

**\*\*Revised  
POLK COUNTY BOARD**

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

**AGENDA**

**SEPTEMBER 1, 2020**

- 8:00 A.M.      MEETING OPEN/CONVENE**
- CALL TO ORDER**
- PLEDGE ALLEGIANCE TO FLAG**
- REVIEWAL & APPROVAL OF THE AGENDA**
- CONSENT AGENDA**
- 1. Approve Auditor Warrants.**
- COUNTY BOARD MEMBERS ISSUE FORUM**
- 8:30            LIZ LYNCH – LAKE AGASSIZ REGIONAL LIBRARY**
- 1. 2021 LARL Budget Request**
- 8:50            JACOB SNYDER – PLANNING AND ZONING**
- 1. Resolution (2020-77) Conditional Use Permit For Amanda & Casey Holweger  
For Total Accessory Structure Over 2500 Sq.Ft. On A Parcel Less Than 5 Acres**
- 2. Final Plat Approval Zavoral Addition Parcel No. 40.00137.00 and Parcel No.  
40.00154.00**
- 9:30            RICHARD SANDERS - HIGHWAY**
- 1. County Ditch 55 Tile Replacement**
- 2. \*Repair CSAH 20**
- 3. \*\*Lengby Pit- Mahnomen County Forestry Contract**
- 9:35            MICHELLE COTE – PROPERTY RECORDS**
- 1. Temporary Easement To Construct For Government Entities**
- 9:45            CHUCK WHITING - ADMINISTRATOR**
- 1. Approval To Fill Clerk Typist Cashier III Vacancy – Attorney’s Office**
- 2. 2021 Budget Status**
- 3. CARES Funds 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.

## AUDITOR WARRANTS 08/04/2020

<u>Vendor Name</u>	<u>Amount</u>
Davidson Construction	31,480.15
Johnson Controls Fire Protection LP	5,084.00
Knife River Materials	16,449.08
Kronos SaaShr Inc	3,554.46
Palmer Masonry & Concrete	11,583.60
Polk County	82,757.55
RDO Equipment Company	240,590.00
8 Payments less than 2000	3,877.63
<b>Final Total:</b>	<b>395,376.47</b>

## AUDITOR WARRANTS 08/11/2020

<u>Vendor Name</u>	<u>Amount</u>
Becker County Human Services	41,354.61
BELTRAMI COUNTY SOLID WASTE	2,369.44
City of McIntosh	5,436.10
Clay County Public Health	22,013.20
Cole Papers Inc	11,281.92
Dick's Backhoe Service	10,645.00
ENTERPRISE FM TRUST	7,798.24
Fosston Municipal Utilities	44,337.72
Halstad Telephone Co	9,543.70
Lenes Sand & Gravel Inc	26,408.93
Norman County Public Health	19,276.12
Northside Express	6,690.83
Ottertail Power Co	34,713.23
Ottertail Public Health	41,784.17
Polk County Environmental Services	2,274.07
Polk County Public Health	12,916.32
Wild Rice Elec Co- Op Inc	3,829.25
22 Payments less than 2000	9,989.38
<b>Final Total:</b>	<b>312,662.23</b>

## AUDITOR WARRANTS 08/18/2020

<u>Vendor Name</u>	<u>Amount</u>
BELTRAMI COUNTY SOLID WASTE	2,765.96
Cole Papers Inc	6,345.15
Crookston Water Department	3,198.19
ENTERPRISE FM TRUST	3,263.29
Fischer Rust, Stock & Rust, PLLC	3,952.50
Fosston Municipal Utilities	43,503.41
Garden Valley Technologies	2,924.26
GreatAmerica Financial Services	9,825.32
Knife River Materials	449,116.68
Kronos SaaShr Inc	7,043.56
Mn State Treasury	9,888.00
Norman County Public Health	25,119.65
Polk County Public Health	71,607.79
Reynolds Harbott Knutson & Larson PLLF	4,900.65
Sather Law Office Ltd	4,981.55
Verizon Wireless	4,915.42
18 Payments less than 2000	5,950.72
<b>Final Total:</b>	<b>659,302.10</b>

