Tadman

Chief Deputy Mike Norland

600 Bruce Street • P.O. Box 416 • Crookston, MN 56716

218.281.0431 • Fax 218.281.0401

James.Tadman@co.polk.mn.us

www.co.polk.mn.us

CFS By Month and Primary INC Code - PCSO only

Printed on July 1, 2020

Description	Totals	
911 Duplicate Call	2	2
911 Handled by Dispatch	67	67
911 Hang Up	82	82
911 Open Line	9	9
911 Pocket Dial	14	14
Abandoned Vehicle	2	2
Alarm	2	2
Alarm - Residential	3	3
Animal Bite	1	1
Animal Complaint	21	21
Animal Complaint - Mistreatment	3	3
Animal - Lost and Found	1	1
Assault	2	2
Assist Other Agency	37	37
Attempt to Locate	1	1
Boat & Water	12	12
Burglar Alarm - Audible - Business	1	1
Burglar Alarm - Silent - Business	4	4
Burglary	4	4
Child Custody Complaint	3	3
Child Protection Report	8	8
Civil Complaint	9	9
Civil Process	132	132
Conservations - Littering/Wildlife	2	2
Counterfeit - Money or Forgery	2	2
Damage to Property	4	4
Death - Hospice	1	1
Disorderly Conduct	1	1
Domestic Non-Violent	1	1
Domestic Violent	6	6
Drugs	1	1
Emotional Distress	7	7
Fireworks	1	1
Fraud	8	8
FTA Complaint	1	1
FTA Warrant	1	1
Harassment	7	7
Hit & Run	2	2
Info	23	23

Description	Totals	
Intoxicated Subject	2	2
Juvenile Complaint	2	2
Juvenile Offender	2	2
Juvenile - Other	3	3
Medical - Other	1	1
Motorist Assist	25	25
MVA - Boat, ATV or Snowmobile	2	2
MVA - Property Damage	7	7
Neglect of Child	2	2
Noise Complaint	4	4
Open Door - Unsecure Building	1	1
Order Violation - DANCO, OFP, Restraining Order	3	3
Panic Alarm - Audible	1	1
Parking Complaint	1	1
POR Checks	32	32
Possible DUI Vehicle	2	2
Probation Violation	1	1
Property - Lost and Found	4	4
Public Assist	28	28
Public Relations	2	2
Report Not Needed	3	3
Request Extra Patrol	3	3
Runaway	1	1
Search Warrant	1	1
Security Checks	2	2
Shooting	1	1
Sick	1	1
Special Detail	3	3
Stolen Vehicle	1	1
Storm Damage	1	1
Stroke	1	1
Suicide Threats	2	2
Suspicious Activity	16	16
Suspicious Person	4	4
Suspicious Vehicle	6	6
Theft	3	3
Traffic - All Other	8	8
Traffic Complaint	21	21
Traffic Hazard	5	5
Traffic Stop	265	265
Transport - Medical by Officer	1	1
Transport - MN Prison or Jail	2	2
Transport - Other	6	6
Transport - Out of State	3	3
Trespass	4	4
Unattended Death	1	1

Description	Totals	
Unwanted Person	3	3
Vandalism	1	1
Vehicle Complaint	5	5
Vehicle Lock Out	1	1
Violation of Court Order	1	1
Vulnerable Adult	13	13
Warrant	9	9
Welfare Check	16	16
	2	2
Totals	1029	1029



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS
FROM: JON STEINER, ENV. SVS. ADMIN.
MEETING DATE: July 28, 2020
AGENDA ITEM: Resolution (2020-65) Solid Waste Fee – Pandemic Relief

SUMMARY:

1. Polk County uses a Solid Waste Fees to fund solid waste programs for Polk County residents and businesses.
2. This Solid Waste Fee is a special assessment that appears on the Tax Statement.
3. The Solid Waste Fee is a flat fee for residential properties and a volume-based fee for non-residential properties. Non-residential assessments are determined by where they fit in the approved Fee Assessment Schedule.
4. Non-residential Solid Waste Fees are based on hauler-reported volumes which are required to be submitted to the County each year as part of their license to operate in Polk County. The volume reported for the previous year is used to determine the current year assessment. The Non-residential Assessment makes up <40% of the total revenue derived from the Assessment annually.
5. Non-residential changes in volumes which would impact the amount of the Solid Waste Fee are generally reflected in the following years' assessment (so there is a 1 year lag time).
6. The deadline to file for an abatement for a Solid Waste Assessment is July 1st of each year.
7. Due to the Pandemic, the Governor has issued various Peacetime Emergency declarations and Executive Orders under that declaration which have mandated specific businesses close, or operate in a prescribed manner that has reduced their waste volumes.
8. Do to these Declarations and Orders, and the impact to local businesses in Polk County, there has been a desire to provide more immediate relief for those affected businesses, rather than to let the benefit of reduced volume be reflected in the next years Assessment.
9. The Federal government provided funding to States and other local units of government – including Polk County – in the form of CARES Act monies. Some CARES Act funding was distributed directly to Cities by either the Federal or State government. Other programs were created for the express purpose of assisting businesses in paying bills and meeting payroll in the forms of low/no interest loans and grants.
10. Any such any immediate relief from the Assessment requires an extension to the abatement application deadline and a process for how each business should apply and the qualifications for relief due to the other types of relief options available. A Pandemic Relief Resolution to address these issues is provided for consideration or approval.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

1. Action: Approve the referenced Pandemic Relief Resolution (attached) to extend the deadline for CY2020 Solid Waste Fee abatements to be filed, determine criteria for eligibility and modify policy on how to calculate the Assessment due to the Pandemic.

CY 2021 SOLID WASTE FEE ASSESSMENT SCHEDULE OF ASSESSMENT

ASSESSMENT TYPE		ASSESSMENT
COMMON NAME	CODE	AMOUNT
RESIDENTIAL	S-611010-20	\$150
MULTI-RESIDENTIAL	S-611020-20	\$150
2ND RESIDENTIAL	S-612010A-20	\$100
DISABLED	S-613010-20	\$100
MULTI-DISABLED	S-613020-20	\$100
RESIDENTIAL MH	S-611010-20MH	\$150
MINIMUM - SWC-001	S-SWCD010-20	\$180
SWC-002	S-SWCD020-20	\$400
SWC-003	S-SWCD030-20	\$800
SWC-004	S-SWCD040-20	\$1,200
SWC-005	S-SWCD050-20	\$1,700
SWC-006	S-SWCD060-20	\$2,200
SWC-007	S-SWCD070-20	\$2,800
SWC-008	S-SWCD080-20	\$3,300
SWC-009	S-SWCD090-20	\$4,200
SWC-010	S-SWCD100-20	\$4,800
SWC-011	S-SWCD110-20	\$5,500
SWC-012	S-SWCD120-20	\$6,300
SWC-013	S-SWCD130-20	\$7,200
SWC-014	S-SWCD140-20	\$8,000
SWC-015	S-SWCD150-20	\$9,000
SWC-016	S-SWCD160-20	\$10,400
SWC-017	S-SWCD170-20	\$11,800
SWC-018	S-SWCD180-20	\$13,200
SWC-019	S-SWCD190-20	\$14,600
SWC-020	S-SWCD200-20	\$16,500
SWC-021	S-SWCD210-20	\$19,000
SWC-022	S-SWCD220-20	\$22,000
SWC-023	S-SWCD230-20	\$24,500
SWC-024	S-SWCD240-20	\$27,000
SWC-025	S-SWCD250-20	\$29,800
MAXIMUM - SWC-026	S-SWCD260-20	\$33,000

RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

Solid Waste Fee – Pandemic Relief

RESOLUTION (2020-65)

The following Resolution (2020-65) was offered by Commissioner:

WHEREAS, A global pandemic occurred in CY2020 which triggered Federal and State actions which prescribed various measures to be taken to protect public health, welfare and safety; and

WHEREAS, On March 13, 2020 the Governor of the State of Minnesota declared a Peacetime Emergency in order to activate various emergency protocols to address the Pandemic. Multiple extensions to that declaration have since been issued; and

WHEREAS, On March 16, 2020 the Governor of the State of Minnesota issued Executive Order #20-04 to order the closure of ‘places of accommodation’ which included, but not limited to, the following: restaurants, food courts, cafes, coffeehouses, bars, taverns, clubs, lounges, theaters, other indoor/outdoor entertainment venues, gyms, fitness centers, and other facilities for sports, athletics, activities or recreation. Multiple new Orders, as well as modification, extension, expansion or contraction of the scope existing Orders have since been issued; and

WHEREAS, The impact of Executive Order #20-04 and all subsequent Executive Orders had a profound negative impact on ‘places of accommodation’ within Polk County which resulted in the loss of revenue and drop in waste generation from these entities; and

WHEREAS, Polk County Board of Commissioners desires to provide financial relief from the Pandemic and the associated governmental responses to it; and

WHEREAS, Polk County Solid Waste Ordinance Section 5.2000 titled ‘Service Charges’ allows for a Solid Waste Assessment which appear on the Polk County property tax statements each year as a special assessment. Said Assessment is used by Polk County to fund solid waste programs and expenses necessary to protect the public health, safety and environment; and

WHEREAS, Polk County Solid Waste Ordinance Section 5.2600 titled ‘Appeals from Assessment’ allows for the owner of real property or business to file for an appeal of their Assessment on a form provided by the Department if the Assessment is not equitable. Said appeals shall be made prior to the July 1st deadline; and

WHEREAS, The Polk County Board of Commissioners desires to provide the option for immediate relief from the impact of the Pandemic and the associated government responses to it, including the option for said ‘places of accommodation’ to appeal their Assessment.



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS
FROM: JON STEINER, ENV. SVS. ADMIN.
MEETING DATE: July 28, 2020
AGENDA ITEM: CY2021 Waste & Special Material Fee Schedules

SUMMARY:

1. Polk County charges for the disposal, recycling or handling of various types of waste, problem and special materials at their Solid Waste Facilities in Crookston, near Gentilly and Fosston.
2. These fees are put into a Schedule which is used to inform the facility user, the public or for reference by contractors when quoting prices for service.
3. These fees need to be revisited periodically because the rates can and do change over the course of the year. Often times in response to fuel surcharges, environmental fees, etc. These fees are generally based on rates incurred by these facilities by service providers, vendors, or other 3rd party entities, or by the disposal facilities themselves.
4. Some of the fees are set by Polk County based on the value of the service they provide, or the cost incurred to provide them. These tend to be modified in response to increased expenses incurred by the County over time, value of the service provided or regulatory requirements and impacts.
5. Because both public and private entities do budget forecasts, bid projects in advance of when the service would be rendered, or base their fees upon these fees, it is advantageous to set those fees as far in advance as possible.
6. It is also likely that due to these service providers, vendors and other 3rd party own budget planning, we will be notified later of increases, after Polk would adopt its Waste & Special Material Fee Schedules. In such cases, that Fee Schedule would need to be updated.
7. Attached is an updated proposed CY2021 Fee Schedule for Board consideration and action.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

1. Action: Approve the referenced CY2021 Waste & Special Materials Fee Schedule (enclosed) which shall be effective beginning January 1, 2021 unless later modified.

2021 WASTE & SPECIAL MATERIAL FEE SCHEDULE

DEMOLITION DEBRIS DISPOSAL	\$25.00 / ton	+	\$2.00 / ton MN Tax
Spec Demo ADC (pre-approved -5" shred)	\$15.00 / ton	+	\$2.00 / ton MN Tax
Concrete (Clean: no debris & excess rebar)	\$15.00 / ton	+	\$0.00
Concrete (Dirty: accept level of debris/rebar)	\$25.00 / ton	+	\$2.00 / ton tax
Shingles (Clean, no wood/packaging)	\$15.00 / ton	+	\$0.00
ASBESTOS CONTAINING DEBRIS			
Generator Located INSIDE Partner Counties	\$100.00 / ton	+	\$2.00 / ton MN Tax
Generator Located OUTSIDE Partner Counties	\$150.00 / ton	+	\$2.00 / ton MN Tax
COMBUSTOR ASH DISPOSAL (Fosston Incin)	\$1.00 / ton	+	\$0.00 / ton tax
Coal Ash	\$45.00 / ton	+	\$0.00 / ton tax
FINES (Polk RRF Reuse)	\$0.00 / ton	+	\$0.00 / ton tax
(Non-Polk RRF – subject to approval)	\$15.00 / ton	+	\$0.00 / ton tax
PETRO CONTAMINATED SOIL (\$250 per project surcharge)			
Non-thermal treated soil			
Generator INSIDE Partner Counties	\$20.00 / ton	+	\$0.00
Generator OUTSIDE Partner Counties	\$30.00 / ton	+	\$0.00
Thermally treated soil (dried)			
Generator INSIDE Partner Counties	\$30.00 / ton	+	\$0.00
Generator OUTSIDE Partner Counties	\$40.00 / ton	+	\$0.00
Debris contaminated (MSW LF)			
Generator INSIDE Partner Counties	\$75.00 / ton	+	(\$12.75) 17% SWMT
Generator OUTSIDE Partner Counties	\$85.00 / ton	+	(\$14.45) 17% SWMT
YARD WASTE ****			
Leaves/Grass (resident)	\$0.00 / ton	(commercial)	\$20.00 / ton
Branches/Limbs (<4" diameter - <3' length)	\$0.00 / ton	(commercial)	\$30.00 / ton
Large Limbs/Trunks/Logs (>4" diameter)	\$40.00 / ton	(commercial)	\$40.00 / ton
COMPOST MATERIALS			
SSOM (food) ***	\$45.00 / ton	+	\$0.00
Other SSOM Sources (ind/ag/com)***	\$45.00 / ton	+	\$0.00
DRY COMPOST BULKING MATERIAL ***			
Branches/Limbs (<4" diameter - <3' length)	\$20.00 / ton	+	\$0.00
Wood Waste/Pallets (clean, no treated/painted)	\$20.00 / ton	+	\$0.00
Logs/Stumps/Rootballs	\$30.00 / ton	+	\$0.00
APPLIANCES	\$5.00 / each		
ELECTRONICS (TV, COMPUTER, LAPTOP)	\$5.00 / each		
HOUSEHOLD HAZARDOUS WASTE (SELECT HAZ WASTE)			
RESIDENT	\$0.00 / each		
VSQG (if eligible)	Call for Pricing - Based on NWMNHHW Rate Schedules		

TIRES * In Bulk \$225.00 / ton + \$0.00 / ton tax
 Individual (*dependent upon tire size & volume*) \$5.00/ea (car) \$20.00/ea (lrg truck) \$40.00/ea (tractor)

EQUIPMENT RENTAL (*delivery/return/fuel cost responsibility of renter – must provide proof of full value insurance*)

SHREDDER (Komptech Crambo 6000-S)

Wood/Yard/Logs \$250.00 / hr (Partner Co) \$350.00 / hr (Non-partner Co)
Demo Debris (no concrete or heavy metal) \$350.00 / hr (Partner Co) \$450.00 / hr (Non-partner Co)
Other *Subject to evaluation and approval of Polk Co*

TROMMEL SCREEN (Komptech Nemus 2800)

Dirts/Plastic/Woodchips/Shingles \$175 / hr (Partner Co) \$250 / hr (Non-partner Co)

MATERIAL SALES:

Shredded Wood/Shingles/Tires \$20.00 / ton (\$20.00 minimum)

BOX SCRAPER (Frozen or Jammed Loads) \$200.00 / hr (\$100.00 minimum)

SCALE USE (with or without scale ticket printed)

Single weigh on scale \$3.00 / weight
 Weigh in/out on scale \$5.00 / tare & weight

- * No large volumes of truck and/or tractor tires accepted (voids our service contract)
- ** Source must be approved by Polk County and Landfill Engineer (Wenck – 701-297-9600) for meeting site TCLP and other characteristic criteria, and may be limited based upon contractor volume or by Polk County Landfill volume on hand. See Petro Contaminated Soil Acceptance Procedure.
- *** Accepted only at Landfill. Source must be approved by Polk County prior to acceptance, and both acceptance and handling rate shall be determined based on physical characteristic and permit limitations.
- **** Reduced rates if delivered direct to the Compost Site @ Landfill due to reduced handling and shipping costs.



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
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TO: POLK COUNTY BOARD OF COMMISSIONERS
FROM: JON STEINER, ENV. SVS. ADMIN.
MEETING DATE: July 28, 2020
AGENDA ITEM: Solid Waste Program Updates

SUMMARY:

1. General updates on projects and permits for the Transfer Station, Landfill, Resource Recovery Facility.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

1. Information Only: Status Updates & Input.



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS
CHUCK WHITING, POLK COUNTY ADMIN.

FROM: Jacob Snyder - Planning & Zoning Administrator

MEETING DATE: July 28, 2020

AGENDA ITEM: Conditional Use Permit – Minnkota Power (Parcel # 27.00175.00)

SUMMARY:

- 1) Applicant is requesting a Conditional Use Permit (CUP) for the reconstruction, maintenance, and operation of an electrical substation located in Section 27 of Garden Township.
- 2) Applicant is requesting a conditional use permit to reconstruct and relocate an existing substation on a parcel which is 4.59 acres in size. The relocation will move the buildings and substation further off County Highway 10, meeting all setbacks.
- 3) The substation has been located on the site since the 1950's and predates the Polk County Zoning Ordinance. The site is in major need of renovations to provide reliable power to the local area.
- 4) Wild Rice Electric is the power provider for this region, Minnkota Power has a need for improved electric stability and reliability in the surrounding area. The location of the electrical substation has existed on this site with no conflict to neighboring land uses for 70 years.
- 5) Transmission lines have been granted easements across nearby lands to accommodate for this project and the movement of the substation. Also, the property has been surveyed to develop on the 4.59-acre parcel owned by Minnkota Power with the least impact to surrounding land uses.
- 6) No comments have been received on this request and Planning Commission as well as P&Z Staff recommends approval of the Conditional Use Permit request with several conditions.

ACTION REQUESTED: (INFORMATION ONLY/**MOTION**/RESOLUTION)

Resolution to approve/deny the CUP request of Minnkota Power for the reconstruction, maintenance, and operation of an electrical substation with Planning Commission recommendations.

BOARD OF COUNTY COMMISSIONERS

Minnkota Power

27.00175.00

July 28, 2020

APPLICANT REQUEST:

Applicant is requesting a Conditional Use Permit (CUP) for the reconstruction, maintenance, and operation of an electrical substation located in Section 27 of Garden Township.

ZONING ORDINANCE REQUIREMENTS:

12.6200 Public Utility Buildings and structures such as substations not customarily considered industrial in use, are permitted in all zoning districts except that such uses shall require a conditional use permit. Such buildings and structures shall not be less than 50 feet from any lot line and this section shall be considered a variance to permit a lot area less than the minimum required for the district in which such building or structure is located. In order to approve an application for such a conditional use permit the Planning Commission must find that the applicant has shown:

12.6201 That the landscape treatment is in keeping with the neighborhood and provides screening where appropriate.

12.6202 That the installation is secure from the public and does not create a potential public hazard.

12.6203 That the building is of an architectural style in keeping with the neighborhood.

12.6204 That access and parking is adequately provided.

12.6205 That the proposed maintenance program of the building, structure and grounds is in keeping with the neighborhood.

PERTINENT FACTS:

- 1) Applicant is requesting a conditional use permit to reconstruct and relocate an existing substation on a parcel which is 4.59 acres in size. The relocation will move the buildings and substation further off County Highway 10, meeting all setbacks.
- 2) The substation has been located on the site since the 1950's and predates the Polk County Zoning Ordinance. The site is in major need of renovations to provide reliable power to the local area.

- 3) Wild Rice Electric is the power provider for this region, Minnkota Power has a need for improved electric stability and reliability in the surrounding area. The location of the electrical substation has existed on this site with no conflict to neighboring land uses for 70 years.
- 4) Transmission lines have been granted easements across nearby lands to accommodate for this project and the movement of the substation. Also, the property has been surveyed to develop on the 4.59-acre parcel owned by Minnkota Power with the least impact to surrounding land uses.

COMMENTS RECEIVED:

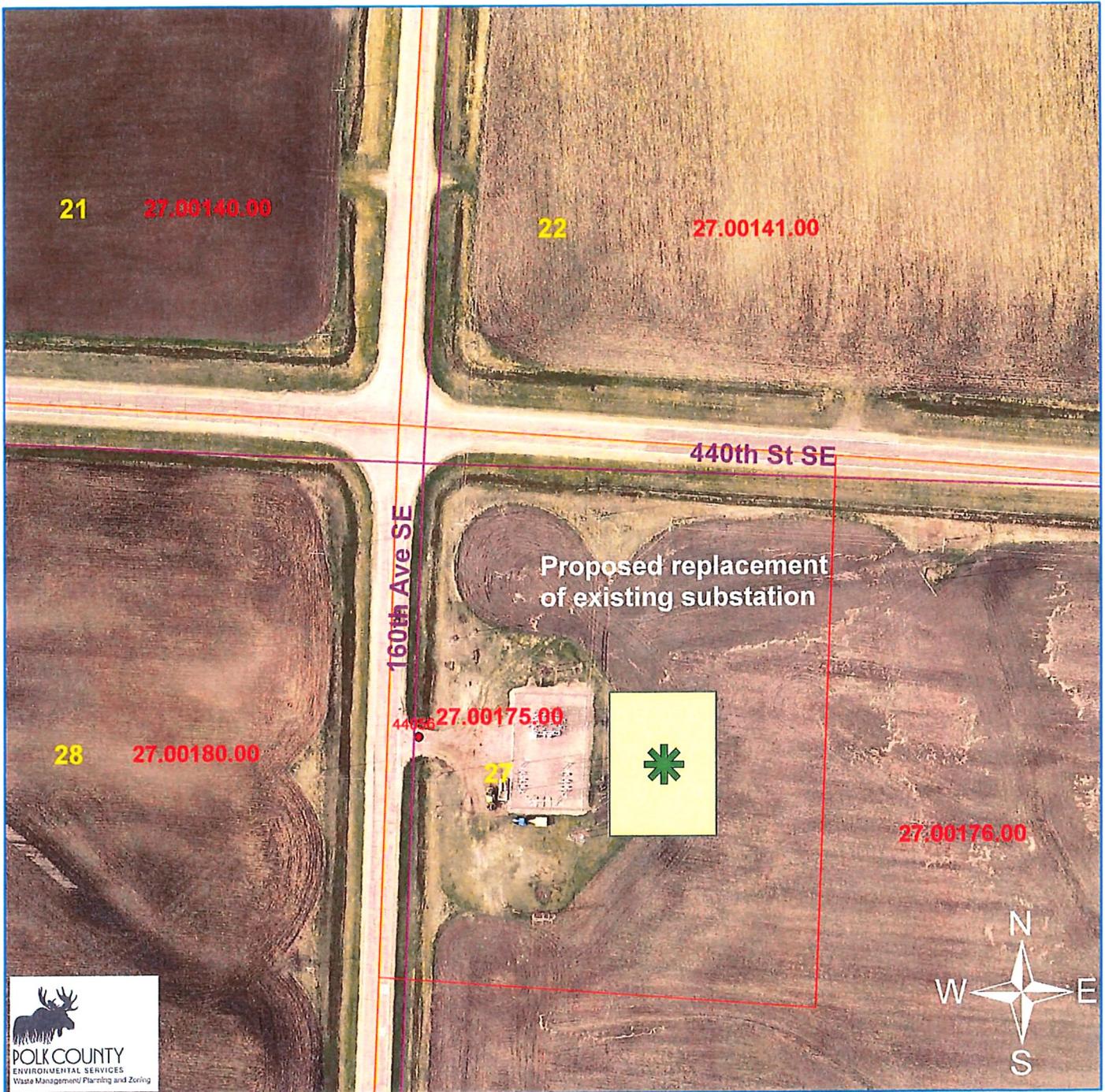
- 1) No comments were received on this request.

PLANNING COMMISSION & STAFF RECOMMENDATION:

PC & Staff recommends approval of the CUP request with the following conditions;

- 1) The conditional use permit shall become void one year after it was granted unless used.
- 2) That the installation is secure from the public and does not create a potential public hazard.
- 3) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.
- 4) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
- 5) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- 6) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
- 7) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- 8) That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.

***Note: Public hearing was July 24th any changes to the conditions or recommendations will be addressed during Commissioner meeting.**



Legend

-  E911_Road
-  Polk_GIS.DBO.Parcels
-  Sections
-  Indicates Project Location

*NOTE: Proposed Project is in the Agricultural Zoning District

Conditional Use Permit Request (Parcel #27.00175.00); Applicant is requesting a CUP to replace an existing electrical substation located in the Agricultural District Section 27 of Garden Township.

Map Created 7/7/2020
 By: Jacob Snyder
 Planning & Zoning Admin.





RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

**Conditional Use Permit For Minnkota Power Cooperative Inc.
For Reconstruction, Maintenance And
Operation Of An Electrical Substation**

RESOLUTION (2020-66)

The following resolution (2020-66) was offered by Commissioner:

WHEREAS, Polk County Zoning Ordinance, Section 12.6200 allows for public utility buildings and structures in the Agricultural District; and

WHEREAS, Minnkota Power Cooperative Inc. owns land described as: : A parcel of land in the NW ¼ of the NW ¼ of Section 27, Township 147, Range 43; beginning at the northwest corner of said section 27; thence east along the north section line for 400 feet; thence south and parallel with the west section line for 500 feet; thence west and parallel with the north section line for 400 feet; thence north along the west section line for 500 feet to the point of beginning, parcel #27.00175.00;

WHEREAS, Minnkota Power Cooperative Inc. plan meets all requirements of the Polk County Zoning Ordinances; and

WHEREAS, The Polk County Board of Commissioners finds:

1. The applicant is requesting a Conditional Use Permit to reconstruct an existing substation on a parcel which is 4.59 acres in size. The relocation will move the buildings and substation further off County Highway 10, meeting all setbacks.
2. The substation has been located on the site since the 1950's and predates the Polk County Zoning Ordinance. The site is in major need of renovations to provide reliable power to the local area.
3. Wild Rice Electric is the power provider for this region. Minnkota Power has a need for improved electric stability and reliability in the surrounding area. The location of the electrical substation has existing on this site with no conflict to neighboring land uses for 70 years.
4. Transmission lines have been granted easements across nearby lands to accommodate for this project and the movement of the substation. Also, the property has been surveyed to develop on the 4.59-acre parcel owed by Minnkota Power with the least impact to surrounding land uses.
5. The proposed use is a conditional use expressly designated in the ordinance;

and,

6. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.
7. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
8. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
9. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
10. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners grants a conditional use permit to Minnkota Power Cooperative Inc. with the following conditions:

1. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.
2. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS
CHUCK WHITING, POLK COUNTY ADMIN.

FROM: Jacob Snyder - Planning & Zoning Administrator

MEETING DATE: July 28, 2020

AGENDA ITEM: Conditional Use Permit –Jonathan Olson (Parcel#45.00230.01)

SUMMARY:

- 1) Applicant is requesting a Conditional Use Permit (CUP) to hook a new septic system to a new accessory structure on a riparian lot on Union Lake.
- 2) Applicant owns a riparian lot on Union Lake along East Union Drive located in section 30 of Knute Township.
- 3) The total riparian lot (frontlot) size is 58,806 square feet in size. The applicant has a lake home and attached garage located on the parcel.
- 4) The applicants request is to hook a new holding tank to a new 30' x 80' accessory structure. Our office currently has not received a septic design for the planned holding tank but this will be required prior to issuing the permit.
- 5) The applicant plans to have a total footprint of 30' x 80' building that includes an 8' x 30' covered entry. The building will be 30' x 72' in functional space and the new shed was flagged to meet all applicable setbacks.
- 6) The applicant stated on their application that the septic would service a bathroom and wet bar planned to be located in the shed. He added that no living quarters would be in the shed.
- 7) The property was surveyed in 2011 and so the property lines are known and all projects will meet applicable setbacks.
- 8) The applicant's riparian lot is fairly deep so the applicant is able to locate the accessory structure 300 feet plus away from the Ordinary High-Water Level (OHWL) of Union Lake. This is the distance needed to build an accessory structure larger than 800 sq. ft. but not to exceed 2,400 sq.ft. in max size.
- 9) Including the proposed building the impervious coverage on the parcel would be approx. 15% impervious coverage. The PCZO allows a maximum coverage of 25% for all parcels. The planned septic system will not add anymore impervious coverage for the lot.
- 10) The applicant will be required to complete and record a no guesthouse waiver before the land use permit is issued for this request.
- 11) No comments were received and Planning Commission as well as P&Z Staff recommends approval of the Conditional Use Permit request with several conditions.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

Resolution to approve/deny the CUP request of Jonathan Olson to connect a septic system to an accessory structure with Planning Commission recommendations.

BOARD OF COUNTY COMMISSIONERS

Jonathan Olson

#45.00230.01

July 28, 2020

APPLICANT REQUEST:

Applicant is requesting a Conditional Use Permit (CUP) to hook a new septic system to a new accessory structure on a riparian lot on Union Lake.

ZONING ORDINANCE REQUIREMENTS:

PCZO 18.2225 E states: No septic systems installed for use in an accessory structure without a CUP.

PERTINENT FACTS:

- 1) Applicant owns a riparian lot on Union Lake along East Union Drive located in section 30 of Knute Township.
- 2) The total riparian lot (frontlot) size is 58,806 square feet in size. The applicant has a lake home and attached garage located on the parcel.
- 3) The applicants request is to hook a new holding tank to a new 30' x 80' accessory structure. Our office currently has not received a septic design for the planned holding tank but this will be required prior to issuing the permit.
- 4) The applicant plans to have a total footprint of 30' x 80' building that includes an 8' x 30' covered entry. The building will be 30' x 72' in functional space and the new shed was flagged to meet all applicable setbacks.
- 5) The applicant stated on their application that the septic would service a bathroom and wet bar planned to be located in the shed. He added that no living quarters would be in the shed.
- 6) The property was surveyed in 2011 and so the property lines are known and all projects will meet applicable setbacks.
- 7) The applicant's riparian lot is fairly deep so the applicant is able to locate the accessory structure 300 feet plus away from the Ordinary High-Water Level (OHWL) of Union Lake. This is the distance needed to build an accessory structure larger than 800 sq. ft. but not to exceed 2,400 sq.ft. in max size.
- 8) Including the proposed building the impervious coverage on the parcel would be approx. 15% impervious coverage. The PCZO allows a maximum

coverage of 25% for all parcels. The planned septic system will not add anymore impervious coverage for the lot.

- 9) The applicant will be required to complete and record a no guesthouse waiver before the land use permit is issued for this request.

COMMENTS RECEIVED:

Stephanie Klamm DNR Area Hydrologist stated that the primary reason for shore land controls is to protect water quality by retaining vegetation and riparian habitat. Shore land regulations seek to minimize erosion and sedimentation into public waters by limiting density and impervious surfaces. She adds if the County approves this application, the DNR would recommend the following conditions;

- 1.) No living/sleeping quarters or kitchen facilities shall be added to the accessory structure in the future.
- 2.) The accessory structure at 2,400 sq.ft. needs to be setback 300 feet from the OHWL of Union Lake or reduced in size to meet all the setback requirements of the Polk County Shore land Ordinance.
- 3.) The accessory structure meets the height restrictions for riparian parcels.
- 4.) Future buildings on the parcel meet all setbacks, height restrictions and impervious surface coverage of 25%, this may mean that future projects only allow pervious pavers.
- 5.) Vegetative screening between the structure and the OHWL is established satisfactory of the Polk County Planning and Zoning Office.
- 6.) Any bare ground be planted with perennial vegetation, preferably natural vegetation.

PLANNING COMMISSIONER & STAFF RECOMMENDATION:

PC & Staff recommends approval of the CUP with the following conditions:

- 1) No guest house uses – applicant shall have furnished evidence of having recorded the signed guest house waiver with the property deed before the building permit is issued.
- 2) The conditional use permit shall become void one year after it was granted unless used.
- 3) No future development shall be allowed on the lot that would exceed the 25% impervious surface requirement. (This shall include sidewalks, patios, pavers, etc.)
- 4) Applicant shall submit an approved septic design prior to issuance of the building/septic land use permit.

- 5) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.
- 6) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
- 7) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- 8) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
- 9) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- 10) That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.

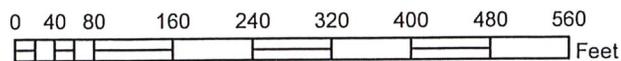
***Note: Public hearing was July 24, any changed to the recommendations or conditions will be addressed in the Commissioner meeting.**



Legend

- E911_Road
- Polk_GIS.DBO.Parcels
- Sections
- ★ Indicates Property Location

*NOTE: Proposed Project is within the Shoreland Zoning District (<1000 form Union Lake)



Conditional Use Permit Request (Parcel #45.00230.01); Applicant is requesting a CUP to connect an accessory building to a septic system on a riparian parcel located at Union Lake. Applicant stated the building is for storage with a bar and bathroom located in it. Also, he noted that it will not have living space in the building.

Map Created 7/7/2020
 By: Jacob Snyder
 Planning & Zoning Admin.









RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

**Conditional Use Permit For Jonathan Olson
For Hooking A Septic System To An Accessory Structure**

RESOLUTION (2020-67)

The following resolution (2020-67) was offered by Commissioner:

WHEREAS, Polk County Zoning Ordinance, Section 18.225 E allows for an accessory structure to be hooked to a septic system in the Shore Land District; and

WHEREAS, Jonathan Olson owns land described as: That part of Gov. Lot 8, Sec. 30, Twp. 148 N., R. 42 W., Polk County, Minnesota described as follows: Commencing at the northeast corner of Lot 1, Block 1, Assen's Subdivision, the same being a point on the south line of said Gov. Lot 8; thence North 88 degrees 38'18" East, assumed bearing, along said south line, a distance of 57.66 feet, more or less, to the point of beginning the same being a point at the intersection of a line described as "Line A" in Document No. 608667 as filed in said office of the County Recorder and said south line of Gov. Lot 8; thence North 36 degrees 14'03" West, along said described "Line A", a distance of 187.07 feet; thence South 87 degrees 56'34" West 348.00 feet; thence South 45 degrees 52'11" West 56 feet, more or less, to the shoreline of Union Lake; thence Southeasterly along said shoreline a distance of 150 feet, more or less, to said south line of Gov. Lot 8; thence North 88 degrees 38'18" East, along said south line, a distance of 395 feet, more or less, to the point of beginning, parcel #45.00230.01;

WHEREAS, Jonathan Olson's plan meets all requirements of the Polk County Zoning Ordinances; and

WHEREAS, The Polk County Board of Commissioners finds:

1. The applicant owns a riparian lot on Union Lake along East Union Drive located in Section 30 of Knute Township.
2. The total riparian lot (frontlot) size is 58,806 square feet in size. The applicant has a lake home and attached garage located on the parcel.
3. The applicants request is to hook a new holding tank to a new 30' x 80' accessory structure. Our office currently has not received a septic design for the planned holding tank but this will be required prior to issuing the permit.
4. The applicant plans to have a total footprint of 30' x 80' building that includes an 8'x 30' covered entry. The building will be 30' x 72' in functional space and the new shed was flagged to meet all applicable

setbacks.

5. The applicant stated on their application that the septic would service a bathroom and wet bar planned to be located in the shed. He added that no living quarters would be in the shed.
6. The property was surveyed in 2011 and so the property lines are known and all projects will meet applicable setbacks.
7. The applicant's riparian lot is fairly deep so the applicant is able to locate the accessory structure 300 feet plus away from the Ordinary High Water Level (OHWL) of Union Lake. This is the distance needed to build an accessory structure larger than 800 sq. ft. but not to exceed 2,400 sq. ft. in max. size.
8. Including the proposed building, the impervious coverage on the parcel would be approximately 15% impervious coverage. The PCZO allows a maximum coverage of 25% for all parcels. The planned septic system will not add anymore impervious coverage for the lot.
9. The applicant will be required to complete and record a no guesthouse waiver before the land use permit is issued for this request.
10. The applicant will be required to complete and record a no guesthouse waiver before the land use permit is issued for this request.
11. Stephanie Klamm, MN DNR, stated that if the county approves the request they would recommend the following conditions:
 - a. No living/sleeping quarters or kitchen facilities shall be added to the accessory structure in the future.
 - b. The accessory structure at 2,400 sq. ft. needs to be setback 300 feet from the OHWL of Union Lake or reduced in size to meet all the setback requirements of the Polk County Shore Land Ordinance.
 - c. The accessory structure meets the height restrictions for riparian parcels.
 - d. Future buildings on the parcel meet all setbacks, height restrictions and impervious surface coverage of 25%, this may mean that future projects only allow pervious pavers.
 - e. Vegetative screening between the structure and the OHWL is established satisfactory of the Polk County Planning and Zoning Office.
 - f. Any bare ground be planted with perennial vegetation, preferably natural vegetation.
12. The proposed use is a conditional use expressly designated in the ordinance; and,

13. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.
14. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
15. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
16. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
17. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners grants a conditional use permit to Jonathan Olson with the following conditions:

1. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.
2. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
6. That the use of the property shall at all times be in compliance with all federal, State of Minnesota, and County of Polk rules and regulations.



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS
CHUCK WHITING, POLK COUNTY ADMIN.

FROM: Jacob Snyder - Planning & Zoning Administrator

MEETING DATE: July 28, 2020

AGENDA ITEM: Conditional Use Permit –Jay Holm (Parcel #40.00172.03)

SUMMARY:

- 1) Applicant is requesting a Conditional Use Permit (CUP) to construct a new 40' x 60' (2400 sq. ft.) accessory structure, which will bring the total accessory structure square footage on the property to over 2,500 sq. ft. on a 2.72-acre parcel located in the Agricultural zoning district of Huntsville Township.
- 2) The applicant owns a 2.72-acre parcel of land in the Agricultural Zoning District in Section 19 of Huntsville Township.
- 3) The property is located in the agricultural zoning district and currently there is a home with an existing 40' x 60' (2,400 sq. ft.) accessory structure.
- 4) The applicant would like to construct an additional 40' x 60' (2,400 sq. ft.) bringing the total accessory structures to 4,800 sq.ft. The proposed building will be a storage building on his property for personal use and plans to meet all applicable County setbacks.
- 5) There is an existing manmade dike system surrounding this site for the City of East Grand Forks Levee system.
- 6) The applicant has attempted to acquire more property surrounding his parcel but the City of East Grand Forks is unwilling to sell property most likely due to it being a clay borrow pit for dike construction after the 1997 flood control construction. Lands that were paid for with federal funding for levee projects have strict rules for end of life uses.
- 7) Comment received Huntsville Township received a comment that the neighboring property owner stated that the septic system has had an issue for quite some time and that they feel that this should be mentioned/addressed during the meeting. They added the neighbor had no issues with the building but would like the septic issue fixed.
- 8) Planning Commission as well as P&Z Staff recommends approval of the Conditional Use Permit request with several conditions.

ACTION REQUESTED: (INFORMATION ONLY/**MOTION**/RESOLUTION)

Resolution to approve/deny the CUP request of Jay Holm to construct an accessory structure (40' x 60') for personal storage with Planning Commission recommendations.

BOARD OF COUNTY COMMISSIONERS

Jay Holm
Parcel # 40.00172.03
July 28, 2020

APPLICANT REQUEST:

Applicant is requesting a Conditional Use Permit (CUP) to construct a new 40' x 60' (2400 sq. ft.) accessory structure, which will bring the total accessory structure square footage on the property to over 2,500 sq. ft. on a 2.72-acre parcel located in the Agricultural zoning district of Huntsville Township.

ZONING ORDINANCE REQUIREMENTS:

1. PCZO 13.4220: On parcels larger than two acres up to and including five acres, the maximum size for an accessory structure shall be 2500 sq.ft. Two or more accessory structures having a combined total of 2500 sq. ft. are permitted. Additions to existing accessory structures will be permitted only in cases where the total square footage after the addition will not exceed 2500 sq.ft.
2. PCZO 13.4240: All accessory structures constructed under this section must meet the following criteria:
 - 13.4241: Location shall be in accordance with 13.8000.
 - 13.4242: The structure shall be used only by the occupant(s) of the residence. The structures may be used for: Storage of household goods, recreational vehicles and equipment, personal vehicles, maintenance and repair of personal vehicles and equipment, a shop or similar activity, keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this ordinance.
3. PCZO 13.7000 states: **CONDITIONAL USES.** Land in the agricultural district shall be used for any of the following purposes only upon the issuance of a Conditional Use Permit.

13.7001 Non-Agricultural Accessory structures:

- a.) **Accessory structures of over 2,500 sq. ft. on parcels greater than two acres and less than five acres.**

PERTINENT FACTS:

- 1) The applicant owns a 2.72-acre parcel of land in the Agricultural Zoning District in Section 19 of Huntsville Township.

- 2) The property is located in the agricultural zoning district and currently there is a home with an existing 40' x 60' (2,400 sq. ft.) accessory structure.
- 3) The applicant would like to construct an additional 40' x 60' (2,400 sq. ft.) bringing the total accessory structures to 4,800 sq.ft. The proposed building will be a storage building on his property for personal use and plans to meet all applicable County setbacks.
- 4) There is an existing manmade dike system surrounding this site for the City of East Grand Forks Levee system.
- 5) The applicant has attempted to acquire more property surrounding his parcel but the City of East Grand Forks is unwilling to sell property most likely due to it being a clay borrow pit for dike construction after the 1997 flood control construction. Lands that were paid for with federal funding for levee projects have strict rules for end of life uses.

COMMENTS RECEIVED:

- 1) Huntsville Township received a comment that the neighboring property owner stated that the septic system has had an issue for quite some time and that they feel that this should be mentioned/addressed during the meeting. They added the neighbor had no issues with the building but would like the septic issue fixed.

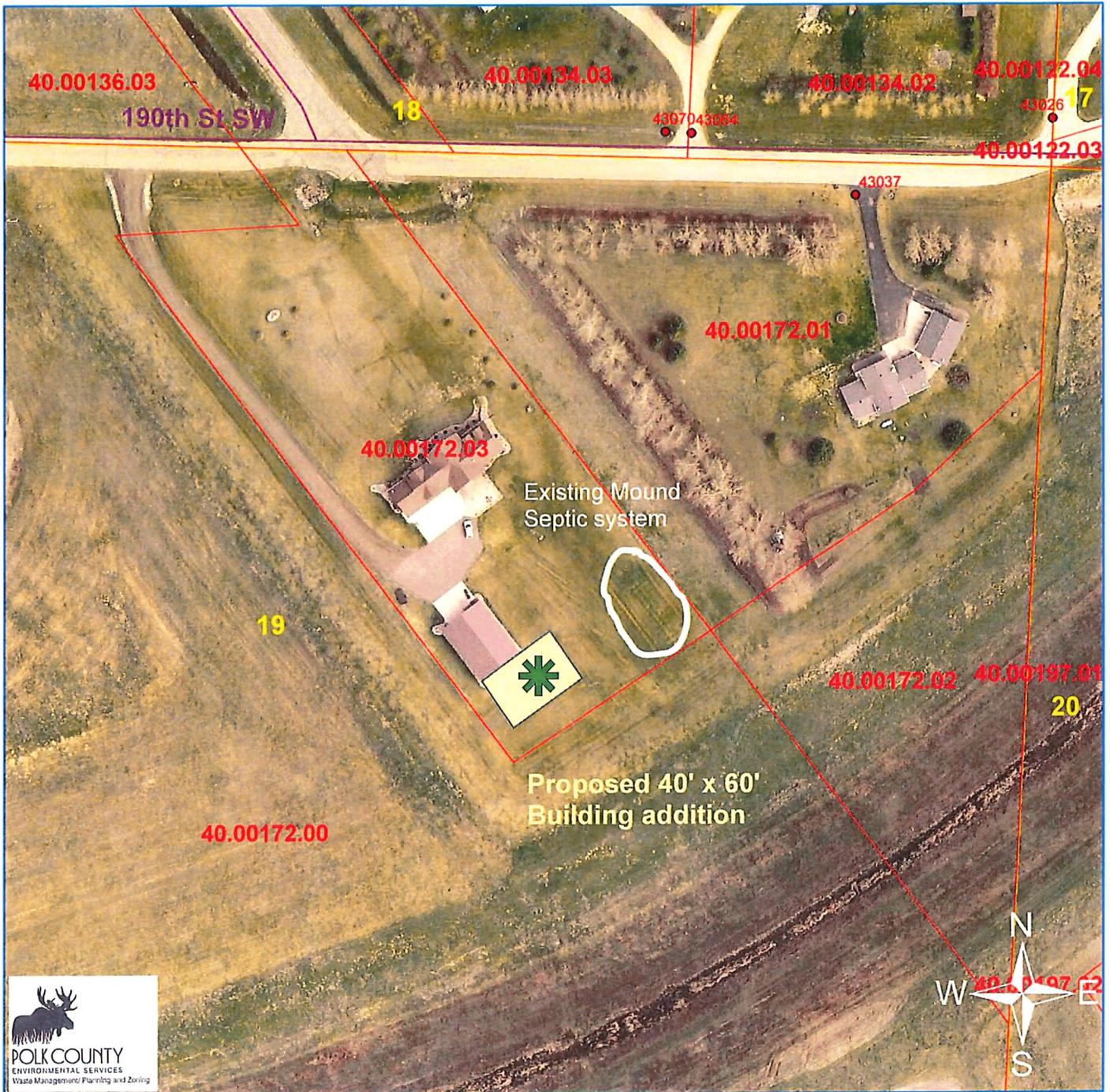
PLANNING COMMISSION & STAFF RECOMMENDATIONS:

PC & Staff recommends approval of the CUP with the following conditions:

- 1) Huntsville Township official must sign off on the application prior to issuance of the Land use zoning permit.
- 2) The structure shall be used only by the occupant(s) of the residence. The structures may be used for: Storage of household goods, recreational vehicles and equipment, personal vehicles, maintenance and repair of personal vehicles and equipment, a shop or similar activity, keeping of animals and accessory equipment and supplies, and as otherwise regulated by the Polk County zoning ordinance.
- 3) The septic system serving the dwelling for the site must be evaluated by a septic professional to fix any issues with the current mound septic system prior to the land use permit being issued.
- 4) The conditional use permit shall become void one year after it was granted unless used.

- 5) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.
- 6) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
- 7) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- 8) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
- 9) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.
- 10) That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.

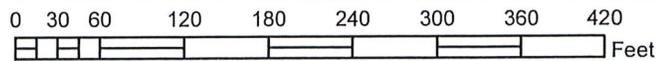
***Note: Public Hearing is July 24 any changes to the recommendations or conditions will be addressed during the Commissioner meeting.**



Legend

-  E911_Road
-  Polk_GIS.DBO.Parcels
-  Sections
-  Indicates Project Location

*NOTE: Proposed Project is in the Agricultural Zoning District



Conditional Use Permit Request (Parcel #40.00172.03); Applicant is requesting a CUP to exceed 2500 sq ft for an accessory building on a parcel of land over 2 acres but less than 5 acres in the Agricultural District.

Map Created 7/7/2020
By: Jacob Snyder
Planning & Zoning Admin.



180415

NO
BICYCLING
ON
COURSE









RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

Conditional Use Permit For Jay Holm
An Accessory Structure That Bring The Total
Square Footage Over 2500 Sq. Ft. On A Parcel Less
Than 5 Acres In Size, But Greater Than 2

RESOLUTION (2020-68)

The following resolution (2020-68) was offered by Commissioner:

WHEREAS, Polk County Zoning Ordinance, Section 13.7000 allows for accessory structures over 2,500 sq. ft. in the Agricultural District; and

WHEREAS, Jay Holm owns land described as: That part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 19, Twp. 151 N., R. 49 W., lying southwesterly of the centerline of an abandoned portion of Polk County Highway Number 72, Polk County, Minnesota, described as follows: Commencing at the northeast corner of said Sec. 19; thence westerly along the north line of said Sec. 19 having a grid bearing of south 85°57'43" West a distance of 634.98 feet to said centerline and the point of beginning; thence South 42°45'49" East along said centerline a distance of 537.68 feet, thence South 50°54'47" West a distance of 213.30 feet, thence North 42°45' West a distance of 594.13 feet, thence North 81°32'09" East a distance of 166.85 feet to the southwesterly right of way of said Highway Number 72; thence North 42°45'49" West along said right of way a distance of 84.04 feet to the north line of said Section 19; thence easterly along said north line North 85°57'43" East a distance of 96.13 feet to the point of beginning, containing 2.72 acres, more or less, parcel #40.00172.03;

WHEREAS, Jay Holm's plan meets all requirements of the Polk County Zoning Ordinances; and

WHEREAS, The Polk County Board of Commissioners finds:

1. The applicant owns a 2.72 acres parcel of land in the Agricultural Zoning District in Section 19 of Huntsville Township.
2. The property is located in the agricultural district and currently there is a home with an existing 40' x 60' (2,400 sq. ft.) accessory structure.
3. The applicant would like to construct an additional 40' x 60' (2,400 sq. ft.) bringing the total accessory structures to 4,800 sq. ft.. The proposed building will be a storage building on his property for personal use and plans to meet all applicable County setbacks.
4. There is an existing manmade dike system surround this site for the City of East Grand Forks levee system.

5. The applicant has attempted to acquire more property surrounding his parcel but the City of East Grand Forks is unwilling to sell property most likely due to it being a clay borrow pit for dike construction after the 1997 flood control construction. Lands that were paid for with federal funding for levee projects have strict rules for end of life uses.
6. Huntsville Township received a comment for the neighbor that the septic system on Holm's property has had an issue for quite some time and that they feel that this should be mentioned/addressed during the meeting. The neighbor has no issues with the building request.
7. The proposed use is a conditional use expressly designated in the ordinance; and,
8. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.
9. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
10. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
11. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners grants a conditional use permit to Jay Holm with the following conditions:

1. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.
2. That the establishment of the conditional use will not impede the normal

WITNESS my hand and Official Seal of Polk County at Crookston, Minnesota this 28th day of July 2020.

Charles S. Whiting
County Administrator
Clerk of the Board



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

FROM: Richard Sanders, County Engineer

MEETING DATE: 07-28-2020

AGENDA ITEM: Certificate of Performance/Final Acceptance SP 060-090-003
Fosston Bike Trail

SUMMARY:

1. Gordon Construction of Mahnomen, Inc has completed the work on the Fosston Bike Trail project.
2. Original Contract Amount was \$205,344.00
3. Final Contract Amount is \$213,068.50

ACTION REQUESTED:

Motion by _____ Seconded by _____ to approve the Certificate of Performance/Certificate of Final Acceptance for SP 060-090-003 and allow the County Engineer to sign the Certificate of Performances and the County Engineer and County Administrator to sign the Final Voucher.



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

FROM: Richard Sanders, County Engineer

MEETING DATE: 07-28-2020

AGENDA ITEM: Mower Tractor Purchase

SUMMARY:

1. As part of the 2020 budget, 1 mower tractor was to be purchased.
2. Attached is the abstract for the mower tractor quotes
3. Lowest responsible quote is Valley Plains Equipment at \$147,000

ACTION REQUESTED:

Motion by _____ Seconded by _____ to approve the purchasing 1 mower tractor from Valley Plains Equipment at a cost of \$147,000.