AUDITOR WARRANTS 08/25/2020

<u>Vendor Name</u>	<u>Amount</u>
Altru Health System	2,653.00
Anderson Brothers Construction	181,888.28
ENTERPRISE FM TRUST	3,185.83
Ferfuson Brothers Excavating Inc	57,190.00
Gladen Construction Inc	18,816.51
Istate Truck Center	116,522.00
Johnson Controls Fire Protection LP	5,197.03
Knife River Materials	616,584.90
Norman County Public Health	16,975.23
Northwestern Mental Health Center	10,594.00
Polk County Administrator	3,696.00
Polk County Public Health	19,366.20
Wm D Scepaniak Inc	413,797.92
14 Payments less than 2000	6,824.35
<b>Final Total:</b>	<b>1,473,291.25</b>

MANUAL WARRANTS 08/04/2020

<u>Vendor Name</u>	<u>Amount</u>
FURTHER	1,715.08
<b>Final Total:</b>	<b>1,715.08</b>

MANUAL WARRANTS 08/07/2020

<u>Vendor Name</u>	<u>Amount</u>
Internal Revenue Service	167,585.18
Minnesota Revenue	28,744.98
<b>Final Total:</b>	<b>196,330.16</b>

MANUAL WARRANTS 08/10/2020

<u>Vendor Name</u>	<u>Amount</u>
FURTHER	2,658.19
<b>Final Total:</b>	<b>2,658.19</b>

MANUAL WARRANTS 08/17/2020

<u>Vendor Name</u>	<u>Amount</u>
FURTHER	977.81
<b>Final Total:</b>	<b>977.81</b>

MANUAL WARRANTS 08/18/2020

<u>Vendor Name</u>	<u>Amount</u>
Mn Dept Of Revenue	753.00
<b>Final Total:</b>	<b>753.00</b>

MANUAL WARRANTS 08/18/2020

<u>Vendor Name</u>	<u>Amount</u>
Minnesota Revenue	5,060.00
Minnesota Revenue	1,116.63
Mn Dept Of Rev Tax Division	112,395.71
Mn Dept Of Revenue	1,178.00
Mn Dept Of Revenue	295.00
<b>Final Total:</b>	<b>120,045.34</b>

MANUAL WARRANTS 08/18/2020

<u>Vendor Name</u>	<u>Amount</u>
Northwest Service Cooperative	262,265.50
<b>Final Total:</b>	<b>262,265.50</b>

MANUAL WARRANTS 08/21/2020

<u>Vendor Name</u>	<u>Amount</u>
Internal Revenue Service	168,215.05
Minnesota Revenue	28,762.66
<b>Final Total:</b>	<b>196,977.71</b>

MANUAL WARRANTS 08/25/2020

<u>Vendor Name</u>	<u>Amount</u>
FURTHER	1,293.22
<b>Final Total:</b>	<b>1,293.22</b>

# LAKE AGASSIZ REGIONAL LIBRARY

2021

## Preliminary Budget

Approved: June 18, 2020 LARL Board of Trustees

CATEGORY	2019 BUDGET	2020 BUDGET	2021 BUDGET	\$\$ VARIANCE	% VARIANCE
Personnel	2,384,950	2,463,300	2,557,800	94,500	3.84%
Library Materials	400,000	405,000	405,000	0	0.00%
Automation/Cataloging	182,200	174,900	180,150	5,250	3.00%
Library Programming/Staff Dev.	23,900	23,900	24,900	1,000	4.18%
Mileage/Board Mtg Expense	29,000	29,000	28,500	(500)	-1.72%
Regional Library Telecom Aid	101,000	93,150	93,150	0	0.00%
Other Operating Expenses	221,400	217,050	214,950	(2,100)	-0.97%
Vehicle Expenses	3,900	3,950	3,950	0	0.00%
Capital Expenses	49,000	48,000	47,500	(500)	-1.04%
Total Budget	3,395,350	3,458,250	3,555,900	97,650	2.82%

(OVER)