(1) MFWD TRACTOR - NO TRADE IN				
ITEM-DESCRIPTION	REQUIRED SPECS	VALLEY PLAINS EQUIPMENT	IRONHIDE EQUIPMENT	TITIAN MACHINERY CROOKSTON
MAKE		JOHN DEERE	MASSEY FURGESON	CASE IH
MODEL		6145R	7715S	PUMA 150CVT
PRICE PER UNIT		\$147,000.00	\$149,000.00	\$167,316.10
LESS TRADE INS - N/A		(Reduced by \$9500.00 - currently renting)	N/A	N/A
TOTAL PRICE		\$137,500.00	\$149,000.00	\$167,316.10
HYD. SYSTEM FLOW	30 GPM	COMPLIANT	NON-COMPLIANT	COMPLIANT
ENGINE (DIESEL)	6CYL. 145 ENGINE HP & 110 PTO	COMPLIANT	COMPLIANT	COMPLIANT
PTO	540/1000 RPM	COMPLIANT	COMPLIANT	COMPLIANT
TRANSMISSION	INFINITE VARIABLE & LEFT HAND HYD SHUTTLE SHIFT	COMPLIANT	COMPLIANT	COMPLIANT
DELIVERY DATE		6 MONTHS	6 MONTHS	6 MONTHS
WARRANTY		2 YR	2YR	2 YR
SERVICE/PARTS CENTER		VALLEY EQUIPMENT CROOKSTON, MN	IRONHIDE EQUIPMENT BEMIDJI, MN	TITAN MACH. CROOKSTON, MN
RECOMMENDATION		EA		

CONSIDERATIONS

- Warranties
- Delivery Date
- Parts & Service Availability



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

FROM: Richard Sanders, County Engineer

MEETING DATE: 07-28-2020

AGENDA ITEM: Approve MNDOT Agreement 1044384

Approve Resolution (2020-63) MnDOT Agreement No.
1044384 With The State Of Minnesota - Department Of
Transportation

SUMMARY:

1. MNDOT is doing work along TH 2 near Mentor, MN.
2. As part of the project they will need to remove and replace our intersection light at the corner of TH 2 and CSAH 10
3. This agreement allows them to do the work and for Polk County to pay for the work.

ACTION REQUESTED:

A motion was made by Commissioner seconded by Commissioner to approve MNDOT Agreement 1044384 and have the County Administrator and County Board Chair sign the agreement.

Approve Resolution (2020-63) MnDOT Agreement No. 1044384 With The State Of Minnesota - Department Of Transportation

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
And
POLK COUNTY
COOPERATIVE CONSTRUCTION
AGREEMENT**

State Project Number (S.P.):	<u>6004-26</u>	Estimated Amount Receivable
Trunk Highway Number (T.H.):	<u>2=008</u>	<u>\$11,943.18</u>
State Project Number (S.P.):	<u>6003-35</u>	
State Project Number (S.P.):	<u>6005-75</u>	
Lighting System Feed Point No.:	<u>County</u>	

This Agreement is between the State of Minnesota, acting through its Commissioner of Transportation ("State") and Polk County acting through its Board of Commissioners ("County").

Recitals

1. The State will perform grading, concrete pavement, R-Cut, lighting, and Bridge No. 91262 construction and other associated construction upon, along, and adjacent to Trunk Highway No. 2 (E.B.L.) from 0.84 miles west of Trunk Highway No. 32 to 0.39 miles west of County State Aid Highway (C.S.A.H.) No. 34 and on Trunk Highway No. 2 (E.B.L.) from 0.49 miles east of Trunk Highway No. 59 to 1.04 miles east of Trunk Highway No. 59 according to State-prepared plans, specifications, and special provisions designated by the State as State Project No. 6005-75, No. 6003-35, and No. 6004-26 (T.H. 2=008) ("Project"); and
2. The County has been requested by the State to participate in County-owned lighting replacement construction; and
3. The County wishes to participate in the costs of the County-owned lighting replacement construction and associated construction engineering; and
4. Minnesota Statutes § 161.45, subdivision 2, allows for County-owned utility relocation to be included in a State construction contract, and payment by the County for such relocation according to applicable statutes and rules for utilities on trunk highways; and
5. Minnesota Statutes § 161.20, subdivision 2 authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining, and improving the trunk highway system.

Agreement

1. Term of Agreement; Survival of Terms; Plans; Incorporation of Exhibits

- 1.1. **Effective Date.** This Agreement will be effective on the date the State obtains all signatures required by Minnesota Statutes § 16C.05, subdivision 2.
- 1.2. **Expiration Date.** This Agreement will expire when all obligations have been satisfactorily fulfilled.
- 1.3. **Survival of Terms.** All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration or termination of this Agreement,

including, without limitation, the following clauses: 3. Maintenance by the County; 8. Liability; Worker Compensation Claims; 10. State Audits; 11. Government Data Practices; 12. Governing Law; Jurisdiction; Venue; and 14. Force Majeure.

- 1.4. *Plans, Specifications, and Special Provisions.*** Plans, specifications and special provisions designated by the State as State Project No. 6005-75, No. 6003-35, and No. 6004-26 (T.H. 2=008) are on file in the office of the Commissioner of Transportation at St. Paul, Minnesota, and incorporated into this Agreement by reference ("Project Plans").
- 1.5. *Exhibits.*** Preliminary Schedule "I" is on file in the office of the County Engineer and attached and incorporated into this Agreement.

2. Construction by the State

2.1. *Contract Award.* The State will advertise for bids and award a construction contract to the lowest responsible bidder according to the Project Plans.

2.2. *Direction, Supervision, and Inspection of Construction.*

- A. *Supervision and Inspection by the State.*** The State will direct and supervise all construction activities performed under the construction contract, and perform all construction engineering and inspection functions in connection with the contract construction. All contract construction will be performed according to the Project Plans.
- B. *Inspection by the County.*** The County participation construction covered under this Agreement will be open to inspection by the County. If the County believes the County participation construction covered under this Agreement has not been properly performed or that the construction is defective, the County will inform the State District Engineer's authorized representative in writing of those defects. Any recommendations made by the County are not binding on the State. The State will have the exclusive right to determine whether the State's contractor has satisfactorily performed the County participation construction covered under this Agreement.

2.3. *Plan Changes, Additional Construction, Etc.*

- A.** The State will make changes in the Project Plans and contract construction, which may include the County participation construction covered under this Agreement, and will enter into any necessary addenda and change orders with the State's contractor that are necessary to cause the contract construction to be performed and completed in a satisfactory manner. The State District Engineer's authorized representative will inform the appropriate County official of any proposed addenda and change orders to the construction contract that will affect the County participation construction covered under this Agreement.
- B.** The County may request additional work or changes to the work in the plans as part of the construction contract. Such request will be made by an exchange of letter(s) with the State. If the State determines that the requested additional work or plan changes are necessary or desirable and can be accommodated without undue disruption to the project, the State will cause the additional work or plan changes to be made.

2.4. *Satisfactory Completion of Contract.* The State will perform all other acts and functions necessary to cause the construction contract to be completed in a satisfactory manner.

3. Maintenance by the County

Upon completion of the project, the County will provide the following without cost or expense to the State:

- 3.1. Lighting.** Maintenance and ownership of T.H. 2 lighting facilities construction at County Road 12 and C.S.A.H. 10. Maintenance of electrical lighting systems includes everything within the system, from the point of attachment to the power source or utility, to the last light on the feed point, including but not limited to re-lamping of lighting units or replacing of LED luminaires, repair or replacement of all damaged luminaire glassware, loose connections, luminaires when damaged or when ballasts fail, photoelectric control on luminaires, defective starter boards or drivers, damaged fuse holders, blown fuses, knocked down poles including wiring within the poles, damaged poles, pullboxes, underground wire, damaged foundations, equipment pad, installation of approved splices or replacement of wires, repair or extending of conduit, lighting cabinet maintenance including photoelectric cell, electrical distribution system, Gopher State One Call (GSOC) locates, and painting of poles and other equipment. The County will be responsible for the hook up cost and application to secure an adequate power supply to the service pad or pole and will pay all monthly electrical service expenses necessary to operate the lighting facility.
- 3.2. Additional Drainage.** No party to this Agreement will drain any additional drainage volume into the storm sewer facilities constructed under the construction contract that was not included in the drainage for which the storm sewer facilities were designed, without first obtaining written permission to do so from the other party.

4. Basis of County Cost

- 4.1. Schedule "I".** The Preliminary Schedule "I" includes all anticipated County participation construction items and the construction engineering cost share covered under this Agreement, and is based on engineer's estimated unit prices.
- 4.2. County Participation Construction.** The County will participate in the following at the percentages indicated.
- A.** 100 Percent will be the County's rate of cost participation in all of the County Road No. 12 and C.S.A.H. 10 lighting replacement construction as tabulated on Sheet No. 2 of the Preliminary Schedule "I".
- 4.3. Construction Engineering Costs.** The County will pay a construction engineering charge equal to 8 percent of the total County participation construction covered under this Agreement.
- 4.4. Plan Changes, Additional Construction, Etc.** The County will share in the costs of construction contract addenda and change orders that are necessary to complete the County participation construction covered under this Agreement, including any County requested additional work and plan changes.

The State reserves the right to invoice the County for the cost of any additional County requested work and plan changes, construction contract addenda, change orders, and associated construction engineering before the completion of the contract construction.

- 4.5. Liquidated Damages.** All liquidated damages assessed the State's contractor in connection with the construction contract will result in a credit shared by each party in the same proportion as their total construction cost share covered under this Agreement is to the total contract construction cost before any deduction for liquidated damages.

5. County Cost and Payment by the County

- 5.1. County Cost. \$11,943.18** is the County's estimated share of the costs of the contract construction and the 8 percent construction engineering cost share as shown in the Preliminary Schedule "I". The Preliminary Schedule "I" was prepared using estimated quantities and unit prices, and may include any credits or lump sum costs. Upon award of the construction contract, the State will prepare a Revised Schedule "I" based on

construction contract unit prices, which will replace and supersede the Preliminary Schedule "I" as part of this Agreement.

- 5.2. *Conditions of Payment.*** The County will pay the State the County's total estimated construction and construction engineering cost share, as shown in the Revised Schedule "I", after the following conditions have been met:
- A.** Execution of this Agreement and transmittal to the County, including a copy of the Revised Schedule "I".
 - B.** The County's receipt of a written request from the State for the advancement of funds.
- 5.3. *Acceptance of the County's Cost and Completed Construction.*** The computation by the State of the amount due from the County will be final, binding, and conclusive. Acceptance by the State of the completed contract construction will be final, binding, and conclusive upon the County as to the satisfactory completion of the contract construction.
- 5.4. *Final Payment by the County.*** Upon completion of all contract construction and upon computation of the final amount due the State's contractor, the State will prepare a Final Schedule "I" and submit a copy to the County. The Final Schedule "I" will be based on final quantities, and include all County participation construction items and the construction engineering cost share covered under this Agreement. If the final cost of the County participation construction exceeds the amount of funds advanced by the County, the County will pay the difference to the State without interest. If the final cost of the County participation construction is less than the amount of funds advanced by the County, the State will refund the difference to the County without interest.

The State and the County waive claims for any payments or refunds less than \$5.00 according to Minnesota Statutes § 15.415.

6. Authorized Representatives

Each party's Authorized Representative is responsible for administering this Agreement and is authorized to give and receive any notice or demand required or permitted by this Agreement.

6.1. The State's Authorized Representative will be:

Name, Title: Malaki Ruranika, Cooperative Agreements Engineer (or successor)
 Address: 395 John Ireland Boulevard, Mailstop 682, St. Paul, MN 55155
 Telephone: (651) 366-4634
 E-Mail: malaki.ruranika@state.mn.us

6.2. The County's Authorized Representative will be:

Name, Title: Richard C. Sanders, County Engineer (or successor)
 Address: 820 Old Highway 75 South, Crookston, MN 56716
 Telephone: (218) 470-8253
 E-Mail: rsanders@co.polk.mn.us

7. Assignment; Amendments; Waiver; Contract Complete

- 7.1. *Assignment.*** No party may assign or transfer any rights or obligations under this Agreement without the prior consent of the other party and a written assignment agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors in office.

- 7.2. Amendments.** Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
- 7.3. Waiver.** If a party fails to enforce any provision of this Agreement, that failure does not waive the provision or the party's right to subsequently enforce it.
- 7.4. Contract Complete.** This Agreement contains all prior negotiations and agreements between the State and the County. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

8. Liability; Worker Compensation Claims

- 8.1.** Each party is responsible for its own acts, omissions, and the results thereof to the extent authorized by law and will not be responsible for the acts, omissions of others, and the results thereof. Minnesota Statutes § 3.736 and other applicable law govern liability of the State. Minnesota Statutes Chapter 466 and other applicable law govern liability of the County.
- 8.2.** Each party is responsible for its own employees for any claims arising under the Workers Compensation Act.

9. Nondiscrimination

Provisions of Minnesota Statutes § 181.59 and of any applicable law relating to civil rights and discrimination are considered part of this Agreement.

10. State Audits

Under Minnesota Statutes § 16C.05, subdivision 5, the County's books, records, documents, accounting procedures, and practices relevant to this Agreement are subject to examination by the State and the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Agreement.

11. Government Data Practices

The County and State must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the County under this Agreement. The civil remedies of Minnesota Statutes §13.08 apply to the release of the data referred to in this clause by either the County or the State.

12. Governing Law; Jurisdiction; Venue

Minnesota law governs the validity, interpretation, and enforcement of this Agreement. Venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

13. Termination; Suspension

- 13.1. By Mutual Agreement.** This Agreement may be terminated by mutual agreement of the parties.
- 13.2. Termination for Insufficient Funding.** The State may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at a level sufficient to allow for the performance of contract construction under the Project. Termination must be by written or fax notice to the County.

13.3. Suspension. In the event of a total or partial government shutdown, the State may suspend this Agreement and all work, activities and performance of work authorized through this Agreement.

14. Force Majeure

No party will be responsible to the other for a failure to perform under this Agreement (or a delay in performance), if such failure or delay is due to a force majeure event. A force majeure event is an event beyond a party's reasonable control, including but not limited to, unusually severe weather, fire, floods, other acts of God, labor disputes, acts of war or terrorism, or public health emergencies.

[The remainder of this page has been intentionally left blank]

POLK COUNTY

The undersigned certify that they have lawfully executed this contract on behalf of the Governmental Unit as required by applicable charter provisions, resolutions, or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

DEPARTMENT OF TRANSPORTATION

Recommended for Approval:

By: _____
(District Engineer)

Date: _____

Approved:

By: _____
(State Design Engineer)

Date: _____

COMMISSIONER OF ADMINISTRATION

By: _____
(With Delegated Authority)

Date: _____

INCLUDE COPY OF RESOLUTION APPROVING THE AGREEMENT AND AUTHORIZING ITS EXECUTION.

PRELIMINARY SCHEDULE "I"

Agreement No. 1044384

Polk County

S.P. 6004-26 (T.H. 2=008)

Preliminary: July 9, 2020

S.P. 6003-35

S.P. 6005-75

State Funds

Grading, concrete pavement, R-Cut, lighting, and Bridge No. 91262 construction to start approximately May 2021 under

State Contract No. ____ with ____

located on T.H. 2 (E.B.L.) from 0.84 miles west of T.H. 32 to 0.39 miles west of C.S.A.H. 34

and located on T.H. 2 (E.B.L.) from 0.49 miles east of T.H. 59 to 1.04 miles east of T.H. 59

CITY COST PARTICIPATION	
S.P. 6004-26 Lighting (From Sheet No. 2)	11,058.50
Subtotal	\$11,058.50
Construction Engineering (8%)	884.68
(1) Total City Cost	\$11,943.18

(1) Amount of advance payment as described in Article 5 of the Agreement (estimated amount)

POLK COUNTY

RESOLUTION

IT IS RESOLVED that Polk County enter into MnDOT Agreement No. 1044384 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the County to the State of the County's share of the costs of the lighting replacement construction and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 2 (E.B.L.) from 0.84 miles west of Trunk Highway No. 32 to 0.39 miles west of County State Aid Highway No. 34 and on Trunk Highway No. 2 (E.B.L.) from 0.49 miles east of Trunk Highway No. 59 to 1.04 miles east of Trunk Highway No. 59 under State Project No. 6004-26 (T.H. 2=008).

IT IS FURTHER RESOLVED that the _____
(Title)
and the _____
(Title)
are authorized to execute the Agreement and any amendments to the Agreement.

CERTIFICATION

I certify that the above Resolution is an accurate copy of the Resolution adopted by the Board of Commissioners of Polk County at an authorized meeting held on the _____ day of _____, 2020, as shown by the minutes of the meeting in my possession.

Subscribed and sworn to me this _____ day of _____, 2020
Notary Public _____
My Commission Expires _____

_____ (Signature)
_____ (Type or Print Name)
_____ (Title)



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

FROM: Richard Sanders, County Engineer

MEETING DATE: 07-28-2020

AGENDA ITEM: NG 911 Data Cleanup and Readiness

SUMMARY:

1. Polk County has been approved for \$36,171.87 to complete this work.
2. Total cost is expected to be less than \$40,000.00

ACTION REQUESTED:

Motion by _____ Seconded by _____ to approve contracting with ProWest and Associates in the amount of \$40,000.00 to complete the work listed in the work plan.



Alcohol
and Gambling
Enforcement

Bureau of
Criminal
Apprehension

Driver
and Vehicle
Services

Emergency
Communication
Networks

Homeland
Security and
Emergency
Management

Minnesota
State Patrol

Office of
Communications

Office of
Justice Programs

Office of
Traffic Safety

State Fire
Marshal

Emergency Communication Networks

445 Minnesota Street • Suite 1725 • Saint Paul, Minnesota 55101-5137
Phone: 651.201.7547 • Fax: 651.296.2665 • TTY: 651.282.6555
www.ecn.state.mn.us

TO: Sarah Wilcox, NWECEB Regional Grant Administrator
FROM: Dan Craigie, 9-1-1 Program Manager
RE: NG9-1-1 GIS Grant Award
DATE: 4/9/2020

Sarah,

Thank you for your application and commitment to the NW region of Minnesota. This letter is to inform you that the Northwest Emergency Communications Board (NWECEB) has been awarded a total amount of **\$328,093.98** for their respective GIS applications. Please reference the grant evaluation documents that accompanies this letter for an explanation of how that number was calculated & the breakdown per entity.

You will be notified through the E-Grants platform in the coming days of the next steps in accepting the grant award.

As the timeframe between the applications & award was exceptionally long, a number of requirements changed, specifically the data model in which the GIS information should use. You'll find an attached addendum that lists these changes & asks each applicant to acknowledge by signing. These signed addendums will be required to be uploaded within the E-Grants platform before acceptance.

Sincerely,

Dan Craigie

A handwritten signature in blue ink that reads "Dan".

Polk County, MN



NG 9-1-1 Data Clean-up and Readiness

Date: November 19, 2019

Client: Polk County, MN

Project Description:

To comply with NG 911 (next generation), the County needs to ensure its GIS data (road centerlines, address points, and ESN zones) and legacy 911 databases (MSAG and ALI) all represent the same information.

Pro-West (PWA) has defined the analysis and data corrections that will be applied to the County's GIS data in this scope document.

PWA will follow the State's protocols for ensuring deliverables provided to the County are free from error and ready to be used for NG 911 (any error that cannot be corrected will be flagged within the data). Mandatory and Conditional NENA NG911 Data Model that match current GAC schema (NG911 Data Model) will be populated and checked for accuracy. Fields that marked with "M" for Mandatory and "C" for Conditional will be attributed. All attributes marked "O" for Optional will be added to the feature class schema (but not populated unless already maintained). Any Mandatory or Conditional fields that are unable to be populated because of lack of data from client will be flagged and client alerted. (Example is speed limit data). Data elements which are found in the GAC schema only and do not crosswalk to the NENA requirements are ineligible for reimbursement under the federal grant.

Data Preparation

PWA will configure the data and schema to conform to State Standards as outlined in the *Minnesota NG9-1-1 Validation Overview* document as of November 2019.

- 1) All fields mapped to the Minnesota NG9-1-1 schema must have the same field type as detailed in the corresponding GAC standard, and the field width must not exceed the GAC-defined field width (use NENA field type and width if missing from the GAC standard).
- 2) All mandatory elements must be present and contain non-null values. If a data element is conditional and the attribute value exists (even if not yet captured in the data), it must also be included and contain non-null values.
- 3) Fields with a standard domain must follow the GAC domain *or* agreed-upon values for MnGeo to translate to the domain values.
- 4) Fully parse out all street name elements in both the ADP and RCL datasets and propagated into the related attribute fields.
- 5) Fully spell out all abbreviated street name elements in both the ADP and RCL datasets.

It's important to know

8239 State 371 NW | PO Box 812 | Walker, MN 56484
PH 320.207.6858 | FX 320.207.6869 | www.prowestgis.com | consult@prowestgis.com

PWA will deliver data and schema that fits to the requirements for federal grant fund reimbursement for the County. If the County needs to have attribute fields named differently or other data requirement needs, please see options below for “optional services”. If applying for grant reimbursement, changes to schema may not be covered under the grant terms and should be reviewed with your NG 911 grant administrator.

Once the datasets have been cleaned, populated, and delivered, PWA will provide maintenance services to the County or train County staff to maintain the data to ensure it remains compliant with the State’s requirements for NG 911.

PWA will use the information provided by the State in the County’s data readiness report to ensure efforts are not duplicated when performing this analysis.

NG 911 Data Readiness – Pro-West Process

What does NG 911 data readiness mean? NG 911 readiness refers to a process that must be completed on the County 911 data to assure the same information is being used at all levels of the emergency response process (call validation, response, and location).

The first step is to work with the County to identify the Community names and community name boundaries to be used for the NG 911 clean-up process. The second step is to establish current maintenance frequency of the data elements under analysis (MSAG, road centerlines, address points, and ESNs). This will allow the County to identify the data source that will hold the most weight. Documentation outlining the editing situations that occur and the way in which each situation is handled (data standards), will be provided in the PWA project plan. This will ensure that all “like” issues are corrected in the same manner.

In many instances, only small errors exist between the road centerlines and MSAG. These standardizations will be used to identify in which data source the error should be corrected in.

PWA will identify errors across all the 911 elements but will only be able to flag issues in copies of the ALI and MSAG databases (due to lack of access to the main database). All errors identified in the road centerlines, address points, and ESNs will be corrected and delivered to the County as updated feature classes.

The following data creation, analysis, and clean-up sections will describe the processes and comparisons that will be completed on the 911 data.

Community Name Validation

This is the first and most crucial step in ensuring the GIS data and the current MSAG and ALI databases are representing the same information and can be analyzed properly. PWA will work with the County to identify the community names used throughout the County and within each of the current databases and GIS layers. The outcome will be a spatially represented community name layer to analyze and apply a consistent community name to each of the features found within the roads and address point layers.

Below see the results from the State’s data readiness report regarding community name validation:

Polk County - Community Name Validation			
# of MSAG community names not in centerlines	# of centerline community names not in MSAG	# of Address Point community names not in MSAG	# of Address Point community names not in centerlines
4	1	5	5

Data Analysis and Clean-Up

1. 911 ALI database to MSAG Analysis
2. 911 ALI database to Road Centerline and Address Point
3. MSAG to Road Centerline Analysis
4. Road Centerline Analysis
5. Road Centerline to Address Point Analysis
6. ESN Analysis

911 ALI Database to Road Centerline and Address Point Analysis

The ALI database will be analyzed against the road centerline and address point GIS layers. This will ensure that each potential source of information for NG911 matches. PWA will use our standard, proven processes to verify that ALI database entries both fit within provided Road Centerline ranges and are represented within the Address Points feature class. Flags will be set within the ALI database identifying records that do not work within these feature classes.

Road Centerlines and Address Point features will be updated as missing elements are found within the ALI database that are currently not represented in the GIS data.

MSAG to Road Centerline Analysis

PWA will use its experience in MSAG comparison and custom tools to analyze the MSAG and Road Centerlines. As with the ALI database, after review of both the MSAG and Road Centerline feature class, address standardizations may need to be run to accurately run the analysis. PWA’s tools will identify inconsistencies within the data as described below. These will be flagged within the MSAG and Road Centerline feature class, identifying the records that show inconsistencies and potentially require future clean-up.

Analysis will identify:

- MSAG road names not represented within the Road Centerline feature class
- Road Centerline names not represented within the MSAG
- Address Ranges within MSAG not represented within the Road Centerlines
- Address Ranges within the Road Centerlines not represented in the MSAG
- Accurate use of the Odd, Even, Both in the MSAG regarding the representation of ranges (directionality) within Road Centerlines

All road centerline feature issues will be updated as described in the standards document described above. All MSAG issues will be flagged and returned to the County for correction.

Road Centerline Analysis

Topologic Analysis and Clean-up

The road centerline topologic analysis will be completed on the road centerline feature class, which will identify issues within the road network itself. PWA will apply the following rules to the road centerline:

- Must not self-intersect
- Must not self-overlap
- Must not overlap
- Must not intersect
- Must not have dangles

Some of these rules will cause false positives, however they are crucial for ensuring a clean network. The “must not have dangles” rule will cause an error but is the best way to identify that all road segments are connected at an intersection if more than two segments meet at one place.

PWA will verify all topologic errors found within the road centerlines and correct.