# LAKE AGASSIZ REGIONAL LIBRARY

**2021**

## Preliminary Budget

**Approved: June 18, 2020 LARL Board of Trustees**

<b>REVENUE</b>	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>\$\$ Change</b>	<b>2021 Request</b>
Becker County	378,205	391,360	9,005	400,365
Detroit Lakes	226,670	232,370	3,975	236,345
Clay County	292,175	301,615	6,460	308,075
Moorhead	753,375	773,385	13,535	786,920
Clearwater County	101,910	105,990	2,790	108,780
Mahnomen County	43,020	44,595	1,030	45,625
Mahnomen	20,600	21,685	725	22,410
Norman County	98,550	102,085	2,395	104,480
Polk County	264,090	274,020	6,550	280,570
Crookston	222,635	227,005	3,025	230,030
Wilkin County	54,350	55,835	960	56,795
Breckenridge	90,040	92,185	1,550	93,735
<b>SUB-TOTAL</b>	<b>2,545,620</b>	<b>2,622,130</b>	<b>52,000</b>	<b>2,674,130</b>
<b>GRANTS</b>				
State Basic Support	519,148	525,699	4,301	530,000
Regional Library Telecom Aid	101,000	93,150	-	93,150
<b>TOTAL GRANTS</b>	<b>620,148</b>	<b>618,849</b>	<b>4,301</b>	<b>623,150</b>
<b>OTHER REVENUE</b>				
Miscellaneous	104,650	110,650	5,000	115,650
Joint Automation	49,850	49,000	500	49,500
Fund Balance/Shortfall	75,082	57,621	35,849	93,470
<b>TOTAL OTHER REVENUE</b>	<b>229,582</b>	<b>217,271</b>	<b>41,349</b>	<b>258,620</b>
<b>TOTAL REVENUE</b>	<b>3,395,350</b>	<b>3,458,250</b>	<b>97,650</b>	<b>3,555,900</b>
<b>EXPENDITURES</b>				
Operating	3,346,350	3,410,250	98,150	3,508,400
Capital	49,000	48,000	(500)	47,500
<b>TOTAL EXPENDITURES</b>	<b>3,395,350</b>	<b>3,458,250</b>	<b>97,650</b>	<b>3,555,900</b>
				-

# Get to know YOUR LIBRARY!

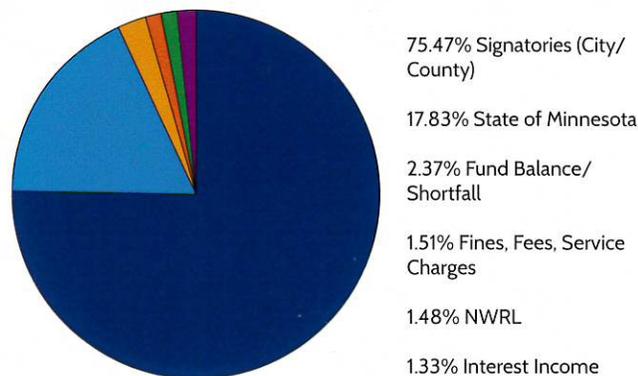


LAKE AGASSIZ  
REGIONAL LIBRARY  
[www.larl.org](http://www.larl.org)

Lake Agassiz Regional Library (LARL) is a regional library system serving residents in a seven-county region of Northwest Minnesota. Lake Agassiz Regional Library shares and distributes resources among 13 branch libraries and 9 LINK Sites.

## Where does LARL's funding come from?

The majority of funds for libraries in LARL's region come from city and county signatories.



## What does this funding support?



In 2019, **148,287 Minnesotans** received access to books and other materials, online resources, classes, workshops, cultural programs and more.

## What happened in 2019?



There was a **17% increase** in eBook and eAudiobook downloads.



There were more than **550,000** library visitors.



The number of classes, workshops and programs **increased by 5%**, promoting adult education, literacy enrichment for children and more.



More than **690,000** items were borrowed by MN residents.