Additional Road Centerline Analysis and Clean-up

- Road centerline directionality
- Road centerline splits – these should occur at:
 - Intersections
 - District boundaries
 - Municipality boundaries
 - Township boundaries
 - Remove splits and adjust attributes if split is not needed
- Aerial imagery review
 - Road segments that do not exist on aerial
 - Road segments on aerial that do not exist within the road centerline feature class
 - Spatial alignment of the road centerline with how it appears on the aerial image
 - This is a cosmetic correction and not included in the estimate cost. If the County would like spatial alignment of road segments with aerial, PWA can provide an additional quote for the cost of correcting these once the data has been analyzed.
- Attribute review
 - Street name spelling errors or inconsistencies
 - Suffix use conformity (Ave, AV, Avenue)
 - Directional conformity (N, NO, North)
 - Community attribute accuracy (right/left use conforms with other boundary data)
 - Address Range Attributes
 - Address range overlaps (between segments)
 - Unequal left/right ranges
 - Gaps in the address range
 - Address range with zeros
 - Odd/even address range use between road segments

All errors found will be corrected by PWA within the County’s Road Centerline feature class.

Road Centerline to Address Point Analysis

Fishbone Analysis

PWA deploys fishbone analysis tools to ensure address point locations and attributes agree with the Road Centerline segment nearest to them. This analysis will identify:

- **Wrong Parity** – the address point is located on the wrong side of the road according to the odd/even values assigned to the road segment
- **Out of Sequence** – the address point is out of sequence with a neighboring address point
- **Out of Range** – the assigned address does not fit within the address range populated on the associated road centerline segment
- **Unfound Address** – the assigned address does not fit within the address ranges and/or names assigned to the road centerline network

These errors will result in updates to road centerline data, the address points, or will be flagged as anomalies within the County’s addressing system.

Sometimes these types of anomalies occur within an addressing system. If this is an “approved” address anomaly, the feature (address point or road centerline segment) should be flagged accordingly to allow all users the ability to see that this is a known addressing issue and is to be left the way it has been added to the system.

PWA will correct identified errors where possible. Responses may be required from the County regarding errors identified, describing how they would like to handle an existing address anomaly. A discrepancy point will be created and provided to the County for feedback if needed.

ESN Analysis

PWA will review emergency response/district boundaries with the County and verify what is currently being maintained by the County. The ESN boundaries will be analyzed along with the road centerlines and address points to assure all emergency response data is in alignment. PWA will run topologic analysis and attribute analysis on the District boundaries. This will assure the County that, once the project is complete, all emergency response features are ready for NG911 and continued maintenance.

Any errors found within the ESN boundaries will be corrected by PWA. If issues cannot be resolved, PWA will communicate these to the County for feedback.

The ESN layer will also be used to populate the mandatory ESN (right and left) attributes in the State’s NG 911 data standard for road centerlines and the ESN number in the address points.

State Validation Analysis

After the initial delivery of cleaned data to the County, it will be submitted to the State for compliance. To comply with NG 911 (next generation), the County needs to ensure its GIS data (road centerlines, address points, and ESN zones) and legacy 911 databases (MSAG and ALI) all represent the same information. This portion of the scope provides services to move the County through all **State Validation** phases and correct identified previously flagged errors from the delivered data so that the County achieves a State approved percentage for each phase (1-7).

This project will involve PWA, the County, IES and the State. Each stage in the State's process requires back and forth communication between all parties to reach the required validation for all State reports. PWA will work through each stage with the County, systematically, per State requirements. It is critical that PWA have a technical contact at the County that can assist with error resolution, data requests, connection requests and any other State questions that arise that need County feedback.

Please note that this project, as outlined, addresses all new State rules, requirements, schema changes, and other State changes that have recently been put in place (as of November 2019).

There are seven major validation phases:

- 1) Community Name Validation
- 2) Emergency Service Number Validation
- 3) Street Name Validation
- 4) Master Street Address Guide Validation
- 5) Address Validation
- 6) Database Integrity Validation (formerly called Geospatial Validation)
- 7) Edge-matching and Polygon-to-Location Data Validation

Phase 1 - Community Name Validation

The purpose of this validation phase is to normalize community names across various disparate datasets. The MSAG and CTU community names will be synchronized across the MSAG, RCL, ADP.

Data Requirements

1. MSAG community names synchronized between the MSAG, RCL and ADP
 - a. Each MSAG community name in the RCL must be present in the MSAG
 - b. Each MSAG community name in the ADP must be present in the MSAG
2. CTU names synchronized between the state CTU domain, RCL and ADP
 - a. Each CTU name in the RCL must be in the state CTU domain, except for unorganized territories (UT)
 - b. Each CTU name in the ADP must be in the state CTU domain, except for UTs

Phase 2 - Emergency Service Number Validation

The purpose of this validation phase is to normalize emergency service numbers (ESNs) across various disparate datasets. ESNs will be synchronized across the MSAG, RCL, and ADP.

Data Requirements

1. ESN synchronized between the MSAG, RCL and ADP
 - a. Each ESN in the RCL must be present in the MSAG
 - b. Each ESN in the ADP must be present in the MSAG

Phase 3 - Street Name Validation

The purpose of this validation phase is to normalize street name elements across various disparate datasets. Street names will be synchronized across the MSAG, RCL, and ADP.

Data Requirements

1. Street name synchronized between the MSAG, RCL and ADP
 - a. Each street in the MSAG must be present in the RCL

Phase 4 - MSAG Validation

The purpose of this validation phase is to compare the RCL and MSAG datasets with a goal towards the RCL being able to provide the same answers the MSAG currently does.

Data Requirements

1. Each combination of street name, MSAG community, address range, and ESN in the RCL is represented in the MSAG.

Phase 5 - Address Validation

The purpose of this validation phase is threefold: (1) ensure that address ranges within the RCL segments do not conflict with one another, (2) ensure all valid ALI civic locations can be geoverified, and (3) achieve addressing consistency between the ADP and RCL.

Data Requirements

1. All valid ALI records must be geocodable to a single location in either the ADP or RCL.
2. Each address in the ADP must be geocodable to a single location on the RCL.

**Not all features in the ALI database can be geoverified. Any features that cannot be geoverified will be flagged and given to County for review.*

Phase 6 – Database Integrity Validation

The purpose of this validation phase is to ensure data and database integrity. Geometry of features will also be assessed.

Data Requirements

- 1) RCL and ADP features must have a unique ID unlike any other feature's unique ID
 - b. features must not have identical attribute information (this considers all NENA attributes except unique ID)
 - c. all records must have geometry
- 2) RCL only
 - a. *Street intersection splits* – RCLs must be split at intersections
 - b. *Connections and dangles* – RCLs must be snapped to other RCLs, leaving no dangle nodes; exceptions may include dead ends, roundabouts, and island roads.

Phase 7 – Edge-matching and Polygon-to-Location Data Validation

The purpose of this validation phase is to ensure data and database integrity. Geometry of features will also be assessed. The purpose of this validation phase is to assess polygon topology, attribution, and

edge matching in the Emergency Service Boundary and PSAP polygons especially as they relate spatially to the RCL and ADP. MnGeo is currently finalizing this process.

Once report from State confirms boundary layers are validated, the State and PWA will consider this phase successful and all State validations, at the present time, will be completed per State Validation documents dated 11/24/2019. If validation processes drastically change in scope, it is possible a further scope of work will be need for further services.

Optional Services

County can select to add any of the following Optional items for additional cost (listed in the cost section below)

Data Publishing

PWA will deliver data that conforms to the structure and schema of the State NG911 project, If the County needs to keep data and attribute in a different schema, field names, or abbreviations, PWA can configure its purpose-built ETL (extract-transform-load) publishing tool for the County. This will allow the GIS data to remain in the current schema (with additions for State mandatory fields) and publish the data required layers (Road Centerline and Address Points) to the States selected schema.

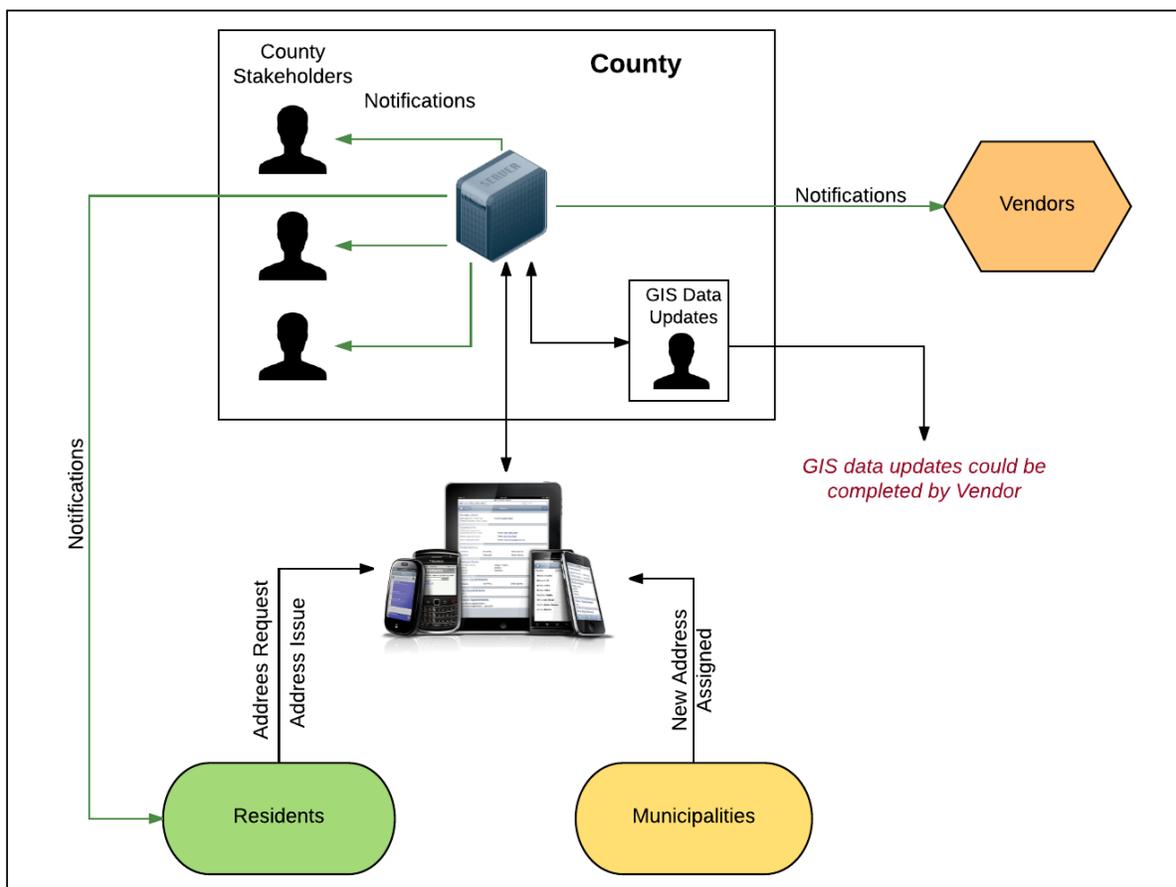
The County may currently have a CAD (computer aided dispatch system) that requires the GIS to be a pre-determined schema. The publishing script will allow the County's data to remain in the current schema and publish it out to the State's required schema.

This can be set up as a scheduled task, allowing automation of the data extraction and transfer process. The optional cost for this service has been added to the cost section below.

PROGOV apprize

the automated address communication solution from PROWEST

The apprize solution ensures NG 911 compliancy with State standards by allowing residents and municipalities within the County a single, one stop location to request an address, communicate an issue with a current address, and allow municipalities to enter address changes to be updated within the County-wide addressing dataset. The solution integrates automated email notification with the addressing process by notifying County staff of new address updates or changes.



Request an Address

When a resident requests an address they would be directed to a web-based solution that allows them to enter all the information required by the County when requesting an address. The user would also select a location on the map in the general area of the address request, which will add a visual and clarification to the address request.

Communicate an Address Issue

County residents will select a current address shown within the County's data and complete a form identifying the issue with the address. The County's address maintenance staff (or vendor) would receive the issue, make the necessary change and have the ability to respond to the resident.

Municipality Address Updates

Since municipalities are the addressing authority within their city limits, this solution will provide a place where the municipality will communicate address changes with the County to be updated in the "official" address point GIS layer.

The Address Communication solution leverages the Esri license investment the County has made and provides a collaborative tool for address communication throughout the County. The information entered via the web solution will be referenced by the County's address maintenance provider (in house editors or PWA). The data maintainers will use the information provided to update the GIS layers that are consumed by the CAD (computer aided dispatch) system, the State, and all other County applications.

Solution Support

The purchase of the solution is a one-time fee and includes unlimited user access. PWA will provide as-needed support on an hourly basis.

Address Maintenance: County Training or Pro-West Maintenance

Once the data NG 911 data has been analyzed and cleaned up, the County will need to ensure it continues to conform to the required standards. Two options are available to meet this goal:

1. PWA to provide training for the County
2. PWA to perform Maintenance

County Training

If the County chooses to carry out maintenance of NG 911 data in-house, PWA can provide the County with the skills necessary to do so. Training delivery will depend on the County's staffing resources and current software availability (or budget for purchases). Pro- West's purposed training would cover the following items:

- Configuration and testing of Esri addressing tools
- Installation of the necessary components at the County
- Creation of a custom update manual on the use of the tools
- On-site training with the County to review the tool use and configurations

Esri's Attribute Assistant will be configured and built to work with the County's update address points and road centerline data. PWA will work with the County to identify the address attributes that can be spatially or automatically populated and ensure these values are auto-populated for those who maintain address data at the County.

These tools are free to use with the County’s investment in Esri technology, and PWA wants to make sure this investment is fully leveraged. Any third-party tools currently in use by the County require maintenance and are not guaranteed to continue to perform as needed as Esri updates its GIS software.

Pro-West Maintenance

If the County would prefer not to perform maintenance internally, or does not have sufficient time to do so, PWA can be contracted to maintain the County’s NG 911 data. PWA has the skills, experience, and software required to ensure the County’s data will be efficiently updated and delivered to the County as updates are requested.

Pricing for this option would be discussed with the County. Updates would be invoiced at an hourly rate.

Project Management:

Pro-West & Associates Project Manager:

Cinde Morris, GISP

Phone: 320-207-6855

Email: cmorris@prowestgis.com

Client Project Manager:

TBD

Project Schedule:

TBD

Client Responsibilities:

Data Requirements for Data Analysis, Clean-Up, and Creation

PWA will require the following information from the County:

- ALI Database
- MSAG Database
- Road Centerlines
- Address Points
- District (ESN) Boundaries
 - ESN number boundary
 - Law, Fire, EMS boundaries
- Parcels (with physical address from tax database)
 - Provide any additional known address information for within municipalities.

The County will be responsible for making updates to the MSAG and ALI – if errors are found during the data clean-up process.

Deliverables:

Address Point (ADP) feature class – the address point feature class will be a County-wide point feature class with all known addresses represented

Road Centerline (RCL) feature class – updated and standardized

ESN Boundaries feature class – updated and standardized
Emergency Service Number (ESN) Lookup Table – standalone table

Community Boundary feature class – polygon layer representing the community names represented in the MSAG.

Cities, Townships and Unorganized Territories (CTU) – standalone table

United States Postal Service (USPS) Preferred Postal Community Names – standalone table

MSAG and ALI Analysis Reports – errors and inconsistencies found within the databases
The county will grant permission to PWA to perform basic MSAG corrections to the IES database on behalf of Polk County.

Master Street Address Guide (MSAG) – standalone table

Automatic Location Identification (ALI) – standalone table

State Communication – PWA will continue to communicate with the State on the progress of the validation phases, submit documentation, communication tasks, and data deliveries to the state.

Data Gathering – PWA will submit data requirements needed to complete each phase of validation to Polk County and to the State.

QA/QC– PWA will perform QA/QC tasks and processes on the data to ensure data meets State 98% validation requirements.

Project Completion & Post Project Support:

Project Completion:

The project will be completed when:

1. All State Validation phases (1-7) have been passed (per above criteria)
2. PWA has delivered the final set of GIS data (address points, road layer and ESZs)

Post Project Support

PWA understands that support requests and/or general support inquiries will occur after the project is completed. We welcome those inquiries and look forward to supporting you in the future! Below are common inquiries related to general support requests.

1. If there are issues with the deliverables or if clarification is needed regarding the deliverables, contact the PWA Project Manager listed in this scope.
2. If the PWA Project Manager is contacted, after the project is completed, you will not be invoiced for that call or email. The PM will discuss invoicing needs during the call. If you contact anyone other than the PWA Project Manager, after the project is completed, an invoice will be sent based on current hourly rates.
3. If the Project Manager is contacted after the project is completed, they are not available to respond, and the need is urgent (*ie: the Project Manager is on vacation or is attending a workshop*); contact PWA's main office number for assistance: 320-207-6868 or follow directions listed on the Project Managers out of office reply (if email is used).
 - a. There may be an invoice sent for the support request based on current hourly rates if Technical staff are contacted directly. The PWA Project Manager will follow up when they are available to discuss invoicing.
4. PWA asks that both the PWA Project Manager and the Technical person be copied on emails to ensure prompt service and clarification on needs and any additional fees. If at any time there is a question about an invoice or support need, contact the PWA Project Manager.
5. If there are general questions about any topic related to GIS and/or PWA Services, contact the PWA Project Manager listed in this scope. You will not be invoiced for that call or email. The PM will discuss invoicing needs on the call.

Project Risks & Mitigation:

1. State changes a validation requirement or adds/edits a validation stage
 - a. Mitigation:
 - I. PWA works closely with the State. As soon as requirements change, PWA would notify the County and provide documentation on the changes and how it affects the budget and timeline.
2. PWA is not provided approval to instruct IES on ALI updates
 - a. Mitigation:
 - I. County communicates ALI updates to IES, or
 - II. County provides PWA approval to speak with IES on their behalf
3. Feedback is not provided for error correction during all validation phases
 - a. Mitigation:
 - I. PWA will provide timely and accurate reporting to the County regarding outstanding errors that need County feedback
 2. County will provide PWA timely (within 5 business days of PWA sending error reports) and accurate feedback regarding errors received from PWA
4. The First Responder and Water Rescue boundary isn't created
 - a. Mitigation:
 - I. PWA will provide the County with hard copy road maps to mark-up boundaries
 - II. County will mark up boundaries on hard copy maps (or provide digital versions of the boundaries if they exist)
5. State is delayed in running validation reports
 - a. Mitigation:
 - I. PWA will keep County and State informed via emails, regarding status of State validation
 - II. PWA will email State for status updates when they are processing new validation reports
6. PWA does not have access to edit the County MSAG database
 - a. Mitigation:
 - I. County will provide PWA access to the MSAG database
 - I. PWA will show County staff how to edit the MSAG database
7. At least 1 technical contact is not identified at the beginning of the project
 - a. Mitigation: County and PWA will identify Polk County designated decision maker/contact at the project kick off. If changes in designated contact occur, they will be communicated to the stakeholders immediately to eliminate and/or minimize timeline and budget changes

Project Assumptions:

- State wants direct communication with vendor (PWA). PWA will CC: designated Polk County contact on all communication.
- PWA will require at least 1 contact at Polk County that will respond to PWA requests within 1 week or 5 business days to ensure progress on the project. These items may be questions, or decisions on data inquiries.
- Client will allow direct communication with State, IES, MSAG contacts.
- PWA is not field verifying any data.

Cost Estimate

Database and GIS feature class analysis, clean-up, and reporting	\$36,171.87
<ul style="list-style-type: none">• Road Centerline• Address Point• ESN boundaries updates• MSAG and ALI analysis reports	

State Validation, Phases 1-6	\$3,464.24
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Optional Maintenance Options

Option 1: On-site training <i>Requires County to have software available</i>	\$5,174.68
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Option 2: Pro-West maintenance	\$80.33/hour as needed
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Optional Deliverables

Automated ETL <ul style="list-style-type: none">• To publish from datasets from one schema (CAD vendor requirements) to another (State schema requirements)	\$2,578.00
apprize (automated address communication)	\$3,750.00

Client

Acceptance Signature:

_____ Date: _____

Pro-West & Associates

Signature

_____ Date: _____

Estimate valid for 90 days

Hello All,

The GIS Grant has been officially awarded to the Northwest ECB. Work may begin on this.

Quarterly Progress Reports: Failure to provide information on the project quarterly can be grounds for funding to be taken away. The next Reporting Period you will need to have information by is **June 30th 2020**. We will send out reminders mid-June to gather the information we need for this. (In the past if you used a vendor, the vendor provided documentation on completed work. If work is done in house, a narrative on work completed was sufficient. These guidelines may change however keep this in mind going forward.)

MNGeo Contact: Megan Sisko CC'd in this email and may follow up with additional information.

Resources and info:

<https://mnecb.org/438/GIS-Information>

*Please send all emails to Myself and Megan Countryman CC'd in this email as I'll soon be unavailable and on Maternity Leave this summer.

County	Award Amount	Contact Name	Contact Email
Kittson	\$ 27,525.00	Kelly Kukowski	kkukowski@so.co.kittson.mn.us
Roseau	\$ 25,857.00	Chris Stauffer	Chris.Stauffer@co.roseau.mn.us
LOW	\$ 6,612.00	Eric Solo	eric_s@co.lotw.mn.us
Marshall	\$ 13,039.60	Liz Dustin	liz.dustin@co.marshall.mn.us
Beltrami	\$ 61,456.80	Kevin Trappe	kevin.trappe@co.beltrami.mn.us
Polk	\$ 36,171.87	Rick Thompson	rthompson@co.polk.mn.us
Pennington	\$ 10,800.00	Dave Olson	dolson@penningtonsheriff.org
Clearwater	\$ 11,818.16	Stuart Lien	stuart.lien@co.clearwater.mn.us
Norman	\$ 15,610.00	Jeremy Thornton	Jeremy.thornton@co.norman.mn.us
Mahnomen	\$ 18,149.37	Jennifer Ward Josh Guenther	jward@prowestgis.com Josh.Guenther@co.mahnomen.mn.us
Clay	\$ 52,991.51	Mark Sloan	mark.sloan@co.clay.mn.us
Becker	\$ 30,000.00	Tony Brahmer	tony.brahmer@co.becker.mn.us
Hubbard	\$ 18,062.67	Samuel Lively	slively@co.hubbard.mn.us
Total	\$ 328,093.98		
	MNGEO Contact	Megan Sisko	megan.sisko@state.mn.us
	ECN Contact	Dan Craigie	daniel.craigie@state.mn.us
	RIC Contact	Marcus Bruning	marcus.bruning@state.mn.us



Sarah Wilcox

Development Specialist

Direct: 218-333-6533

Cell: 218-760-9475

Email: swilcox@hrdc.org

Address: PO Box 906

Bemidji, MN 56619

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Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

FROM: Richard Sanders, County Engineer

MEETING DATE: 07-28-2020

AGENDA ITEM: Polk County Park – Maple Lake Vendor Fee's

SUMMARY:

1. Polk County has been requested to allow vendors to sell goods at East Shore and Polk County Campground
2. Have discussed process with Michelle Cote, Property Records Director
3. 2 food sites and 1 non-food site at East Shore
4. 1 food/non-food site at campground.
5. Food Site Fees are as follows:
 - A. East Shore
 - a. June \$200
 - b. July/August to Labor Day \$400
 - B. Campground
 - a. \$200
6. Non-Food Site
 - a. June \$100
 - b. July/August to Labor Day \$200
7. Site rental would start on Thursday at 12:01 am and run thru Sunday at 11:59 pm
8. Sites paid up front with credit card. No refunds.

ACTION REQUESTED:

Motion by _____ Seconded by _____ to approve fee's for Food Vendor/Non Food Vendor rentals at Maple Lake East Shore and Campground.



POLK COUNTY SOCIAL SERVICES

612 North Broadway, Room 302, Crookston, MN 56716-1452

Phone (218) 281-3127 * Fax (218) 281-3926

Toll Free (877) 281-3127

www.co.polk.mn.us

DATE: July 28, 2020

TO: Polk County Board of Commissioners

FROM: Karen Warmack, Director

AGENDA ITEM: Family Based Service Provider Replacement Request

SUMMARY: Replacement of a Family Based Service Provider based in the McIntosh Office.

ACTION REQUESTED: (MOTION)

Board approval to refill Family Based Service Provider position, and any internal subsequent position vacancies occurring because of this action.



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

CC: CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: SARAH REESE, PUBLIC HEALTH DIRECTOR

MEETING DATE: July 28, 2020

AGENDA ITEM: Covid Update

SUMMARY:

- 1) Situational Update
- 2) CDC changes to duration of isolation and precautions
- 3) Governor Walz signed [Executive Order 20-81](#) which says all Minnesotans must wear a face covering in all public indoor spaces and indoor businesses (with some exceptions). Workers also must wear a face covering outdoors when it is not possible to maintain social distancing. The order was effective Saturday, July 25, 2020.

When leaving home, Minnesotans are strongly encouraged to have a face covering with them at all times to be prepared to comply with the requirements of this Executive Order.

According to doctors and researchers, wearing a mask or face covering is an effective step we can take to slow the spread of the COVID-19 virus. Wearing a face covering can greatly reduce the risk of infection when combined with washing our hands and social distancing.

Frequently Asked Questions About the Requirement to Wear Face Coverings
<https://www.health.state.mn.us/diseases/coronavirus/facecoverfaq.html>

ACTION REQUESTED: *Information only.*



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

CC: CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: SARAH REESE, PUBLIC HEALTH DIRECTOR

MEETING DATE: July 28, 2020

AGENDA ITEM: Tobacco 21

SUMMARY: **Statewide Tobacco 21 Goes into Effect August 1**

In Minnesota, starting August 1st, the minimum Legal Sales Age increases from 18 to 21 for all commercial tobacco products including tobacco-related devices, electronic delivery devices (natural or synthetic nicotine and non-nicotine substances) and nicotine delivery products. The statewide Tobacco 21 law is the latest step in the movement to reduce youth access to addictive tobacco products, including e-cigarettes. This effort was driven by 75 local communities that passed Tobacco 21 since 2017. *Tobacco 21 statewide implementation is in the works; retailers will be notified by letter.*

Youth tobacco rates have risen dramatically in recent years, driven by youth vaping high nicotine e-cigarettes. This landmark law is an opportunity to protect young people from lifetime addiction and encourage all people who use commercial tobacco to make a quit attempt.

The National Academy of Medicine estimates raising the tobacco age to 21 will lead to enormous health gains, including a 25 percent reduction in smoking initiation among 15-to-17-year-olds. Nearly 95 percent of addicted adult smokers started before 21. Tobacco 21 will keep commercial tobacco products out of teen social circles, since there are many 18-year-olds but few 21-year-olds in Minnesota high schools.

Raising the state tobacco age aligns Minnesota with the federal Tobacco 21 law that was passed in December 2019 and immediately went into effect. In addition to aligning with the federal tobacco age, the state Tobacco 21 law updates the state's tobacco definitions, penalties and signage requirements to ensure strong compliance and enforcement and also aligns nicely with the state's Statewide Health Improvement Partnership (SHIP) working with local communities to prevent tobacco use.

Tobacco 21 is an important step to promote lung health, which is urgently needed during the COVID-19 pandemic. Early studies have found COVID-19 may be particularly dangerous for people with lungs weakened by chronic disease, asthma and tobacco use.

Minnesota residents of any age can access free help to quit commercial tobacco in all forms, including cigarettes, chew, cigars, snuff and vapes, through the state's Quit Partner program www.QuitPartnerMN.com. Quit Partner offers quitting support via coaching and quit-tobacco medications, such as nicotine patches, gum, and lozenges. Through Quit Partner, residents can access tailored quitting programs, including a teen support program called [My Life, My Quit](#). To access these 24/7 services, Minnesotans can visit quitpartnermn.com or call 1-800-QUIT NOW.

The changes to the federal and state regulation provide an opportunity to review our current ordinance to ensure they are compliant with the new changes.

ACTION REQUESTED: *Information only.*



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: Ron Denison Finance Director

MEETING DATE: July 28, 2020

AGENDA ITEM:

Cash and Budget Reports

SUMMARY:

Year to date June 2020 budget summary and cash reports.

ACTION REQUESTED:

No action requested, for review only

Polk County Budget to Actual Comparison			Expenditures				Revenues			
As of June 30, 2020			2020	Year to date	Variance		2020	Year to date	Variance	
50 % of year complete			Full Year	Actual	left to use	Percent	Full Year	Actual	(left to collect)	Percent
			Budget	as of 06-30-20	(over)	Used	Budget	as of 06-30-20	over	Recieved
1 General Revenue Fund										
001	Board Of Commissioners	\$ 296,071	\$ 167,283	\$ 128,788	57%	001	\$ -	\$ -		
015	Law Library	\$ -	\$ 15,960	\$ (15,960)		015	\$ 19,550	\$ 19,550		
022	Court Costs	\$ 192,000	\$ 64,097	\$ 127,903	33%	022	\$ 1,125	\$ 670	\$ (455)	60%
031	County Administrator	\$ 264,273	\$ 129,133	\$ 135,140	49%	031	\$ 520	\$ 520		
036	East Grand Forks Ambulance	\$ 53,775	\$ 26,888	\$ 26,888	50%	036	\$ 53,775	\$ 24,665	\$ (29,110)	46%
038	Warren Ambulance	\$ 5,000	\$ 2,500	\$ 2,500	50%	038	\$ 5,000	\$ 2,291	\$ (2,709)	46%
041	Taxpayer Service Center	\$ 767,080	\$ 385,699	\$ 381,381	50%	041	\$ 34,350	\$ 12,465	\$ (21,885)	36%
043	Assessor	\$ 631,202	\$ 313,673	\$ 317,529	50%	043	\$ 180,800	\$ 74,700	\$ (106,100)	41%
044	License Center	\$ 189,331	\$ 79,692	\$ 109,639	42%	044	\$ 137,400	\$ 63,508	\$ (73,892)	46%
045	Internal Auditing	\$ 90,000	\$ 41,896	\$ 48,104	47%	045	\$ 15,000	\$ 2,087	\$ (12,914)	14%
046	Finance	\$ 504,206	\$ 236,420	\$ 267,786	47%	046	\$ -	\$ -		
061	Personnel	\$ 433,683	\$ 194,084	\$ 239,599	45%	061	\$ -	\$ -		
062	Data Processing	\$ 90,000	\$ 66,778	\$ 23,222	74%	062	\$ 4,000	\$ 745	\$ (3,255)	19%
063	Central Services	\$ 569,800	\$ 211,694	\$ 358,106	37%	063	\$ 50,000	\$ 6,117	\$ (43,883)	12%
064	Elections	\$ 311,990	\$ 148,398	\$ 163,592	48%	064	\$ 64,863	\$ 101,508	\$ 36,645	156%
065	Information Systems	\$ 1,119,757	\$ 679,063	\$ 440,694	61%	065	\$ 272,997	\$ 187,344	\$ (85,653)	69%
091	County Attorney	\$ 1,250,077	\$ 606,974	\$ 643,103	49%	091	\$ 40,000	\$ 22,033	\$ (17,967)	55%
092	County Attorney Contingent	\$ 7,500	\$ -	\$ 7,500	0%	092	\$ 7,500	\$ 7,500	\$ -	100%
093	Polk County Coordinated Victim	\$ 155,994	\$ 67,151	\$ 88,843	43%	093	\$ 109,000	\$ 52,377	\$ (56,623)	48%
101	Recorder	\$ 105,505	\$ 41,112	\$ 64,393	39%	101	\$ 236,300	\$ 114,848	\$ (121,452)	49%
102	Surveyor/Gis	\$ 254,616	\$ 142,639	\$ 111,977	56%	102	\$ 2,500	\$ 7,031	\$ 4,531	281%
111	Facilities Management	\$ 4,863,946	\$ 1,702,068	\$ 3,161,878	35%	111	\$ 3,596,155	\$ 3,167,605	\$ (428,550)	88%
113	Building Debt Service	\$ 1,572,700	\$ 1,450,282	\$ 122,418	92%	113	\$ 1,572,700	\$ 1,028,008	\$ (544,692)	65%
120	Veterans Operational Improvement	\$ 10,000	\$ 870	\$ 9,130	9%	120	\$ 10,000	\$ -	\$ (10,000)	0%

Polk County Budget to Actual Comparison		Expenditures					Revenues				
As of June 30, 2020		2020	Year to date	Variance		2020	Year to date	Variance			
50 % of year complete		Full Year	Actual	left to use	Percent	Full Year	Actual	(left to collect)	Percent		
		Budget	as of 06-30-20	(over)	Used	Budget	as of 06-30-20	over	Recieved		
121	Veterans Services	\$ 177,649	\$ 84,900	\$ 92,749	48%	121	\$ -	\$ -			
122	Medical Examiner	\$ 80,316	\$ 38,488	\$ 41,828	48%	122	\$ -	\$ -			
124	Insurance	\$ 551,000	\$ 574,508	\$ (23,508)	104%	124	\$ 535,000	\$ 42,276	\$ (492,724) 8%		
125	Appropriations	\$ 183,414	\$ 176,315	\$ 7,099	96%	125	\$ -	\$ 46,107	\$ 46,107		
140	Ditch Inspection/Engineering	\$ 144,233	\$ 36,116	\$ 108,117	25%	140	\$ 85,000	\$ 36,116	\$ (48,884) 42%		
149	Other General Government	\$ 674,900	\$ 341,998	\$ 332,902	51%	149	\$ 7,948,470	\$ 4,497,242	\$ (3,451,228) 57%		
520	Maple Lake Park	\$ 77,000	\$ 53,456	\$ 23,544	69%	520	\$ 90,000	\$ 72,141	\$ (17,859) 80%		
521	Tilberg Park	\$ 18,950	\$ 8,928	\$ 10,022	47%	521	\$ 35,000	\$ 30,608	\$ (4,392) 87%		
525	Agassiz Rec Trail	\$ 29,000	\$ 347	\$ 28,653	1%	525	\$ 19,000	\$ -	\$ (19,000) 0%		
550	County Extension Board	\$ 1,415	\$ 336	\$ 1,079	24%	550	\$ -	\$ -			
551	Polk County Extension	\$ 157,446	\$ 75,996	\$ 81,450	48%	551	\$ 518	\$ 518			
TOTALS General Revenue Fund		\$ 15,833,829	\$ 8,165,741	\$ 7,668,088	52%	01 Fund	\$ 15,105,935	\$ 9,620,578	\$ (5,485,357) 64%		
3 Public Works Fund											
300	Administration	\$ 470,615	\$ 194,529	\$ 276,086	41%	300	\$ 341	\$ 341			
301	Road & Bridge	\$ 1,146,000	\$ 1,427,929	\$ (281,929)	125%	301	\$ 17,125,184	\$ 6,505,585	\$ (10,619,599) 38%		
310	Maintenance	\$ 4,114,603	\$ 1,807,638	\$ 2,306,965	44%	310	\$ -	\$ -			
320	Construction	\$ 13,690,296	\$ 5,199,333	\$ 8,490,963	38%	320	\$ 127	\$ 127			
330	Equipment Maintenance & Shops	\$ 1,203,670	\$ 671,537	\$ 532,133	56%	330	\$ -	\$ -			
340	Other	\$ 100,000	\$ 73,232	\$ 26,768	73%	340	\$ -	\$ -			
TOTALS Public Works Fund		\$ 20,725,184	\$ 9,374,197	\$ 11,350,987	45%	03 Fund	\$ 17,125,184	\$ 6,506,053	\$ (10,619,131) 38%		
11 Social Services Fund											
420	Income Maintenance	\$ 4,709,606	\$ 2,029,100	\$ 2,680,506	43%	420	\$ 4,670,540	\$ 2,237,560	\$ (2,432,980) 48%		
430	Social Services	\$ 12,249,555	\$ 5,245,812	\$ 7,003,743	43%	430	\$ 12,170,239	\$ 5,815,105	\$ (6,355,134) 48%		
TOTALS Social Services Fund		\$ 16,959,161	\$ 7,274,912	\$ 9,684,249	43%	11 Fund	\$ 16,840,779	\$ 8,052,664	\$ (8,788,115) 48%		

Polk County Budget to Actual Comparison		Expenditures				Revenues				
As of June 30, 2020		2020	Year to date	Variance		2020	Year to date	Variance		
50 % of year complete		Full Year	Actual	left to use	Percent	Full Year	Actual	(left to collect)	Percent	
		Budget	as of 06-30-20	(over)	Used	Budget	as of 06-30-20	over	Recieved	
15 Agassiz Regional Library										
501	Agassiz Regional Library	\$ 274,020	\$ 137,010	\$ 137,010	50%	501	\$ 274,020	\$ 158,836	\$ (115,184)	58%
	TOTALS Agassiz Regional Library	\$ 274,020	\$ 137,010	\$ 137,010	50%	15 Fund	\$ 274,020	\$ 158,836	\$ (115,184)	58%
16 Public Safety Fund										
200	Sheriff	\$ 5,024,786	\$ 2,314,398	\$ 2,710,388	46%	200	\$ 4,733,294	\$ 2,225,173	\$ (2,508,121)	47%
201	Sheriff Contingent Ms287.213		\$ -			201		\$ 2,677		
202	Boat & Water / Search & Rescue	\$ 18,586	\$ 10,543	\$ 8,043	57%	202	\$ 18,586	\$ 13,052	\$ (5,534)	70%
211	Municipal Police Contract, Fosston	\$ 200,473	\$ 136,632	\$ 63,841	68%	211	\$ 200,473	\$ 112,567	\$ (87,906)	56%
214	Civil Process Account	\$ -	\$ 13,195	\$ (13,195)		214	\$ -	\$ 39,423	\$ 39,423	
217	Drug Task Force	\$ 119,256	\$ 52,212	\$ 67,044	44%	217	\$ 119,256	\$ 65,993	\$ (53,263)	55%
218	Ballistic Body Armor	\$ 4,000	\$ -	\$ 4,000	0%	218	\$ 4,000	\$ 896	\$ (3,104)	22%
222	Polk County Enhanced 911 Fund	\$ 100,325	\$ 36,668	\$ 63,657	37%	222	\$ 109,300	\$ 46,910	\$ (62,390)	43%
224	Safe And Sober	\$ 5,883	\$ -	\$ 5,883	0%	224	\$ 5,883	\$ 2,500	\$ (3,383)	42%
228	Dwi Forfeiture	\$ 2,500	\$ -	\$ 2,500	0%	228	\$ 2,500	\$ 2,123	\$ (377)	85%
231	Snowmobile Safety	\$ -	\$ 896	\$ (896)		231		\$ -	\$ -	
250	Corrections Cost Share	\$ 5,271,497	\$ 2,635,749	\$ 2,635,749	50%	250	\$ 5,271,497	\$ 2,635,749	\$ (2,635,749)	50%
280	Emergency Management / 911	\$ 100,887	\$ 51,821	\$ 49,066	51%	280	\$ 100,887	\$ 38,944	\$ (61,944)	39%
	TOTALS Public Safety Fund	\$ 10,848,193	\$ 5,252,114	\$ 5,596,079	48%	16 Fund	\$ 10,565,676	\$ 5,186,006	\$ (5,382,346)	49%
18 Public Health Fund										
481	Admistration	\$ 617,726	\$ 461,816	\$ 155,910	75%	481	\$ 617,726	\$ 369,029	\$ (248,697)	60%
482	Health Promotion/Disease	\$ 751,251	\$ 232,674	\$ 518,577	31%	482	\$ 751,251	\$ 419,863	\$ (331,388)	56%
483	Family Health	\$ 810,866	\$ 319,423	\$ 491,443	39%	483	\$ 810,866	\$ 361,586	\$ (449,280)	45%
484	Wic	\$ 287,839	\$ 131,277	\$ 156,562	46%	484	\$ 287,839	\$ 235,962	\$ (51,877)	82%
485	Wellness Chemical Health.	\$ 383,200	\$ 129,705	\$ 253,495	34%	485	\$ 383,200	\$ 182,513	\$ (200,687)	48%
493	Waivered Services	\$ 463,810	\$ 216,019	\$ 247,791	47%	493	\$ 463,810	\$ 233,791	\$ (230,019)	50%
	TOTALS Public Health Fund	\$ 3,314,692	\$ 1,490,914	\$ 1,823,778	45%	18 Fund	\$ 3,314,692	\$ 1,802,744	\$ (1,511,948)	54%

Polk County Budget to Actual Comparison		Expenditures				Revenues				
As of June 30, 2020		2020	Year to date	Variance		2020	Year to date	Variance		
50 % of year complete		Full Year	Actual	left to use	Percent	Full Year	Actual	(left to collect)	Percent	
		Budget	as of 06-30-20	(over)	Used	Budget	as of 06-30-20	over	Recieved	
48 Environmental Services Fund										
123	Planning & Zoning	\$ 636,209	\$ 180,446	\$ 455,763	28%	123	\$ 571,209	\$ 225,522	\$ (345,687)	39%
395	Sw Planning	\$ 1,204,660	\$ 550,067	\$ 654,593	46%	395	\$ 1,151,210	\$ 1,152,094	\$ 884	100%
396	Score	\$ 571,685	\$ 330,512	\$ 241,173	58%	396	\$ 571,685	\$ 66,194	\$ (505,491)	12%
397	Household Hazardous Waste	\$ 103,509	\$ 47,122	\$ 56,387	46%	397	\$ 103,509	\$ 2,275	\$ (101,234)	2%
398	Transfer Station	\$ 523,246	\$ 217,595	\$ 305,651	42%	398	\$ 523,246	\$ 54,105	\$ (469,141)	10%
399	Asset Replacement	\$ 107,858	\$ -	\$ 107,858	0%	399	\$ 107,500	\$ (19,075)	\$ (126,575)	-18%
524	Aquatic Invasive Species Program	\$ 78,421	\$ 15,002	\$ 63,419	19%	524	\$ 78,421	\$ 19,498	\$ (58,923)	25%
TOTALS Environmntal Services Fund		\$ 3,225,588	\$ 1,340,744	\$ 1,884,844	42%	48 Fund	\$ 3,106,780	\$ 1,500,612	\$ (1,606,168)	48%
64 Resource Recovery Fund										
390	Incinerator	\$ 3,389,820	\$ 1,452,194	\$ 1,937,626	43%	390	\$ 3,664,400	\$ 1,390,849	\$ (2,273,551)	38%
391	Up Front Separation	\$ 1,661,102	\$ 924,745	\$ 736,357	56%	391	\$ 1,247,750	\$ 486,773	\$ (760,977)	39%
TOTALS Resource Recovery Fund		\$ 5,050,922	\$ 2,376,939	\$ 2,673,983	47%	64 Fund	\$ 4,912,150	\$ 1,877,622	\$ (3,034,528)	38%
65 Landfill Fund										
392	Msw	\$ 1,212,600	\$ 569,065	\$ 643,535	47%	392	\$ 2,142,600	\$ 893,100	\$ (1,249,500)	42%
393	Demolition Site	\$ 457,292	\$ 177,656	\$ 279,636	39%	393	\$ 223,000	\$ 24,330	\$ (198,670)	11%
394	Ash	\$ 1,500	\$ (1)	\$ 1,501	0%	394	\$ 6,000	\$ 2,226	\$ (3,774)	37%
TOTALS Landfill Fund		\$ 1,671,392	\$ 746,720	\$ 924,672	45%	65 Fund	\$ 2,371,600	\$ 919,656	\$ (1,451,944)	39%
76 Agency Fund										
880	Fertile Ambulance District	\$ 194,695	\$ 126,181	\$ 68,514	65%	880	\$ 194,695	\$ 126,181	\$ (68,514)	65%
883	Crookston Ambulance District	\$ 164,988	\$ 90,793	\$ 74,195	55%	883	\$ 164,988	\$ 90,793	\$ (74,195)	55%
884	Fosstom Ambulance District	\$ 110,732	\$ 62,216	\$ 48,516	56%	884	\$ 110,732	\$ 62,216	\$ (48,516)	56%
996	Recorder's Process Compliance	\$ 30,775	\$ 3,375	\$ 27,400	11%	996	\$ 66,000	\$ 31,354	\$ (34,646)	48%
997	Recorder's Technology	\$ 94,784	\$ 27,379	\$ 67,405	29%	997	\$ 60,000	\$ 28,690	\$ (31,310)	48%
TOTALS Agency Fund		\$ 595,974	\$ 309,944	\$ 286,030	52%	76 Fund	\$ 596,415	\$ 339,234	\$ (257,181)	57%
Final Totals		\$ 78,498,955	\$ 36,469,235	\$ 42,029,720	46%		\$ 74,213,231	\$ 35,964,008	\$ 38,249,223	48%

SECOND QUARTER COMPARISONS 2016 - 2017 - 2018 - 2019 - 2020

#	FUND	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020
		APRIL	APRIL	APRIL	APRIL	APRIL	MAY	MAY	MAY	MAY	MAY	JUNE	JUNE	JUNE	JUNE	JUNE
1	GENERAL REVENUE <i>with capital bond balance removed</i>	8,832,884	6,416,754	5,071,682	3,941,884	6,190,571	7,821,165	5,338,222	4,063,389	2,494,359	5,090,996	12,436,063 <i>10,706,288</i>	9,663,540	8,382,550	6,805,409	9,183,885 <i>7,060,075</i>
3	PUBLIC WORKS	1,419,680	2,599,218	6,908,058	4,075,517	10,604,665	964,364	1,909,155	6,475,031	9,496,582	9,514,146	2,739,907	5,305,161	7,323,231	9,463,394	7,572,794
5	S.S.COLLABORATIVE	135,594	137,054	114,530	125,391	142,184	135,594	137,054	114,530	125,391	140,934	155,166	155,142	29,114	139,315	139,684
11	SOCIAL SERVICES	3,627,187	2,069,900	1,868,144	3,075,573	2,583,501	2,919,583	1,609,609	2,087,767	2,643,297	2,783,668	3,965,419	2,953,769	3,299,887	4,168,206	4,849,024
15	REGIONAL LIBRARY	452	199	204	1,172	-	15,452	199	204	1,172	-	66,764	36,019	27,183	28,803	28,610
16	PUBLIC SAFETY	202,298	63,231	177,407	258,350	365,187	234,773	139,485	263,821	165,478	-	2,691,701	2,851,069	3,264,423	3,717,526	4,070,776
18	PUBLIC HEALTH	170,446	6,150	395,538	493,363	529,167	60,156	242,043	511,106	407,828	479,192	356,680	541,156	725,545	764,579	987,166
20	FINANCIAL ASSURANCE (landfill)	22,696	64,876	121,336	161,332	224,896	22,696	64,876	121,336	161,332	224,896	22,696	64,876	121,336	161,332	224,896
25	FORFEITED TAX SALE (prev. Trust)	251,353	7,171	277	-	-	238,342	9,968	12,434	1,611	-	237,229	-	-	0	0
34	Watershed & Ditch Debt Service	471,538	303,943	315,405	317,284	285,940	472,187	303,493	314,905	441,168	300,318	576,915	626,035	547,382	639,758	573,326
35	DEBT SERVICE	66,788	67,030	65,305	65,849	65,849	66,788	67,030	65,305	65,849	65,849	89,727	89,076	65,849	65,849	65,849
36	UNION/SARAH BOND FUND	-	14,382	-	-	-	-	14,382	-	-	-	36,436	36,495	-	19,400	639.09
38	CAP Grant Project	-	-	1,275,470	398	-	-	34,073	170,692	398	-	-	-	1,243,324	-	0
40	SPEC ASSESSMENT	1,247,610	1,139,785	1,067,644	1,006,627	874,646	1,247,133	1,139,785	1,065,215	952,004	857,069	1,263,455	1,201,314	1,079,500	988,404	907,839
48	ENVRNMNTL SVCS	1,485,107	1,621,188	2,195,432	679,163	1,183,713	1,401,238	1,481,554	2,080,038	461,527	955,389	2,257,638	2,491,189	3,097,548	1,336,557	1,968,303
60	CORRECTIONS	2,639,249	2,662,634	2,508,603	2,517,602	2,581,734	2,470,719	2,223,715	2,068,545	2,181,706	2,285,928	1,800,493	1,607,081	1,320,619	1,480,014	1,564,497
64	RESRCE RECOVERY	135,502	667,269	1,356,650	629,671	-	170,498	766,141	1,231,183	430,206	-	130,735	746,882	1,123,814	445,457	0
65	LANDFILL	3,220,336	1,942,945	2,480,055	1,070,392	1,573,647	3,183,518	2,309,881	2,412,476	1,143,999	1,558,100	3,148,796	2,255,698	2,487,108	1,275,474	1,543,364
72	COMMUNITY HEALTH BOARD	25,000	307,090	16,028	79,201	20,345	25,000	45,835	56,271	35,897	102,894	25,000	103,809	42,154	92,517	40,096
76	AGENCY	8,216,883	8,056,669	10,292,637	9,174,452	8,718,524	22,458,526	23,660,953	24,903,093	25,484,716	27,366,486	1,179,989	1,300,319	1,672,676	1,430,533	2,021,641
77	Watershed Mntc & Rural Water	1,257	2,817	-	-	-	1,257	2,817	-	2,348	-	1,257	2,817	-	2,348	-
81	Fiscal Agent	-	-	17,297	16,158	16,360	-	18,136	17,297	16,158	16,360	-	18,136	17,297	16,158	16,360
	TOTAL FUND CASH	32,171,859	28,150,305	36,247,701	27,689,378	35,960,928	43,908,990	41,518,404	48,034,638	46,713,024	51,742,225	33,182,066	32,049,584	35,870,539	33,041,032	35,758,749
	COUNTY CHANGE FUNDS	4,820	4,820	5,070	5,070	5,070	4,820	4,820	5,070	5,070	5,070	4,820	4,820	5,070	5,070	5,070
	INVESTMENT CONTROL	2,674,329	2,827,145	2,834,857	2,874,867	2,796,366	2,674,778	2,827,566	2,837,097	2,878,368	2,797,068	2,674,778	2,827,992	2,843,714	2,783,033	2,801,910
	TOTAL	34,851,008	30,982,270	39,087,629	30,569,315	38,762,363	46,588,587	44,350,790	50,876,805	49,596,462	54,544,363	35,861,664	34,882,396	38,719,323	35,829,135	38,565,729
	TOTAL FUND CASH	32,171,859	28,150,305	36,247,701	27,689,378	35,960,928	43,908,990	41,518,404	48,034,638	46,713,024	51,742,225	33,182,066	32,049,584	35,870,539	33,041,032	35,758,749
	CORRECTIONS	(2,639,249)	(2,662,634)	(2,508,603)	(2,517,602)	(2,581,734)	(2,470,719)	(2,223,715)	(2,068,545)	(2,181,706)	(2,285,928)	(1,800,493)	(1,607,081)	(1,320,619)	(1,480,014)	(1,564,497)
	FORFEITED TAX SALE	(251,353)	(7,171)	(277)	-	-	(238,342)	(9,968)	(12,434)	(1,611)	-	(237,229)	-	-	-	-
	AGENCY	(8,216,883)	(8,056,669)	(10,292,637)	(9,174,452)	(8,718,524)	(22,458,526)	(23,660,953)	(24,903,093)	(25,484,716)	(27,366,486)	(1,179,989)	(1,300,319)	(1,672,676)	(1,430,533)	(2,021,641)
	TOTAL	21,064,374	17,423,831	23,446,184	15,997,324	24,660,669	18,741,402	15,623,769	21,050,566	19,044,991	22,089,810	29,964,355	29,142,184	32,877,245	30,130,486	32,172,611



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: Michelle M. Cote, Director of Property Records

MEETING DATE: July 28, 2020

AGENDA ITEM: Extension Committee Appointee.