## Board of Commissioners

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

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

**FROM:** Jacob Snyder - Planning & Zoning Administrator

**MEETING DATE:** September 1, 2020

**AGENDA ITEM:** Conditional Use Permit –Amanda & Casey Holweger (Parcel #09.00032.01)

**SUMMARY:**

- 1) The applicant owns a 3-acre parcel of land in the agricultural zoning district in Section 5 of Bygland Township.
- 2) The property is located in the agricultural zoning district and currently there is a home with an existing 50' x 60' (3,000 sq. ft.) accessory structure. The existing structure was an old ag-structure renovated for an accessory structure that stores construction equipment and tools for the applicants construction business.
- 3) The applicant would like to construct an additional 34' x 34' (1156 sq. ft.) garage bringing the total accessory structures to 4,156 sq.ft. The proposed building will be a storage building on the property for personal use and plans to meet all applicable setbacks.
- 4) The application explains the applicants are in the construction business and own a construction company with their base of operations located in North Dakota. With lots of tools and construction equipment they need space to store personal items within the proposed accessory building.
- 5) The parcel is surrounded by adjacent agricultural fields and one other residential lot.
- 6) Bygland Township signed the application for construction of the proposed garage. Lenny Yanish, Neighbor contacted our office to make us aware that there is a rural water line that runs near the proposed building.
- 7) 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 Amanda & Casey Holweger to construct an accessory structure (34' x 34') with Planning Commission recommendations.

# BOARD OF COUNTY COMMISSIONERS

**Amanda & Casey Holweger  
Parcel # 09.00032.01**

**September 1, 2020**

## APPLICANT REQUEST:

Applicant is requesting a Conditional Use Permit (CUP) to construct a new 34' x 34' (1156 sq. ft.) accessory structure, which will bring the total accessory structure square footage on the property to over 2,500 sq. ft. on a 3-acre parcel located in the agricultural zoning district of Bygland 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.**
4. PCZO 13.7020 states: An accessory structure not used in conjunction with a home occupation that does not comply with 13.4240, or where the use of the accessory structure is in conjunction with a home occupation but does not meet one or more criteria listed in 13.4300 – 13.4310, may be allowed provided that:

- a.) The applicant complies with those criteria listed in 13.4300 – 13.4310, or has satisfactorily addressed any of those requirements for which they are unable to comply; and
- b.) There is a demonstrated need to use the accessory structure as a part of the home occupation.
- c.) If the use of the accessory structure is for storage of equipment or materials to be used off site, the use of the accessory structure shall not require a Conditional Use Permit, provided the use is in conformance with 13.4300**

5. PCZO 13.4300 states: Home Occupations. It is the intent of this subdivision to provide for the operation of a business or profession in the home or with the home as a base of operations as an accessory use provided that the operation of the home occupation is secondary to the use of the home, land, and any accessory structures for residential purposes. The home occupation shall be conducted principally by the members of the family occupying the dwelling.

13.4301 Conduct of the home occupation shall not require alterations to the exterior of the residence or change the residential character of the residence, land or any accessory structures thereof.

13.4302 No more than two employees other than members of the family living on the premises may be employed on the premises.

13.4303 Signs as regulated by Section 12, specifically 12.1037.

13.4304 No outdoor storage or display of goods is permitted.

13.4305 Any additional need for parking generated by the home occupation shall be met by off-street parking.

13.4306 All home occupations shall conform to Section 12.

13.4307 Should the home occupation be repair, the items repaired shall be of a size or nature that repair can occur within the home or accessory structure.

13.4308 The home occupation shall not generate sewage of a nature or type that cannot be treated by a permitted on-site sewage system.

13.4309 Any home occupation use that does not comply with one or more of the aforementioned conditions shall be required to obtain a Conditional Use Permit as prescribed in 13.7020.

**PERTINENT FACTS:**

- 1) The applicant owns a 3-acre parcel of land in the agricultural zoning district in Section 5 of Bygland Township.
- 2) The property is located in the agricultural zoning district and currently there is a home with an existing 50' x 60' (3,000 sq. ft.) accessory structure. The existing structure was an old ag-structure renovated for an accessory structure that stores construction equipment and tools for the applicants construction business.
- 3) The applicant would like to construct an additional 34' x 34' (1156 sq. ft.) garage bringing the total accessory structures to 4,156 sq.ft. The proposed building will be a storage building on the property for personal use and plans to meet all applicable setbacks.
- 4) The application explains the applicants are in the construction business and own a construction company with their base of operations located in North Dakota. With lots of tools and construction equipment they need space to store personal items within the proposed accessory building.
- 5) The parcel is surrounded by adjacent agricultural fields and one other residential lot.