SUMMARY:

- Extension Committee Member - Commissioner District V Appointee
Scott Balstad

Mr. Balstad is stepping down from his Extension Committee appointment. Marlys Balstad has submitted a letter of interest in completing his term. Their letters are attached for your review. This term will end on December 31, 2020.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

Motion to appoint committee member.



July 20, 2020

To Polk County Commissioners:

I am writing to notify you of my decision to resign from the Polk County Extension Board. I value the work placed before this board and do not make this choice lightly. It is also my recommendation that this board accept my suggested replacement of Marlys Balstad. Her current position as Office Manager of our farm, and her past works as a Fosston District 601 School Board member and as a 4-H leader will be an asset to your board.

With Highest Regards,

Scott Balstad

33393 420th ST SE | Fosston, MN 56542

Office: (218)435-6311 Cell: (218) 556-9315

Email: mjb@gvtel.com

Marlys Balstad
33393 420th ST SE
Fosston, MN 56542
218-289-3185
mjb@gvtel.com

July 10, 2020

Dear Polk County Commissioners:

As a lifelong resident of Polk County, a past 4-H member/leader, a past substitute teacher, a past Fosston School District 601 school board member, a current bank customer service representative, and current office manager of our home farming operation, I am eagerly requesting to fulfill Scott Balstad's term on the Polk Extension Board.

In 4-H, as a child and as an adult leader, I recited, "I pledge my head to clearer thinking, my heart to greater loyalty, my hands to larger service and my health to better living for my club, my community, my country and my world." At the time I didn't place great understanding in just what those words meant. When looking back I can understand the bigger picture which those words helped form in my life.

I have used my head. I graduated from Crookston Central High School with honors, active in music, church, and basketball. Through an inspirational teacher, Amy Ellingson, I learned a love of reading, which enlightens the mind and cracks open the door to understanding others. I spent most weekends babysitting for the neighbors in my country neighborhood in Andover Township. Moorhead State University (currently MSUM) furthered my education. In 1986 I graduated with a Bachelor of Science Degree in Elementary Education. After graduating from High School I began part time work at Polk County State Bank, which continued all the way through my college graduation and into the current day at Ultima Bank Minnesota. It was in working in the financial industry that my mind was broadened into work with computers. As current Office Manager for our farm I am tasked with finances, training, and communication. Tying all my avenues of education together, places me here today with hopefully a more informed mind for clearer, broader thinking.

My heart can be very nostalgic but has a strong drive for the picture of tomorrow. I have a fierce love of farming yet at the same time have lived in a city for a number of years. As a past school board member of the Fosston School District I was given the responsibility of seeing views from all angles and was part of a body that made tough yet forward thinking decisions. Listening to those around me, learning policy and bringing those two together was a productive, tenuous and discerning task.

I sometimes look at my hands and nails and say, "Uff da," but my thoughts change quickly to, "I have hands." Appreciation of serving others, because I can, is one of the strongest reasons why I am requesting to continue on, from where Scott Balstad is leaving off, on this extension board. Those pledges from my 4-H days run deep, "my hands to larger service." In this request to become a member of this extension board, I really am asking you the current members, "How can I serve along with you to continue and expand our service to the people of Polk County, Minnesota?"

I look forward to hearing back from you.

Sincerely,



Marlys Balstad



Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: Michelle M. Cote, Director of Property

MEETING DATE: July 28, 2020

AGENDA ITEM: Deputy Registrar Appointment – License Center

SUMMARY:

The Minnesota Department of Public Safety is requesting an appointment of Deputy Registrar's statewide. Attached is the appointment of Michelle M. Cote as the Deputy Registrar #008 for your review and approval.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

A motion was made by Commissioner _____ seconded by Commissioner _____ and adopted by unanimous vote of the Board to approve the Commissioner of Public Safety Appointment of Michelle M. Cote as the Deputy Registrar #008.



Alcohol
and Gambling
Enforcement

Bureau of
Criminal
Apprehension

Driver
and Vehicle
Services

Emergency
Communication
Networks

Homeland
Security and
Emergency
Management

Minnesota
State Patrol

Office of
Communications

Office of
Justice Programs

Office of
Pipeline Safety

Office of
Traffic Safety

State Fire
Marshal

Driver and Vehicle Services

445 Minnesota Street • Saint Paul, Minnesota 55101

Driver Services Phone: 651.297.3298 • Vehicle Services Phone: 651.297.2126

Fax: 651.797.1120 • TTY: 651.282.6555

dps.mn.gov

The Commissioner of Public Safety (hereinafter "Registrar of Vehicles" or "Registrar") appoints Michelle M. Cote, Polk County Auditor, Deputy Registrar of Vehicles (hereinafter "Deputy Registrar") for the State of Minnesota under the authority of Minnesota Statutes, section 168.33 and the appointment is subject to the conditions thereof.

The appointment confirms the duties and responsibilities are conferred as of May 4, 2020 and shall be effective upon full execution of this agreement. The Deputy Registrar appointment may be revoked for cause under the guidelines of Minnesota Statutes, section 168.33 or in accordance with Minnesota Rules, Chapter 7406.

The Registrar and Deputy Registrar agree to the following rights and responsibilities:

1. The Deputy Registrar understands that by accepting this Appointment, the Deputy Registrar serves the public interest of the people of Minnesota and subscribes by oath to faithfully discharge the duties of the appointment and to uphold the laws of the state.
2. To faithfully discharge the duties of a Deputy Registrar to the people of Minnesota requires each Deputy Registrar to extend prompt and courteous treatment to all customers regardless of race, color, creed, religion, national origin, sex, marital status, familial status, disability, public assistance status, age, sexual orientation, and local human rights commission activity in accordance with the Minnesota Human Rights Act (MHRA).
3. To faithfully discharge the duties of a Deputy Registrar to the people of Minnesota requires each Deputy Registrar to train all employees on the administration of laws and rules of the State of Minnesota regarding motor vehicle registration and title transfers imposed under Minn. Stat. § 168 and 168A. At a minimum, the required training for each Deputy Registrar employee must be the successful completion of the Driver and Vehicle Services (DVS) Title Certification course. The Deputy Registrar must report to the Registrar each employee's proficiency in performing and carrying out their duties on an annual basis. DVS can be a resource to assist with providing the training but the Deputy Registrar is responsible for all employee training and any associated costs.

4. To faithfully discharge the duties of a Deputy Registrar to the people of Minnesota requires each Deputy Registrar to develop and publish policies that are comparable with State of Minnesota Management and Budget policies on the following:
 - a. HR/LR policy 1432 – Respectful Workplace
 - b. HR/LR policy 1436 – Harassment and Discrimination Prohibited
 - c. HR/LR policy 1329 – Sexual Harassment Prohibited
 - d. HR/LR policy 1417 – Code of Ethics

The Deputy Registrar may choose to use an existing policy that aligns with the intent and expectations of the above referenced policies or may develop their own policy that is in line with the intent and expectations of the above reference policies, or adopt each policy in whole for use at the Deputy Registrar office. The Deputy Registrar must train all employees on the policies and must annually report to the Registrar each employee's review and understanding of the policy. The Deputy Registrar is responsible for all costs of the necessary training for all employees.

5. The Deputy Registrar must report all complaints, findings or determinations of administrative or legal claims related to protected-class harassment and/or discrimination to the Registrar in a timely manner.
6. The Deputy Registrar must cooperate with the Registrar, or the Registrar's agents, to resolve complaints received by the Registrar, including cooperating with any administrative investigation into allegations of discrimination, harassment, or other misconduct by Deputy Registrar or the Deputy Registrar's employees and by providing requested information.
7. The Deputy Registrar understands that under the provisions of Minn. Stat. § 168.33, subd. 2b that while the Deputy Registrar serves the public interest and convenience of the people of Minnesota, the Deputy Registrar is not a State of Minnesota employee, nor are any employees or contractors of the Deputy Registrar employees of the State of Minnesota.
8. In accordance with Minn. R 7406.0500, subp. 1, the Deputy Registrar shall not delegate to another person the authority or responsibility of operating the office, shall designate one "contact person" to act as liaison between the Registrar and the Deputy Registrar. The contact person must be a person who actively participates in the processing of transactions and who is in the office on a full-time basis. The Deputy Registrar will remain responsible for the acts of the contact person and must establish and document an internal control process of communication or reporting for oversight of the contact person.
9. The Deputy Registrar must maintain, in a convenient location within the boundaries of the Deputy Registrar's jurisdiction, facilities for registration and motor vehicle tax collection that conforms to the requirements of Minn. R 7406.0400. The facilities must include, but are not limited, to the physical Deputy Registrar office designated as the main place of business but must also include any customer self-service kiosks, any temporary or special office locations, any mobile services (e.g., buses), and any type of electronic commerce devices, which includes but is not limited to applications on smartphones or websites and are subject to review and approval by the Registrar.

10. The Deputy Registrar's primary office must be open for business at least 40 hours during each week unless the Registrar grants a variance as provided for in Minn. R. 7406.0500, Subp. 2a. Legal holidays listed in Minn. Stat. § 645.44, subd. 5 and holidays for county offices authorized under Minn. Stat. § 373.052, subd. 1 are included in the 40-hour calculation. The Deputy Registrar must clearly post business hours for the public and provide the Registrar with an accurate written schedule of when the office is open for public business. A written request for a permanent change in business hours must be made to the Registrar at least 10 days prior to the change. The Deputy Registrar must notify the Registrar of an emergency or short-term closure of one day or less by telephone or email at the earliest opportunity.
11. In conformity of Minnesota R, 7406.0400, subp. 5 each Deputy Registrar location or locations must be accessible to the disabled in compliance with state and federal laws and regulations. Each Deputy Registrar office must be in compliance with the revised regulations of the Americans with Disability Act of 1990 (2010 ADA Standards for Accessible Design, hereinafter "2010 Standards") for all new construction and alterations to any Deputy Registrar office. The Deputy Registrar is responsible for any compliance costs.
12. The Deputy Registrar must maintain permanent signage in a prominent location advising individuals that they may request an ADA accommodation and may file complaints internally with the Deputy Registrar or with the Registrar.
13. The Deputy Registrar must charge and receive for each motor vehicle application presented a filing fee as prescribed in Minn. Stat. § 168.33, subd. 7 and must report daily to the Registrar all registrations made and the taxes and fees collected. The filing fee is the property of the Deputy Registrar and is the full compensation for the receipt and processing of each application. A rebate of the required filing fee to any customer or customers is prohibited under Minn. R. 7406.0500, subp. 5.
14. All motor vehicle fees and taxes collected and all motor vehicle transactions collected by the Deputy Registrar must be reported each working day and transmitted to the Registrar in accordance with Minn. R. 7406.0450 subp. 2. All motor vehicle fees and taxes collected, including any shortages or unsettled credit card and debit card transactions made by the Deputy Registrar must be deposited daily in accordance with Minn. R. 7406.0450, subp. 3 through Minn. R. 7406.0450 subp. 3b. The Deputy Registrar must maintain complete records for deposits made to approved state depositories and the daily reports prepared for motor vehicle registrations and motor vehicle fees and taxes collected in accordance with Minn. R. 7406.0450, subp. 4.
15. The Deputy Registrar must keep records and make reports of motor vehicle taxes, fees, and deposits that conform to the requirements of Minn. R. 7406.0450. In accordance with Minn. R. 7406.0475 at the request of the Registrar, the Deputy Registrar must make available for audit all motor vehicle fee and tax records for all transactions occurring during the state's biennial fiscal cycle for each location of the Deputy Registrar.

16. Each Deputy Registrar must comply with the Minnesota Government Data Practices Act, Minn. Stat. § 13 and with 18 United States Code, Chapter 123 (Prohibition on Release and Use of Certain Personal Information from State Motor Vehicle Records) as it applies to all data provided by the State under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Deputy Registrar under this Agreement. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data governed by the Minnesota Government Practices Act, Minn. Stat. § 13, by either the Deputy Registrar or employees of the Deputy Registrar as well as to the Registrar or employees of the Registrar. Furthermore, if the Deputy Registrar receives at any time a request to release the data referred to in this clause, the Deputy Registrar must immediately notify and consult with the State's Authorized Representative as to how the Deputy Registrar should respond to the request. The Deputy Registrar's response to the request must comply with applicable law.
17. The Deputy Registrar must train all employees in data privacy compliance and must annually certify each staff member's proficiency to the Registrar on an annual basis. DVS can be a resource to assist with providing the training but the Deputy Registrar is responsible for all employee training and any associated costs.
18. Pursuant to Minn. Stat. § 171.12, an authorized individual's ability to enter, update, or access data in the system must correspond to the official duties or training level of the individual and to the statutory authorization granting access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail is public information to the extent the data is not otherwise classified by law. A Deputy Registrar or employee who willfully gains access to data without authorization by law must be referred by the Department of Public Safety to the appropriate prosecuting authority for prosecution.
19. Pursuant to Minn. R. 7406.0400, subp. 7 the Deputy Registrar may not own, or be a partner, officer, or five-percent shareholder in a financial institution, motor vehicle dealership or an automobile insurance business. Further, the Deputy Registrar must develop, publish and train all of the employees of the Deputy Registrar on a policy that is comparable to HR/LR policy 1417 (Code of Ethics). The policy is available on the Minnesota Management and Budget (MMB) website. The Deputy Registrar may choose to use an existing policy that aligns with the intent and expectations of the above referenced policies or may develop their own policy that is in line with the intent and expectations of the above reference policies, or adopt each policy in whole for use at the Deputy Registrar office. The Deputy Registrar must train all employees on the policy and must report annually to the Registrar each employee's review and understanding of the policy.
20. The Registrar must furnish to the Deputy Registrar the necessary registration (license) plates, validation stickers, and procedures for the registration of motor vehicles. The Deputy Registrar is responsible for regularly reconciling and identifying unaccounted for registration plate and validation sticker inventory, investigating possible causes of unaccounted for inventory, and notifying DVS immediately of any possible malfeasance. The Deputy Registrar acknowledges financial accountability for license plates and validation stickers pursuant to Minn. R. 7406.0500, subp. 10.

21. The Deputy Registrar must purchase at a cost determined by the Registrar the necessary motor vehicle certificate of title paper stock from a vendor designated by the Registrar to provide over the counter service in the printing a duplicate certificate of title. The Registrar must furnish the procedures for printing the duplicate certificate of title.
22. The Deputy Registrar must provide for and maintain at their own expense a technology infrastructure of physical hardware necessary to interconnect computers and users in conformity with Minn. R. 7406.0400, subp. 3a. The technology infrastructure includes the installation and management of hardware and software used to send, receive and manage data that is compatible with the DPS enterprise networking system maintained by DVS commonly referred to FAST-DS, VTRS and MNDrive. In order to accomplish the transmission and receipt of data, the Deputy Registrar must have hardware and software that meets or exceeds the Minnesota IT Services (MNIT) minimum system requirements. The minimum system requirements are shown in Attachment A and are incorporated into this agreement.
23. Pursuant to Minn. R. 7406.0500 subpart 7a, the Deputy Registrar must accept credit card and debit card for a motor vehicle transaction unless a variance is approved. A Deputy Registrar may choose to operate a point of sale system provided the same convenience fee is charged that all Deputy Registrars charge, the system is compatible with the State of Minnesota credit card vendor, and there is no cost to the to the State of Minnesota for the operation and maintenance of the system. All point of sale systems must be approved by the Registrar prior to installation or operation. Deputy Registrars who accept credit cards and debit cards must comply with the most recent version of the Payment Card Industry Data Security Standard ("PCI DSS") established by the PCI Security Standards Council. These standards are available online at: https://www.pcisecuritystandards.org/documents_library. The Deputy Registrar must, annually and upon request, provide the Registrar with the current annual Attestation of Compliance report.
24. Pursuant to Minn. R. 7406.0800, the failure of a Deputy Registrar or employee of a Deputy Registrar to comply with this agreement, the applicable laws or rules governing the operation of a Deputy Registrar office may be cause for discontinuing the appointment under the provisions of Minn. R. 7406.0900 through Minn. R. 7406.100; or the Registrar may issue a corrective order, injunction or administrative penalty order under the authority of Minn. Stat. § 299A.80, Minn. Stat. § 299A.801 and Minn. Stat. § 299A.802.

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Indemnification.

The Deputy Registrar must indemnify, save, and hold harmless the State, its agents, and employees, from any claims or causes of action, including attorney's fees incurred by the State, to the extent caused by the Deputy Registrar's:

- a) Intentional, willful, or negligent acts or omissions;
- b) Actions that give rise to strict liability; or
- c) Breach of contract or warranty.

The indemnification obligations of this section do not apply in the event the claim or cause of action is the result of the State's sole negligence. This clause will not be construed to bar any legal remedies the Deputy Registrar may have for the State's failure to fulfill its obligations under this Agreement.

Applicable Law.

Minnesota law, without regard to its choice-of-law provisions, governs this Agreement. Venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

By signing this appointment, the Deputy Registrar acknowledges having read and understood Minnesota Statutes, section 168.33 and Minnesota Rules, Chapter 7406, and accepts these conditions, which are understood and accepted as necessary to the efficient conduct of this business, and as conditions precedent and subsequent to continuation in office.

Further, by signing below the Deputy Registrar subscribes by oath to faithfully discharge the duties of the Deputy Registrar and to uphold the laws of the State of Minnesota.

Dated this _____ day of _____ 20__.

Registrar of Motor Vehicles
Commissioner, Department of Public Safety
State of Minnesota

Signature

Director of Driver and Vehicle Services
Department of Public Safety
State of Minnesota

Signature

Deputy Registrar Appointee
Deputy Registrar # 008
Polk County
State of Minnesota



Signature

Attachment A – Minimum System Requirements

DVS and MNIT strongly encourage Deputy Registrars and Driver License Agents to engage with a reputable IT Managed Service provider in their area.

Operating System:	Windows 10
Processor:	1.8 gigahertz (GHz) or faster compatible processor or System on a Chip (minimum) Recommended: Intel® Core i5 2.7GHz Processor (or better)
RAM:	4 GB (minimum) 8 GB (recommended)
Hard drive size:	64 GB or larger hard disk (or greater)
Graphics card:	Compatible with DirectX 9 or later with WDDM 1.0 driver (or better)
Display:	1024x768 (or better)

Additional Information

- Systems, services, updates, and patching will be reviewed and maintained for compliance every 30 days (monthly):
 - Operating systems
 - Internet browsers
 - Drivers
 - Antivirus solutions
 - Third party applications

- Deputy Registrars are responsible for support and maintenance of their IT infrastructure including but not limited to:
 - System management and security
 - Network management and security
 - Attached peripherals

- DVS reserves the right to block access to internal systems and services for users, sites, endpoints, and protocols which are not compliant with minimum hardware, browser, or security requirements.

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Supported Browsers:

Browser:	FAST	MNLARS	HP Permits	ESupport
Internet Explorer 11 Current version and one prior version	■	■	■	
Internet Explorer 9 or above (must be run in compatibility mode)	■			■
Microsoft Edge Current version and one prior version	■	■		
Safari Current version and one prior version	■			
Google Chrome Current version and one prior version	■	■	■	
Mozilla Firefox Current version and one prior version	■			
Opera Current version and one prior version	■			

Additional Information

- JavaScript and Cookies must be enabled for all web browsers.
- If using a browser other than the supported desktop browser (for example, a mobile device or tablet), MNLARS and ESupport may not work.
- Supported web browsers without a version identified should be understood to be the most recent fully patched version of that browser.
- Limited support will be provided for versions of supported web browsers released within the last 12 months.
- There is no support for beta versions of browsers. Browsers such as Internet Explorer, Firefox, and Chrome may automatically update to the latest browser version that is compatible with client operating systems. If you are using a recently released browser update, please be aware that there may be a delay in support of the new browser release while we conduct reviews and implement product adjustments.

Scanners

Scanning station requirements:

- Windows 10 compatible
- 64 bit
- Minimum scanner quality of 150 dpi
- .NET Framework version 4.7.2 or greater
- TLS 1.2 (Windows 10 automatically supports TLS 1.2)

Laser Printers

Laser printers will be used to print vehicle permits and registration stickers.
Color is not required.

- High-quality laser printer
- Print resolution 300 dpi
- Windows 10 compatible

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Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: Michelle M. Cote, Director of Property Records

MEETING DATE: July 28, 2020

AGENDA ITEM: Election Cares Grant application and resolution

SUMMARY:

- Authorization to apply for 2020 Election Cares Grant. This is a collaborative grant that requires agreements with the townships and cities maintaining a polling place for the 2020 election cycle.

Allocation	Formula Allocation Amt for County/MCD Share per Agreement w/MCD	Formula Amount to be shared with MCDs in County if no Agreement with MCD	Resulting Amt for County Use
Polk	\$ 27,112.57	\$ 12,109.67	\$ 15,002.90

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

Resolution – See Attached.

RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

RESOLUTION (2020-69)

Election CARES Act Grant

The following resolution (2020-69) was offered by Commissioner:

WHEREAS, The COVID-19 Pandemic requires additional efforts to make the election process safe, sanitary and effective; and

WHEREAS, The Office of the Minnesota Secretary of State is currently soliciting grant applications from counties for grants pursuant to Laws 2020, Chapter 77, section 4 and the federal CARES Act; and

WHEREAS, Grants will be provided to each county pursuant to a formula set forth in Section H of the grant application provided by the Office of the Secretary of State; and

WHEREAS, The funds provided by the Office of the Secretary of State are provided for the purpose of the uses set forth in the federal CARES Act and as further restricted by Laws 2020, chapter 77, section 4, subdivision 4; and

WHEREAS, Those purposes are primarily for the protection of persons involved with the election process including voters, as well as certain other purchases set forth in law; and

WHEREAS, The county will work with the municipalities within the county to determine a fair, equitable, and mutually agreeable allocation of the funds within the County and between municipalities, and if an agreement cannot be reached, the funds will be distributed pursuant to the OSS identified default allocation as determined by the Secretary and provided in Section G of the grant application; and

WHEREAS, The grant application is to be completed by the staff of the auditor and other staff responsible for the administration of elections in this county; and

WHEREAS, The grant application must be completed, certified by a county official, typically the chief county election official, returned to the Office of the Secretary of State and a grant agreement executed prior to the receipt of the funds to which the county is entitled pursuant to Section H of the grant application; and

WHEREAS, Laws 2020, Chapter 77, Section 4 requires a 20% match for the grant, with a 25% match for electronic roster purchases; and

WHEREAS, The grant agreement will reflect the grant application for each county; and

WHEREAS, Additional assistance may be forthcoming later in this election cycle from state and federal funds, particularly those funds appropriated for these purposes by the Legislature; and

Red Lake Watershed District

President
Dale M. Nelson

Vice President
Gene Tiedemann

Treasurer
Terry Sorenson

1000 Pennington Avenue South
Thief River Falls, MN 56701
218-681-5800
218-681-5839 FAX
e-mail: RLWD.redlakewatershed.org
www.redlakewatershed.org

Secretary
LeRoy Ose

Managers
Les Torgerson
Allan Page
Brian Dwight

May 21, 2020

Mark Holy
4056 Center Street West
East Grand Forks, MN 56721

RE: Data Practice Request

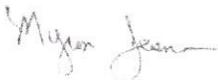
Dear Mr. Holy,

We received an e-mailed data practice request from you Sunday dated May 3, 2020, as well as the original letter delivered via US mail to our office on or about May 6, 2020. As I mentioned in my e-mail response to you, May 4th, due the COVID 19 pandemic and lack of staff availability, there was a slight delay in accumulating all the information you requested. To the best of our ability, we were able to provide you the information you requested and are as listed follows.

- 1) Please find the enclosed "Conflict of Interest Policies" signed by all Board of Managers.
- 2) In your request, you asked for all information as it pertains to the Property owner's meeting held by the Viewers on July 11, 2019. There were no representatives from the Red Lake Watershed District in attendance at that meeting nor was there any information forwarded to our office relating to the meeting other than the list of landowners (enclosed) that attended that meeting.
- 3) Please find all e-mails, along with attachments in the e-mails, that were either forwarded by RLWD staff or received from the Viewers during their investigation of the project.
- 4) Please find the signed Viewers Contract, Viewers Oath, and time statements for the project.
- 5) There is no certification of petitioner's, however there was a review of signatures completed by legal counsel and Red Lake Watershed District staff to verify signatures on petition were that of owners listed with the Polk County Auditor. As shown on enclosed map and based on the signatures in the petition, there are approximately 38% of the properties accounted for in the petition which covers the 26% required in MN Statutes 103E.215.

Please find also find the enclosed billing document which shows the breakdown of costs owed to the District for staff time and copies concerning your data practice request. If you have any question or feel we have missed something in your request, please feel free to contact me.

Sincerely,



Myron Jesme
Administrator

Enclosures

LEGAL NOTICE, the "Drainage Authority" will be responsible for the mailing of all legal notices including notices to property owners for informational meetings, final hearing notice in cooperation with the County Auditor(s) and preparation of property owners reports required under Minnesota Law.

DISCLAIMER OR GUARANTEE, nothing in this contract and nothing in the "Viewers" statement to "Drainage Authority" constitutes as a promise or guarantee about the outcome of the "Drainage Authorities" matter. "Viewers" comments about any outcomes to this matter are expression of opinion only.

DATE: June 24, 2019

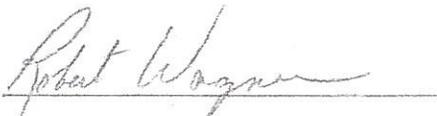
RED LAKE RIVER WATERSHED DISTRICT

By 

It's Chairman of the Board

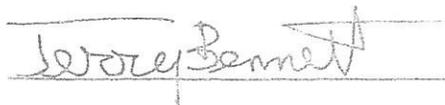
By 

It's Board Secretary

 *
Rob Wagner, Viewer

 *
Roger Beiswenger, Viewer


Mike Baumgartner, Viewer


Jerry Bennett, Alternate

RED LAKE WATERSHED DISTRICT - MINNESOTA

ACCEPTANCE OF APPOINTMENT OF APPRAISER

[Handwritten signature]

[Handwritten asterisk]

TO THE BOARD OF MANAGERS:

The undersigned hereby accepts the duties and responsibilities of the office of appraiser of the benefits and damages to lands affected by the Red Lake Watershed District Project No. 179, Red Lake Watershed District (RLWD) Ditch No. 17, in Polk County, Minnesota, and agrees to be bound by the statutes relating thereto, and agrees to serve for the compensation set by the Board.