**COMMENTS RECEIVED:**

- 1) Bygland Township signed the application for construction of the proposed garage.
- 2) Lenny Yanish, Neighbor contacted our office to make us aware that there is a rural water line that runs near the proposed building. Mr. Yanish is familiar with the location of this water line as it runs at an angle across these two parcels. He added that the location of a garage addition he did located the line runs angled across the properties. He added he did not want the neighbors to have issues with the water line as he believed that they require a 10 ft building setback from the water supply line. Mr. Yanish added that snow piling on his site is another concern as the predominant wind blows across the field and drifts in along the trees and this building would create more snow drifting.

**PLANNING COMMISSION & STAFF RECOMMENDATIONS:**

PC & Staff recommends approval of the Conditional Use Permit with the following conditions:

- 1) 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.

- 2) The storage of construction equipment on site meets all standards in PCZO 13.4300 and in PCZO section 12.
- 3) Supplies stored on site are those used during the ordinary course of the construction business. The building or storage area shall not be used as a warehouse.
- 4) No outdoor storage or display of goods is permitted. Outside storage of contractor equipment is screened from view of the road, and any neighboring residences. Screening shall be as provided in Section 12.4100.
- 5) The conditional use permit shall become void one year after it was granted unless used.
- 6) The building be placed to meet 10 feet from the Marshall/Polk rural water line that must be located on the parcel. As well as all other structural setbacks in the Polk County Zoning Ordinance.
- 7) 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.
- 8) 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.
- 9) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- 10) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
- 11) 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.
- 12) 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: The board packet was due prior to the Planning Commission meeting 8-28-20. Any changes to the conditions will be addressed during the board meeting.**

Application No. \_\_\_\_\_  
Parcel No. \_\_\_\_\_  
Fee Amount \_\_\_\_\_

# SUPPLEMENTAL DATA FOR CONDITIONAL USE PERMIT

Polk Co. Planning and Zoning  
P.O. Box 375  
320 Ingersoll  
Crookston, MN 56716  
Phone (218) 281-5700 or 6414  
Fax (218) 281-6414

RECEIVED

JUL 09 2020

POLK COUNTY ENV. SVS.

## APPLICANT INFORMATION

NAME: Amanda + Casey Hdweger  
ADDRESS: 12578 835th St SW  
CITY, STATE, ZIP: ElkF mn 56721  
PHONE: 218 779 0737

The above named individual, firm or corporation hereby respectfully submits the following supplemental data in support of the preliminary information provided on the accompanying Zoning Application Summary Form (Form A) dated 7-8-2020 for the purpose of securing a conditional use permit.

## PROJECT INFORMATION

1. Specify the section of the ordinance that applies to this project: 13,7001

2. Brief narrative description of this request: A storage area for garden and snow mobiles along with other items that need storage

3. Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized: We have a lot of items on the lawn in the trees that need storage. We have a shop that we would like to have for construction storage only. As of now, we have it packed with construction storage plus other items that need storage.

4. Check all additional supporting documents and data which are being submitted to help explain this project proposal:  sketch plan, ( ) topographic map,  detailed narrative,  operation plans, ( ) engineering plans, ( ) floodplain hydraulic analysis, ( ) flood proofing plans and specifications, ( ) other (specify) \_\_\_\_\_

I hereby certify with my signature that all data on my application forms, Plans and specifications are true and correct to the best of my knowledge: Ahdweger 7-8-2020  
(Signature of Applicant) (Date)

## CONDITIONAL USE PERMIT

In accordance with \_\_\_\_\_ of the *Polk County Zoning Ordinance*,  
(Section of Ordinance)

the **Polk County Commissioners** hereby ( ) **approve**, ( ) **deny** the foregoing Application for a Conditional Use Permit. If approved, said approval is subject to the following General and Special Provisions:

By: \_\_\_\_\_  
(Authorized Signature) (Title) (Date)

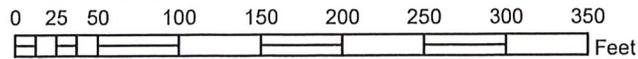
Hi. We are requesting additional storage for our 'farm'. We are a family of 6 that enjoys lots of outdoor time. That outdoor time includes swimming, gardening in a very large garden, dirt biking, and snowmobiling. All of these activities take up all of the space we currently have in our shop. We used to have other storage buildings on the land but tore them down because they were a hazard and not very functional.