Dated this 20th day of June, 2019.

[Handwritten signature]

STATE OF MINNESOTA
COUNTY OF PENNINGTON

I, Roger Beiswenger, of Fisher, Minnesota, do swear that I will faithfully and justly and impartially perform all of the duties of the office of appraiser for the Red Lake Watershed District Project No. 179, RLWD Ditch No. 17, to the best of my ability. So help me God.

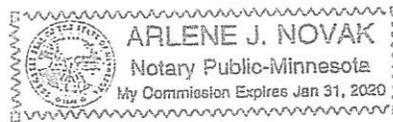
[Handwritten asterisk]

[Handwritten signature]

Subscribed and sworn before me this 11th day of July, 2019.

Arlene J. Novak

Notary Public



APPRAISERS REPORT
IMPROVEMENT OF POLK COUNTY DITCH 39
RED LAKE WATERSHED DISTRICT DITCH 17-PROJECT NO 179
Dated 01-20-2020

The undersigned appraisers, appointed to appraise the benefits and damages to property affected by the Improvement of Polk County Ditch 39 - Red Lake Watershed District (RLWD) Ditch 17 - Project 179, including all property likely to be affected by the drainage system or that may be used or taken for grass buffer strips necessary to control erosion, sedimentation, improve water quality, or maintain the efficiency of the drainage system, as ordered by the Red Lake Watershed District (RLWD) Board of Managers. The Improvement of Polk County Ditch 39 - Red Lake Watershed District (RLWD) Ditch 17 - Project 179, is being performed in accordance with Minnesota Statute 103E.215.

The proposed project consists of the Improvement of Polk County Ditch 39 is described as beginning at a point 65 feet easterly of the northeast corner of Section 14, Township 152 North, Range 48 West (Keystone Township, Polk County) and proceeding westerly approximately 10.3 miles along the north lines of Sections 14,15, 16, 17 and 18, Keystone Township and along the north line of Sections 13, 14, 15, 16, 17 and 18, Township 152 North, Range 49 West (Sullivan Township, Polk County), to the easterly bank of the Grand Marais Creek that flows northerly through the Northeast Quarter of Section 18, Sullivan Township; A detailed description of the proposed alignment can be found in Appendix B of the engineers detailed survey report.

The undersigned appraisers, pursuant to the order of the Red Lake Watershed District Board of Managers, did meet preparatory to commencing duties on the 24th day of June, 2019 at the Red Lake Watershed District office at 1000 Pennington Avenue South, Thief River Falls, Minnesota. Having taken the oath as required by MSA 103E.305 to faithfully and impartially perform the appraiser duties, and having received charts, maps, original benefiting area determinations and diagrams, did view, all lands and properties affected by said proposed drainage system and further, we did determine the damages to lands and properties affected by establishment of a grass strip necessary to control erosion, sedimentation, improve water quality, or maintain the efficiency of the drainage system as a result of the Improvement of Polk County Ditch 39 - Red Lake Watershed District (RLWD) Ditch 17 - Project 179.

The land use within the benefiting area of the proposed project is primarily used for agricultural or agriculturally related purposes. The principal crops grown include Sugarbeets, Corn, Sunflowers, Soybeans and Wheat.

We were able to determine the boundaries of the benefiting area by viewing topographic maps along with visually viewing the project area. Property owners were interviewed in the process of determining drainage practices and patterns. We viewed the County Assessor's records and aerial photo maps to determine the number of acres of tillable, non-tillable land and building sites, in each forty, government lot, and all other tracts of land.

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103E.305 VIEWERS' APPOINTMENT AND QUALIFICATION. *

Subdivision 1. **Appointment.** When the order for a detailed survey is made, the drainage authority shall, by order, appoint viewers consisting of three disinterested residents of the state qualified to assess benefits and damages. The drainage authority may establish qualifications for viewers.

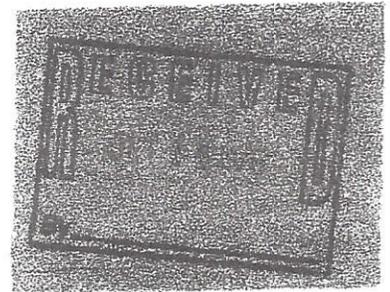
* Subd. 2. **Auditor's order for first meeting.** Within five days after the detailed survey report is filed, the auditor shall, by order, designate the time and location for the first meeting of the viewers and issue a copy to the viewers of the auditor's order and a certified copy of the order appointing the viewers. *

Subd. 3. **First meeting.** At the first meeting and before beginning their duties, the viewers shall subscribe to an oath to faithfully perform their duties. If an appointed viewer does not qualify for any reason, the auditor shall designate another qualified person to take the disqualified viewer's place. *

History: 1990 c 391 art 5 s 49

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BEFORE THE RED LAKE WATERSHED DISTRICT,
ACTING AS DRAINAGE AUTHORITY FOR
IMPROVEMENT TO POLK COUNTY DITCH #39



Petition for Improvement of Polk County Ditch
#39, Pursuant to Minnesota Statutes 103E.215

* *

WHEREAS, Petitioners are owners of property within the Polk County Ditch #39 system;

WHEREAS, the Petitioners are requesting that Polk County Ditch #39 be improved,
pursuant to Minnesota Statutes 103E.215; and

WHEREAS, Polk County Ditch #39 has insufficient capacity or needs enlarging or
extending to furnish sufficient capacity or a better outlet; and

* * * WHEREAS, Petitioners would request that upon completion of this Improvement, the
operation and maintenance of the entire existing Polk County Ditch #39 system be turned over to
the Red Lake Watershed District as the Drainage Authority; and

WHEREAS, Petitioners request that Pribula Engineering, PLLC, be appointed the
engineer, pursuant to Minnesota Statutes 103E.241 to prepare a Preliminary Engineer's Report;
and

WHEREAS, Petitioners generally request the design criteria as outlined on the attached
Exhibit A; and

WHEREAS, the starting point, general course and ending point is described as follows:

Beginning at a point 65 feet easterly of the northeast corner of Section 15, Township 152
North, Range 48 West (Keystone Township, Polk County) and proceeding westerly
approximately 9.3 miles along the north lines of Sections 15, 16, 17 and 18, Keystone
Township and along the north line of Sections 13, 14, 15, 16, 17 and 18, Township 152
North, Range 49 West (Sullivan Township, Polk County), to the easterly bank of the Grand
Marais Creek that flows northerly through the Northeast Quarter of Section 18, Sullivan
Township;

and

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103E.215 IMPROVING DRAINAGE SYSTEMS. *

Subdivision 1. **Procedure.** The procedure in this section must be used to improve an established and constructed drainage system.

Subd. 2. **Definition.** In this section "improvement" means the tiling, enlarging, extending, straightening, or deepening of an established and constructed drainage system including construction of ditches to reline or replace tile and construction of tile to replace a ditch.

Subd. 3. **Limit of extension.** An improvement may only extend a drainage system downstream to a more adequate outlet and the extension may not exceed one mile.

Subd. 4. **Petition.** (a) A petition must be signed by:

- (1) at least 26 percent of the owners of the property affected by the proposed improvement;
- (2) at least 26 percent of the owners of property that the proposed improvement passes over;
- (3) the owners of at least 26 percent of the property area affected by the proposed improvement; or
- (4) the owners of at least 26 percent of the property area that the proposed improvement passes over.

* (b) The petition must be filed with the auditor or, for a drainage system in more than one county, with the auditor of the county having the largest area of property the improvement would be located on.

(c) The petition must:

- (1) designate the drainage system proposed to be improved by number or another description that identifies the drainage system;
- (2) state that the drainage system has insufficient capacity or needs enlarging or extending to furnish sufficient capacity or a better outlet;
- (3) describe the starting point, general course, and terminus of any extension;
- (4) describe the improvement, including the names and addresses of owners of the 40-acre tracts or government lots and property that the improvement passes over;
- (5) state that the proposed improvement will be of public utility and promote the public health; and
- (6) contain an agreement by the petitioners that they will pay all costs and expenses that may be incurred if the improvement proceedings are dismissed.

* Subd. 5. **Subsequent proceedings.** When a petition and the bond required by section 103E.202 are filed, the auditor shall present the petition to the board at its next meeting or, for a joint county drainage system, to the joint county drainage authority within ten days after the petition is filed. The drainage authority shall appoint an engineer to examine the drainage system and make an improvement report. The improvement proceedings must be conducted under this chapter as provided for the original proceedings for the establishment of a drainage project. The benefits and damages determined must be as a result of the proposed improvement. Assessments for the repair of the improvement must be based on the benefits determined for the improvement.

Subd. 6. **Petition for separable part of drainage system needing repair.** (a) If the existing drainage system needs repair and the petition for the improvement is for a separable part only of the existing drainage system, the engineer may include in the detailed survey report a statement showing the proportionate estimated cost of the proposed improvement required to repair the separable part of the existing system and the estimated proportionate cost of the added work required for the improvement. The notice of hearing on the detailed survey report must be given by publication and mailing to all

2019 Minnesota Statutes

103E.202 PETITIONS. *

Subdivision 1. **Applicability.** This section applies to a petition for a drainage project and a petition for repair.

Subd. 2. **Signatures on petition.** (a) A petition must be signed by a requisite number of owners of 40-acre tracts or government lots and property that the drainage project described in the petition passes over, or by the property owners of the required percentage of the property area determined by the total and percentage of area of 40-acre tracts or government lots that the proposed drainage project passes over, excluding areas in and holders of easements for utilities and roads. A petition may be signed by the commissioner of transportation or by a political subdivision if the property is in the jurisdiction of the commissioner or political subdivision and is passed over by the proposed drainage project.

* (b) Each separate parcel of property counts as one signature but the petition must be signed by all owners of the parcel to count as a signature. The signature of each entity regardless of the number of parcels of property owned counts as one signature on the petition. TAX I.D AS Define 0

(c) Paragraph (a) does not apply to a petition for an improvement of an outlet.

Subd. 3. **Withdrawal of petitioner.** After a petition has been filed, a petitioner may not withdraw from the petition except with the written consent of all other petitioners on the filed petition.

* Subd. 4. **Filing petition and bond.** A petition for a drainage project and a bond must be filed with the auditor. If a drainage system is within two or more counties, the petition must be filed with the auditor of the county with the greatest area of property that the proposed drainage project passes over.

Subd. 5. **Petitioners' bond.** One or more petitioners must file a bond with the petition for at least \$10,000 that is payable to the county where the petition is filed, or for a petition for a proposed joint county drainage system or a petition for a drainage project affecting a joint county drainage system, the bond must be payable to all of the counties named in the petition. The bond must have adequate surety and be approved by the county attorney where the petition is filed. The bond must be conditioned to pay the costs incurred if the proceedings are dismissed or a contract is not awarded to construct the drainage system proposed in the petition.

Subd. 6. **Expenses not to exceed bond.** The costs incurred before the proposed drainage project is established may not exceed the amount of the petitioners' bond. A claim for expenses greater than the amount of the bond may not be paid unless an additional bond is filed. If the drainage authority determines that the cost of the proceeding will be greater than the petitioners' bond before the proposed drainage project is established, the drainage authority must require an additional bond to cover all costs to be filed within a prescribed time. The proceeding must be stopped until the additional bond prescribed by the drainage authority is filed. If the additional bond is not filed within the time prescribed, the proceeding must be dismissed.

History: 1990 c 391 art 5 s 27; 2019 c 50 art 1 s 29

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103E.238 COUNTY ATTORNEY REVIEW OF PETITION AND BOND. *

The county attorney must review each petition and bond filed with the county to determine if it meets the requirement of the proceedings for which it is intended. The county attorney must review the petition and bond within 30 days after it is filed. The county attorney must:

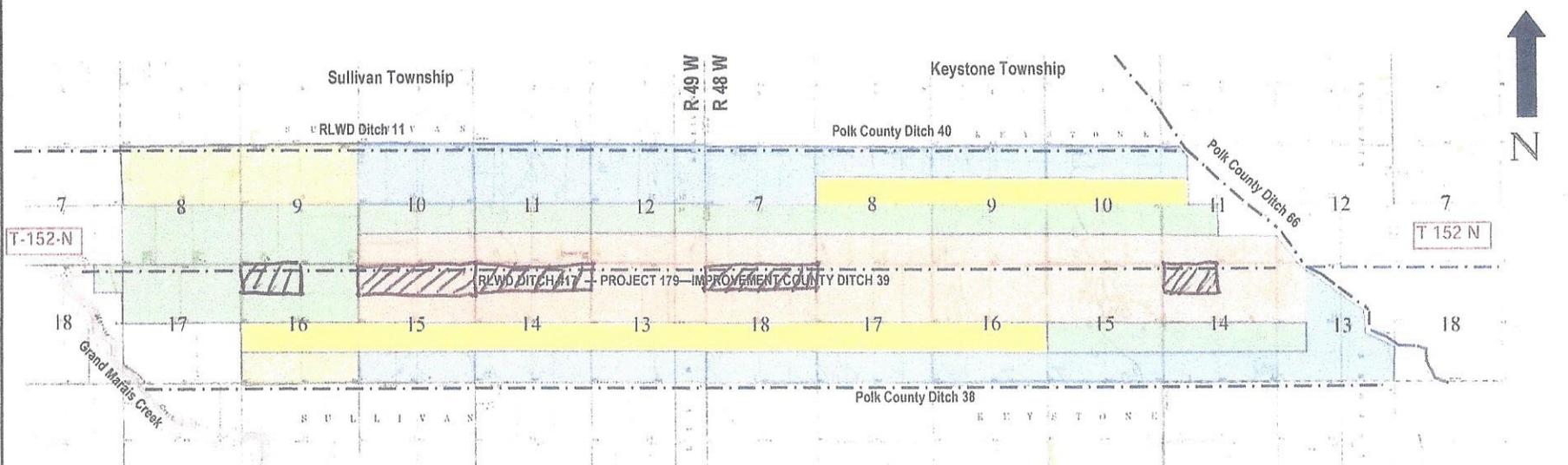
(1) refer the petition and bond back to the petitioners if it does not meet the requirements, with the county attorney's opinion describing the deficiencies of the petition; or

(2) refer the petition to the drainage authority.

History: 1990 c 391 art 5 s 35

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BENEFITS RED LAKE WATERSHED DISTRICT DITCH #17 - PROJECT NO 179



//// **CONFIRMED SIGNED PETITION**
 16 - 40 ACRE TRACTS HAVE SIGNED PETITION
 42 - 40 ACRE TRACTS ON PROJECT. THEREFORE 38.1% OF SIGNATURES, SIGNED PETITION
 26% IS REQUIRED NUMBER OF SIGNATURES MN STATUTES 103E.215 Subd. 4 (4)

DAMAGES

Permanent Ditch Right of Way & 1 Rod Grass Strip = \$5,000.00 X 76.55 acres = \$382,750.00

Temporary Construction Right of Way = \$ 360.00 X 107.84 acres = \$ 34,508.80

Benefits to Land =	\$2,177,523.00
Benefits to Roads & Corporations	
• Polk County Highway	225.00 AC = \$ 59,200.00
• Sullivan Township	97.00 AC = \$ 11,350.00
• Keystone Township	109.85 AC = \$ 18,642.50
• Outlet Benefits Polk County Ditch #66	\$200,000.00
Total Roads & Corporations =	\$ 289,191.50
Grand Total Benefits =	\$2,466,715.50

LEGEND

AREA 1	\$ 350.00/AC - CLASS A (AG1-CROPPED)
AREA 2	\$ 200.00/AC - CLASS A (AG2-CROPPED)
AREA 3	\$ 100.00/AC - OUTLET BENEFIT 1
AREA 4	\$ 50.00/AC - OUTLET BENEFIT 2
AREA 5	\$ 25.00/AC - OUTLET BENEFIT 3
	\$ 25.00/AC - CLASS "C" (WOODLOTS / CONSERVATION)
	\$1,250.00/AC - CLASS "E" (CONVERTED WETLANDS)
	Drainage Ditches

Date 1-21-2020
Sheet 1 of 1
N.T.S.

Red Lake Watershed District
RLWD Ditch #17—Project 179

BENEFIT MAP
PREPARED BY: Roger Belawenger, Rob Wagner, Mike Baumgartner

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103D.625 DRAINAGE SYSTEMS IN WATERSHED DISTRICT. *

Subdivision 1. **Duty to assume drainage systems.** (a) The managers shall take over a joint county or county drainage system within the watershed district and the right to repair and maintain the drainage system if directed by a joint county drainage authority or a county board. The transfer may be initiated by:

- (1) the joint county drainage authority or county board;
- (2) a petition from a person interested in the drainage system; or
- (3) the managers.

* (b) The transfer may not be made until the joint county drainage authority or county board has held a hearing on the transfer. Notice of the proposed transfer with the time and place of hearing must be given by two weeks' published notice in a legal newspaper of general circulation in the area where the transfer is to occur. All interested persons may appear and be heard.

* (c) After the hearing, the joint county drainage authority or county board shall order the watershed district to take over the joint county or county drainage system, unless it appears that the takeover would not serve the purpose of this chapter and would not be for the public welfare or be in the public interest.

Subd. 2. **Status of assumed drainage systems.** A joint county or county drainage system that is taken over in whole or in part is part of the works of the watershed district to the extent taken over.

Subd. 3. **Procedure for repair or improvement.** After the transfer is ordered, all proceedings for repair and maintenance must conform to chapter 103E, except for repairs and maintenance done pursuant to section [103D.621, subdivision 4](#).

Subd. 4. **Construction or improvement.** Construction of new drainage systems or improvements of existing drainage systems in the watershed district must be initiated by filing a petition with the managers. The proceedings for the construction or improvement of drainage systems in the watershed district must conform to chapter 103E, except for repairs and maintenance done pursuant to section [103D.621, subdivision 4](#).

History: [1990 c 391 art 4 s 49](#); [1995 c 199 s 37,38](#)

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Board of Commissioners

Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS

FROM: CHUCK WHITING, POLK COUNTY ADMINISTRATOR

MEETING DATE: July 28, 2020

AGENDA ITEM: CARES Funds and Options

SUMMARY: This will be another update on organizing a plan for use of the CARES funds.

1. Attached is a summary of guidelines put together by AMC, and I am finding this helpful. I have reached out to our larger cities again and think I can see a programmatic approach to utilizing these funds. I can review this more at the meeting on Tuesday.
2. Note the three levels of utilization, particularly as they relate to clarity of purpose. We discussed this very thing at the Board meeting last week and I think it will be very helpful in sorting out viable COVID-19 costs and eligibility for use of the CARES funds.
3. There is a ways to go on this, but I think I can see a direction to take, and will review the status with the Board more on Tuesday.

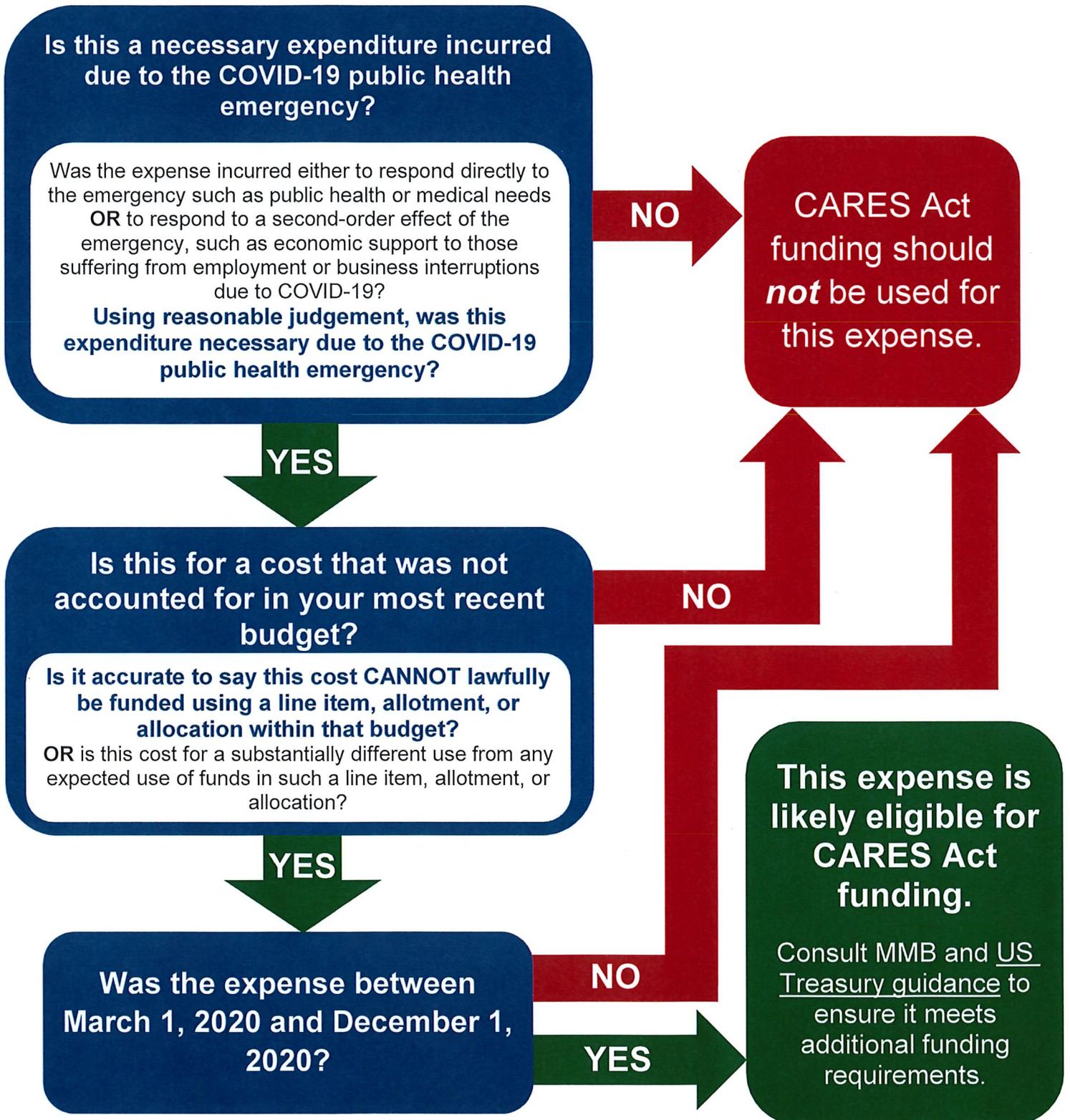
ACTION REQUESTED: Discussion only.

CARES Act Funding Guide for Counties



Use this easy guide to determine if certain expenses are eligible to use CARES Act funds.

We want to provide CARES Act funding for: _____



CARES ACT SUPPORT DOCUMENT AND COMMONLY ASKED QUESTIONS

JULY 2020



Association of
Minnesota
Counties



ASSOCIATION OF MINNESOTA COUNTIES
MINNESOTA INTER-COUNTY ASSOCIATION

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Minnesota Inter-County Association

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www.mica.org

CARES ACT BACKGROUND AND SPENDING PRINCIPLES

On June 25, 2020, Gov. Tim Walz used executive powers to distribute \$841.5 million of CARES Act funds to counties, cities, and townships over 200. Cities and townships under 200 population are allowed to seek reimbursement for any eligible costs—up to a maximum per capita amount—from their home county.

The unprecedented amount of direct appropriations combined with limited federal/state guidance and a short timeframe to spend eligible dollars has created unique challenges for local governments.

This resource was assembled by AMC and MICA staff to assist Minnesota county governments officials to make sense of the U.S. Treasury guidance, the U.S. Treasury Frequently Asked Questions (FAQ's), and the U.S. Treasury Inspector General guidance.

While this document is made available in an effort to assist counties in their decision-making surrounding CARES Act funds, it must be emphasized that:

- U.S. Treasury guidance and Inspector General is the ultimate decider of eligible uses of funds;
- That guidance has continued to evolve over time and this resource is current as of its issuance date (counties should continue to monitor federal guidance as it may evolve).

The following are links to those key official resources put in place to implement the broad authorizing language set forth by P.L. 116-136 (section 5001):

- [“Coronavirus Relief Fund: Guidance for State, Territorial, Local, and Tribal Governments”](#) which has been updated several times since its initial release April 22, 2020.
- [“Coronavirus Relief Fund: Frequently Asked Questions”](#) which has been updated several times to add additional Q& directly from the U.S. Treasury Department (“prime recipients”) but may be helpful to county officials because it lays out reporting requirements that will guide Minnesota Management and Budget (MMB)—and eventually auditors—in terms of:
 - ✓ Reporting timelines and categories; and
 - ✓ Since initial release on May 4, 2020.
- [“MEMORANDUM FOR Coronavirus Relief Fund Recipients”](#) which is intended for government entities that received funds Record retention (documentation) requirements.

In addition, Minnesota Management and Budget (MMB)—the state’s prime recipient of the federal CARES funds—has established the following [resource](#).

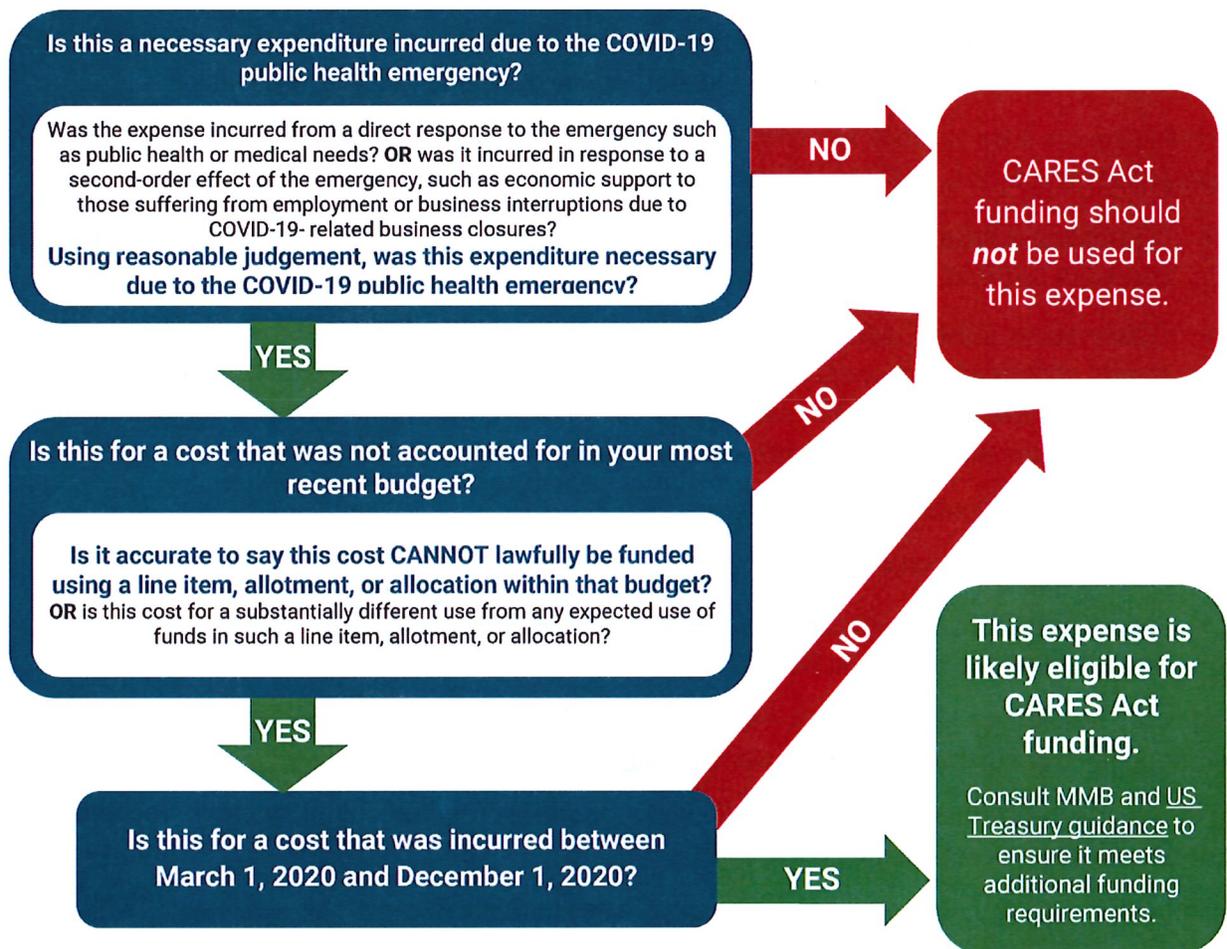
The Minnesota Department of Revenue—which is responsible for distribution, return, or recoupment of funds to counties has established the following [resource](#).

OVERVIEW FOR DECISION-MAKING AND DOCUMENTATION

In general, Treasury implementation and guidance is framed around the expectation that government officials (county CEO's) will determine (and document) how funds are used consistent with [three principles](#)—and in tandem with [up-to-date Federal Treasury FAQ's](#).

More specifically, as reflected in the following [Decision Tree](#), CARES Act funds may be used to cover expenses that are in the judgement of government officials:

1. Necessary expenditures incurred due to the COVID-19 public health emergency, meaning the expenses are for actions taken to respond to the public health emergency including direct expenses and second-order effects of the emergency;
2. **Not accounted for in the budget most recently approved** as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.



It is strongly recommended that intentional decision-making and documentation processes be put in place. Page four of this [U.S. Treasury Office of Inspector General MEMORANDUM](#), provides essential insight into the expectations auditors may have, including that your county:

- Create a public and board-involved process to document regular spending decisions emphasizing “necessary and reasonable” and “in the judgement of government officials.” This documentation could come in the form of routine briefing materials included as part of the official record when county boards approve COVID spending plans.
- Document how the incurred expenses were “due to [needed to respond to] the COVID-19 public health emergency” and EITHER (a) could not have been legally funded from an existing budget line; OR (b) reflect a substantially different use of budget funds from use that was intended when the budget was adopted.
- Put in place coordinated tracking and coding, and assign unique payroll and accounting system codes/labeling to distinguish COVID expenses from expenses that were planned for when the budget was adopted.
- Document timing of the expense and use/benefit of the good or service, such as when the expense is incurred AND paid.

Additionally, keep in mind that while documentation of explicitly eligible expenses may be straightforward (such as receipts for cleaning supplies or PPE), expenses that are less obviously eligible based on the guidance may benefit from an elevated level of documentation of the rationale/analysis used by government officials to arrive at the decision consistent with Treasury guidance, the three guiding principles above, and the Treasury FAQ’s.

In general, counties should also create a rough plan for use of funds that has county board consent. Any revisions or additions to the plan should also include county board review and consent. For example:

_____ County’s proposed outline on use of CARES dollars:

1. Cover direct unbudgeted costs related to COVID (non-FEMA eligible)
2. Set aside for future costs/impacts
3. Use CARES money to cover local FEMA match
4. Cover all staff costs that are being tracked as COVID related
5. Small business relief
6. Individual assistance – rental and mortgage assistance
7. Grants to food shelves for food support
8. Potential second round of business/economic assistance

Local Partnerships

The bi-partisan legislative compromise upon which the Governor's executive action to distribute CARES Act dollars is based on, allows for and encourages local governments to collaborate, share, and integrate their use of CARES funds on common COVID response efforts. As such, we suggest that counties reach out to local governments within their jurisdiction to assess areas of partnership, particularly around business assistance programs.

CARES Act funds can be transferred between local governments to partner on business and economic assistance programs, joint powers ventures, and infrastructure investments as long as the joint spending follows CARES Act guidelines. (Examples: cities within a county can provide a certain amount of their CARES Act dollars to implement a joint/uniform business assistance program; a county provides a grant to a township to provide a larger ability to help with livestock euthanizing/losses; 4 counties dedicate a certain amount of funds for a joint powers health collaborate for continued CARES Act outreach and contact tracing efforts).

DETERMINING THE ELIGIBILITY OF SPECIFIC EXPENSES

The good news is that U.S. Treasury guidance allows for broad flexibility to accommodate unique COVID response actions. However, that guidance may not always be as clear as we would like, especially in areas regarding payroll, infrastructure, and economic support expenses. This section provides supplementary examples to assist counties with their determination of expense eligibility in those three areas but does NOT constitute official guidance or legal advice.

Before diving into payroll expenses, infrastructure, and economic support, remember that all guidance and FAQs are framed around satisfying three key principles in the reasonable judgement of government officials. The latter is emphasized in first Treasury Q&A: "Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19..." However, uses of CARES funds later determined by auditors to be ineligible will be subject to recoupment of the expenses.

Counties should consult two Treasury documents for official advice:

- Pages 2 through 4 of ["Coronavirus Relief Fund: Guidance for State, Territorial, Local, and Tribal Governments"](#) provides a nonexclusive list of eligible expenses, meaning the absence of an expense from the list of examples does not necessarily mean the expense is not eligible.
- ["Coronavirus Relief Fund: Frequently Asked Questions"](#) builds on the previous guidance document and responds to many questions submitted from across the country. This resource will likely continue to be updated as time progresses.

Nonexclusive Examples of Ineligible Uses of CARES Act Stabilization funds

- Expenses/costs that are/will be funded/reimbursed by other federal or state grant program.
- Replacement of lost revenues (government entities).
- Government expenses incurred prior to March 1, 2020 or after December 30, 2020.
- Expenses for the State share of Medicaid (including the portion of state share paid by counties).
- Damages covered by insurance.
- Payroll or benefit expenses for government employees [or staff time] whose work duties are not "substantially dedicated to mitigating or responding to the COVID-19 public health emergency."
- Reimbursement to donors for donated items or services.
- Workforce bonuses (generally) other than hazard pay or overtime for employees.
- Severance pay.
- Legal settlements.
- Prepayments on contracts to the extent that doing so would be inconsistent with the ordinary course of policies and procedures.

Nonexclusive Examples of Eligible Uses of CARES Act Stabilization funds

- COVID related medical expenses of public hospitals, clinics, and similar facilities.
- Expenses for establishing temporary public medical facilities, including related construction costs.
- Costs of providing testing, including serological testing.
- Expenses for establishing and operating public telemedicine capabilities for COVID related treatment.
- Public health expenses, such as for “communication and enforcement,” acquisition of medical supplies, PPE and sanitizing products, and disinfection of public areas and other facilities.
- Expenses for public safety measures undertaken in response to COVID-19.
- Expenses for quarantining individuals.
- Expenses for food delivery, such as seniors and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
- Expenses providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
- Expenses for maintaining state prisons and county jails, including as it relates to sanitation and improvement of social distancing to enable compliance with COVID-19 health precautions.
- Expenses for care for homeless populations to mitigate COVID-19 effects and enable compliance with public health precautions.
- Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
- Expenses for unemployment insurance costs incurred by the recipient as an employer, if such costs will not be reimbursed by the federal (or state) government.
- Increased workers compensation costs to the government due to the COVID-19 public health emergency.
- Expenses associated with conducting a recovery planning project or operating a recovery coordination office.
- Expenses associate with contract tracing.
- Expenses to “support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency” and could take the form of a grant or loan.

- Expenses to assist individuals with enrolling in a government benefit program, if determined that the expenses are necessary and meet the other requirements of section 601(d) of the Social Security Act.
- Consumer grants to prevent eviction and assist in preventing homelessness, if determined that the expenses are necessary and meet the other requirements of section 601(d) of the Social Security Act.
- Expenses for employment and training programs for furloughed employees, if determined that the expenses are necessary and meet the other requirements of section 601(d) of the Social Security Act.
- Expenses to provide emergency financial assistance to individuals and families directly impacted by the loss of income due to the COVID-19 public health emergency (including to assist individuals with payment of overdue rent or mortgage to avoid eviction or foreclosure, or unforeseen financial costs for funerals and other emergency individual needs.).
- Payments of the non-federal matching requirements for Stafford Act assistance (FEMA).

Staffing and Payroll Expense Eligibility

To help counties determine whether salary expenses are eligible for CARES funds, a certain intent can likely be inferred from the overall combination of related U.S. Treasury guidance and FAQs, including that:

- By calling out certain categories of employees (public health, public safety, health care, human services, and similar employees), U.S. Treasury anticipates a meaningful amount of payroll expenses in those areas will be eligible for CARES Act reimbursements.
 - ✓ “as a matter of administrative convenience, may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive....determines....otherwise.”
 - ✓ “Costs incurred for a substantially different use include, but are not necessarily limited to, costs for personnel and services that were budget...but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions.”
- Eligible payroll expenses may include 100% of a position’s expenses for certain employees/functions and a portion of a position’s expense (allocated time). Further, eligible payroll expense for a position could accumulate for the entire covered period (March 1 – December 30) or for a portion of the covered period, depending on local circumstances and consistent with the three guiding principles and FAQs.
 - ✓ “As a matter of administrative convenience, the entire payroll expense for an employee whose time is substantially dedicated to mitigating or responding...is eligible...incurred by December 30. An employer may also track time spent by employees related to COVID-19 and may apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.”
- Implicit in the guidance and FAQs is the expectation that government officials will exercise reasonable judgment (put some boundaries around) what expenses are considered substantially dedicated to COVID response or that are presumptively eligible for administrative convenience.

Other key guidance directly relevant to county payroll costs include that:

- Increased administrative leave costs are eligible “if an employee was allocated to administrative leave to a greater extent than was expected” such as due to employees who could not telework in the event of stay at home orders or a case of COVID in the workplace.
- Hazard pay is eligible if determined that it was a necessary expense due to COVID-19 public health emergency. However, across-the-board hazard pay for employees working during a state of emergency are NOT eligible.

With the above specific guidance in mind, the following three scenarios are intended as examples of the range of approaches a county could consider when determining and documenting eligible payroll expenses

MOST LIMITED: Reimbursement of direct and documented personnel time.

This most limited approach is likely narrower than intended by U.S. Treasury guidance but would offer the most certainty that the county will not run afoul of allowable uses of CARES funds.

- Use CARES funds only to cover payroll expenses for staff time (full-time or portion):
 - ✓ in the areas of public safety or public health, and
 - ✓ Only for functions/duties directly providing or supporting disease suppression, public health guidance or Stay at Home and related orders, such as:
 - Work to administer COVID tests, conduct contact tracing, or communicate to and educate the public on COVID suppression and response;
 - Time spent responding to requests or need to enforce closure orders, social distancing, or to provide traffic control at testing and food distribution sites.
- Use CARES funds for payroll expenses in other areas of county operations only to the extent a position (a portion of position) is created—or redirected—to specific COVID response activities, such as:
 - ✓ Redeploying staff from previous duties to new COVID response duties, whether permanently or temporarily;
 - ✓ Staff time/expense to establish and administer new contracts for temporary housing;
 - ✓ Staff time/expense to clean jail facilities or perform new intake, facility access, or prisoner management policies that were put in place in response to COVID, or
 - ✓ Staff time/expense to distribute food, supplies to vulnerable individuals or others who are isolated due to the public health emergency.
- Use CARES funds for overtime or hazard pay paid to public safety or public health working on public health response.

MODERATE: Scaled down use of Treasury's guidance providing blanket eligibility for public safety and health expenses

Rather than claiming a blanket eligibility for all public safety or public health staff expenses, the moderate scenario leverages the "may presume" language but with key limitations to minimize risk of a negative audit finding at a later date.

- For public safety, presume that payroll expenses for certain public safety staff are eligible, but not others, based on analysis of functions you determine to be necessary to the COVID-19 public health emergency response. Options might include using CARES funds only for:
 - ✓ Expenses for patrol officers, dispatchers, or jailers in a consideration of the change in routine job duties necessary to limit spread, to monitor and enforce closure orders, and to ensure that first responders in general are readily available, trained, and prepared to respond to unanticipated conditions without the opportunity to perform those functions remotely.
 - ✓ Expenses for the entire covered period (March 1 through December 30) or for a portion of the covered period as it may relate to periods of outbreak, periods during which closure orders are in place, or during the period of Peacetime Emergency.
- For public health staff, consider the presumptive eligible for such payroll expenses to be applied broadly to public health staff with certain limitations, such as
 - ✓ Excluding environmental staff and including primarily staff in areas of disease control and management, epidemiology, clinic operations, emergency preparedness, health education and other general public health;
 - ✓ Consider expenses linked to various timeframes, such as the entire covered period, Peacetime Emergency, or periods of out-break.
- For other categories of employees specifically called out in Treasury guidance (Human Services and Corrections), consider payroll expenses for work that staff performed either daily or intermittently to facilitate social distancing and Stay at Home orders and impacts of closure orders and to administer, monitor and sustain that community support as necessary to respond to the COVID public health emergency (make sure it is routinely coded in payroll/accounting systems)
- For other areas of county operations, many counties have identified periods of heavy work by employees in areas of human resources, Information services/IT, administration or other areas that at least periodically experienced a significant change from the duties due to COVID relative to the work those staff were planned to be performing at the time the budget, such as:
 - ✓ Creating policies and procedures to have staff work remotely;
 - ✓ Putting technology, security, and other systems in place to allow work to be performed remotely;
 - ✓ Planning for and implementing the return of employees to the workplace or to resume in-person services.

MOST EXPANSIVE: Using the Treasury guidance's blanket public safety and public health blanket eligibility language. (*Caution Recommended*)

In response to a question on eligible payroll expenses — from an attendee of an organized Q&A forum with local government officials from across the country — a U.S. Treasury official was recently quoted as saying:

“Generally, we tried to be very flexible in our interpretation of the use of the Fund. Some of the ways we opened up; I think one of the most important ones is the presumption that public health and public safety personnel, both salary and benefits can be 100 percent charged to the CRF. I think that that is a great benefit.”

“If you are a public health or public safety officer, so you know, the officer on patrol say, right, the officer on patrol, you can charge their entire payroll cost to the CRF. That is where the presumption that they are working, that their work is related to COVID-19 comes in. So, for those two classes of worker – public health or public safety – whether they have been budgeted for or not, you can charge it to the CRF.”

That statement has NOT been published as official Treasury guidance and presumably should not be viewed as official. Nonetheless, to the extent a county uses CARES funds for a balanced package of different uses, but which includes a broad but moderated use for payroll expenses as outlined above, the statement by this Treasury official may provide a certain comfort to approach. A county that opts for an even broader use of CARES funds for payroll expenses might:

- Presume that all public safety (law enforcement) and public health payroll expenses for the period from March 1 through December 30 are eligible for CARES funding;
- Broadly consider significant portions of the Human Services staff payroll expenses.

While the verbiage used by Treasury to describe eligible use for payroll expenses is broad, some caution would be in order recognizing that Treasury the guidance is designed to take into account that the spread and severity of COVID-19 and response actions was likely to vary across the country and so the reasonable judgement of government officials to determine eligible expenses may vary depending on unique facts and circumstances related payroll expenses necessary to respond to the pandemic. Consequently, perhaps the most critical component for all counties—regardless of what approach is taken to use CARES funds for payroll expense—is to put in place a robust set of documentation articulating how the approach taken by your meets the three guiding principles, is consistent with guidance and FAQ's and is reflected in county payroll, accounting and other coding to distinguish CARES expenses from the original budget.

NOTE: *If your county is uneasy with any of these approaches, you may want to consider setting aside some of your CARES Act funds for future personnel reimbursement decisions, anticipating additional CARES Act guidance and clarity from Treasury Department. If guidance does not come or alleviate your concerns, your county board could decide to repurpose the set aside dollars for other incurred expenses, infrastructure investments related to COVID, or additional business/economic assistance relief.*

Infrastructure Investments/Broadband

In general, capital improvement projects that broadly provide potential economic development in the community are NOT eligible. Exceptions are allowed if capital improvement projects are necessary expenditures incurred due to the COVID-19 public health emergency and will be utilized before December 30th. Treasury Guidance and published FAQs references several specific examples that could meet that test and be considered eligible:

- “Establishing temporary medical facilities and other measures to increase COVID-19 treatment capacity.”
- “Expenses to facilitate distance learning, including technology improvements, in connection with school closings to enable compliance with COVID-19 precautions.”
- “Expenditures [for rural broadband] would only be permissible if they are necessary for the public health emergency. The cost of the projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary....and thus would not be eligible.”
- As indicated above, there is limited opportunity for capital project costs to be considered an eligible use. Perhaps a clean example would be construction within entrances, service centers, or at public counters to accommodate public health precautions (keyless/remote entries, plexiglass screen installation, office spacing solutions, etc.). Specifically, multiple counties have inquired about using CARES funds for broadband expansion or other enhancements needed to establish/improve internet access

Again, considering the three key principles and the specific Treasury guidance related to expanding broadband capacity, we encourage counties considering use of CARES funds for that purpose to consider (and document):

- The nature and extent to which the need is due to the COVID public health emergency.
- Whether the enhanced broadband capacity will be placed in service in time to address the need (e.g. during the upcoming school year, during the pandemic prior to December 30) and how the use of CARES funds compares to total project costs and the useful life of the expended capacity.
- How did the technology result in demonstrable mitigation relative to the need due to COVID?

Structuring Business Assistance Programs

While the original negotiated legislative agreement SF 47 included a mandate that counties use 10% of their funds for “business or economic assistance,” the ensuing executive order did not include the mandate provision, leaving it up to local governments to determine if and how much of their funds should be used for business relief. Nevertheless, the intent from the legislative and executive branches is clear that counties and local governments should be using portions of their funds for business relief. Treasury guidance provides local governments with a fair amount of latitude in how to structure relief programs, including the following important phrases:

- “Governments have discretion to determine what payments are necessary” to reimburse the costs of business interruption caused by required closures and to determine what is meant by small business.
- “The amount of a grant to a small business to reimburse the costs of business interruption caused by required closure would also be an eligible expenditure...”
- “Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measure or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.”
- Fund payments may not be used for government revenue replacement including the provision of assistance to meet tax obligations.

Items to consider when structuring a business assistance program:

- Work with county board members and department leads to create an outline of a plan that reflects commissioners’ goals, the needs of your business community, and is administrable.
- Consult and communicate with cities and townships within your borders to determine if it is worthwhile to consolidate funds and run one, single program for the county and corresponding entities. This not only provides a larger pot for business relief, but also will reduce confusion from an applicant having to apply to multiple local government programs.
- Determine the size and scope of grants (most common sized maximum grant award is “up to \$10,000.”)
- Determine eligibility requirements surrounding:
 - ✓ Program timelines (application open and closing dates).
 - ✓ What businesses are eligible:
 - Business size (FTE limits) and/or annual revenue limits.
 - Residency requirements/limitations.
 - Operation timeline requirements (example: must have been operating for at least 12 months prior).

- Whether the assistance program will be a combined program for non-profits and for-profit businesses or a separate program for each.
- Whether to include religious institutions.
- ✓ Whether the county will limit entities who have received other state, federal, city grants from applying.
- ✓ How to treat individuals with multiple businesses within your jurisdictions.
- Create an application referencing the above decisions requiring applicants to clearly document their costs related to COVID. Include clear language outlining an awardee's obligations to use the grant dollars within expressed Treasury guidelines and that a awardee may be required to pay back funds if they are found out of compliance.
- Determine whether the county has the administrative capabilities to run the program. If so, create internal processes for grant review, approval, and follow-up communication along with direct board approval and documentation. If your county does not have the ability to manage the program, look for partners (business associations, EDAs/CDAs, etc.) to assist in administering, knowing that the county may use CARES Act dollars to pay for their services directly affiliated with operating the business relief program.
- Partner with local chambers of commerce and newspapers to market the program.
- Determine if the program can be duplicated should the county decide to use remaining CARES Act funds to release a second round of business assistance grants.

Structuring Economic Assistance Programs

Forthcoming!

Administration of Funds/Reimbursement for Cities and Towns Under 200

Basic process suggestions:

- Identify a single point of contact within county government who will work with cities and townships under 200 population to administer reimbursements.
- Communicate a brief message to the leadership of cities and towns under 200 population as soon as possible so they know who to contact and that more information will be forthcoming
- Prepare to distribute funds on a reimbursement basis up to:
 - ✓ \$25 per capita for each township under 200, or
 - ✓ \$75.64 per capita for each city under 200.
- Review the attached recommended reimbursement form. If your county is comfortable using the form, put the form on your county logo/letterhead so the Home County is clearly articulated on the form and send the form to your jurisdictions under 200 with any additional instructions and/or links to federal guidance and state, county, city/town association resources, potentially including information informing each jurisdiction of the maximum amount they will be eligible for (\$25per cap or \$75.64 per cap).
- Establish an internal county process for receiving and processing reimbursement request forms.

COMMONLY ASKED QUESTIONS

Q: What happens to the funds of towns/cities over 200 who do not certify or ask for their funds by the state by September 15, 2020?

Local government certifications and requests for aid will not be accepted after September 15, 2020. Therefore, any local governments over 200 population who does not send in their certification form to the Department of Revenue by this date will not be eligible for a direct distribution. Their certified distribution amount will then return to the state Coronavirus Relief Fund.

CRF disbursement amounts for counties, cities, and towns over 200 population can be found on this [site](#).

Cities and towns under 200 will not receive a direct distribution from the state and must ask their home county to receive payments for eligible costs. [AMC and MICA have created a form to assist counties with these requests.](#)

Q: Can counties use CARES Act dollars to support non-profits either through business assistance programs or via payments for direct, COVID-related services?

Federal Treasury guidance is clear that local governments may distribute funds to non-profits to be used to distribute assistance that is COVID-related (housing/rent relief, food shelves/food supports, unemployment/job retraining programs, daycare facilities, etc.).

May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.

The guidance does not limit or prohibit a local government from using business assistance funds for direct relief for a non-profit who has experience a “business interruption” as a result of COVID and specifically states “governments have discretion to determine what payments are necessary.”

The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

Q: Can churches be included in a business assistance program?

There are no current federal or state guideline limitations on churches or religious institutions (who are likely structured as a non-profit entities) from being included in any business assistance program.

Q: Can counties use CARES funds to assist private hospitals?

Yes. Funds may be used to support both public and private hospitals with specific attention to the format of the assistance (loan v. grant).

To what extent may a government use Fund payments to support the operations of private hospitals?

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

Q: Can counties use CARES funds to pay for consultants to help for planning, program design, and implementation?

There is no prohibition on local governments using CARES Act funds to hire a consultant or contractor to provide legal advice or help administer a program. For example, Ramsey County has partnered with the Metropolitan Consortium of Community Developers' Open to Business program to administer their business assistance program and provide additional resources/technical assistance to impacted businesses.

Q: Should counties be using CARES Act dollars to support local public health outreach and tracing efforts?

Yes. Federal guidance is clear that CARES Act dollars can be used for public health costs (staffing, contact tracing, etc.) as well as increased workers compensation costs due to COVID-19. Furthermore, the Minnesota legislature chose not to provide a separate state aid program for targeted local public health and contact tracing costs. Department of Revenue has been clear that counties and cities with local public health departments should be using CARES Act dollars to fund these outreach efforts.