The shop we are currently using for storage is packed full with all of the 'toys' and tools for the home. We also own a business licensed in ND and use our home property to store tools, trailers, skids, and other items that are not currently being used. With all of the items for the business and the home, we are out of storage and would love another shed so that we can get stuff out of the yard and off the lawn.

If granted this CUP we would build a shed to store our garden utensils, 'toys' and other items that we use around the 'farm'. The shop would be used for the storage of all the extra business items currently not in use. The new shed would help us keep our stuff organized, clean, and in great working condition. It would also help keep all the business items separate from the home items, which would be a blessing.

Thank you for your time.  
Take care and  
stay healthy,  
Addinger

RECEIVED  
JUL 09 2020  
POLK COUNTY ENV. SVS.



**Legend**

-  E911\_Road
-  Polk\_GIS.DBO.Parcels
-  Sections
-  Indicates Property Location

Conditional Use Permit Request; Applicant is requesting a conditional use permit to exceed 2,500 sq ft of total accessory structures on a parcel of land less than 5 acres but greater than 2 acres. The total accessory structures would be 4020 sq ft including the proposed accessory structure (30'x34'=1,020sq ft) as there is an existing 3,000 sq ft pole building.

\*NOTE: Proposed Project is in the Agricultural Zoning District.

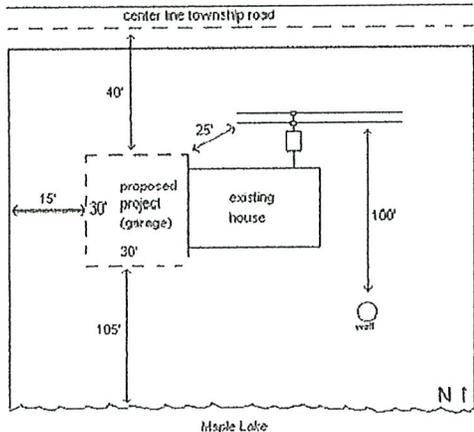
Map Created 8/3/2020  
By: Jacob Snyder  
Planning & Zoning Admin.

Sketch Plan Requirements

PLEASE INCLUDE THESE ITEMS IN YOUR SKETCH PLAN BELOW:

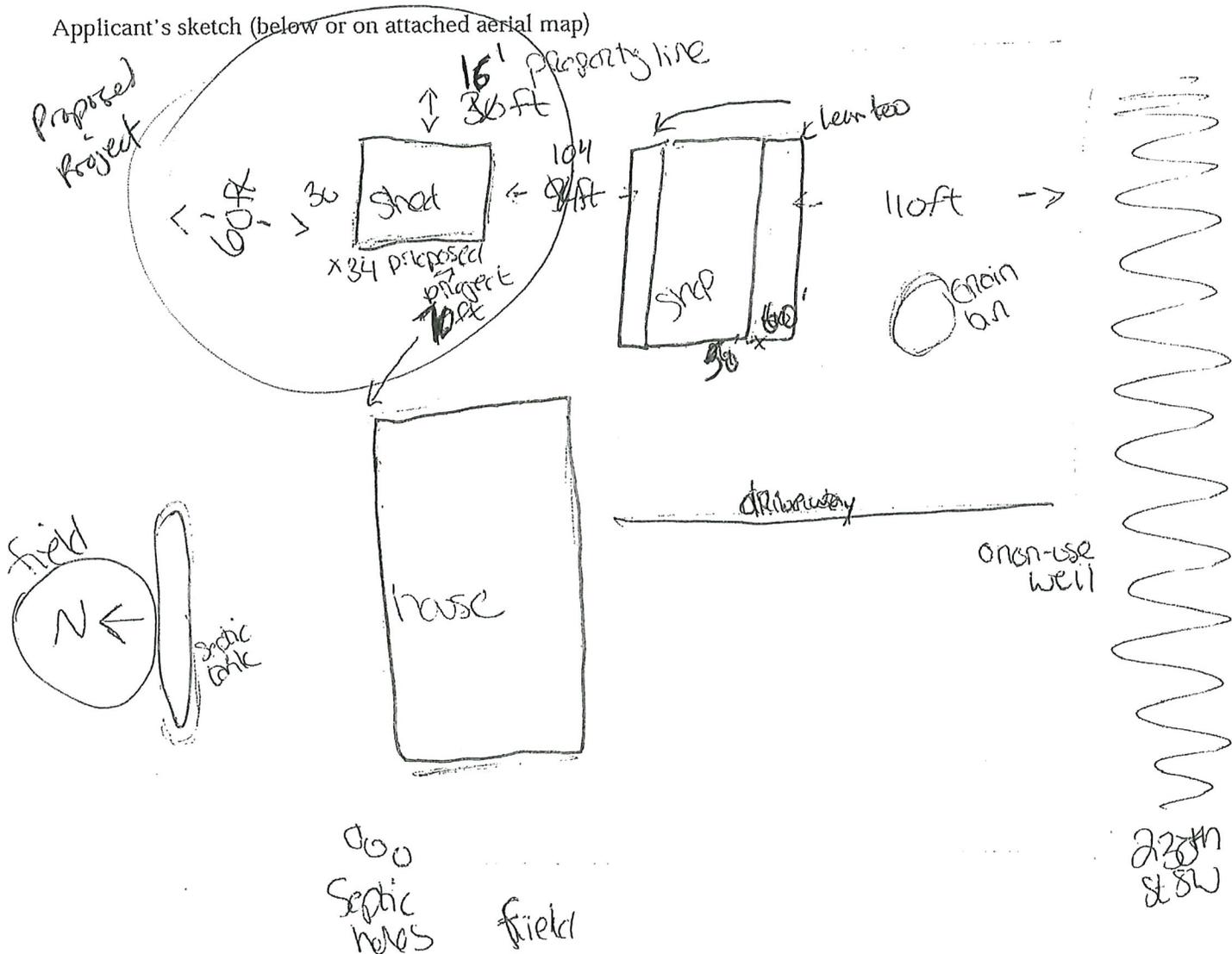
- North Arrow
- Lot Dimensions
- Distance of project to property line(s)
- Distance of project to road(s)
- Distance of project to lake(s)
- Show ALL other structures on property
- Well location
- Septic tank location and distances from well and other structures
- Drainfield location
- Structure locations, sizes and height

EXAMPLE Sketch Plan



\*Zoning setback information and aerial maps can be found on the Polk County Website at [www.co.polk.mn.us](http://www.co.polk.mn.us)

Applicant's sketch (below or on attached aerial map)





Frontage Rd

↑  
N



Existing Shed

← N



Rear view

↓  
N

RESOLUTION OF THE POLK COUNTY  
BOARD OF COMMISSIONERS

**Conditional Use Permit For Amanda & Casey Holweger**  
**For Total Accessory Structure Over 2500 Sq. Ft.**  
**On A Parcel Less Than 5 Acres**

**RESOLUTION (2020-77)**

The following resolution (2020-77) was offered by Commissioner:

WHEREAS, Polk County Zoning Ordinance, Section 13.4220 allows for the total accessory structure square footage over 2500 sq. ft. in the Agricultural District; and

WHEREAS, Amanda & Casey Holweger own land described as: That part of the SE¼SW¼ of Section 5, Township 150 North, Range 49 West, Polk County, Minnesota, described as follows: Commencing at the southwest corner of said Section 5; thence North 90°00'00" East, assumed bearing, along the south line of said Section 5 a distance of 1995.00 feet to the point of beginning; thence continuing North 90°00'00" East, along said south line a distance of 335.00 feet; thence North 00°00'00" East 450.00 feet; thence South 90°00'00" West 335.00 feet ; thence South 00°00'00" West 450.00 feet to the point of beginning. Except the southerly 60.00 feet thereof being Polk County Road No. 58 right-of-way, parcel #09.00032.0; and

WHEREAS, Amanda & Casey Holweger's plan meets all requirements of the Polk County Zoning Ordinances; and

WHEREAS, The Polk County Board of Commissioners finds:

1. The applicants own a 3-acre parcel of land in the agricultural zoning district in Section 5 of Bygland Township.
2. The property is located in the agricultural zoning district and currently there is a home with an existing 50' x 60' (3,000 sq. ft.) accessory structure. The existing structure was an old ag-storage renovated for an accessory structure that stores construction equipment and tools for the applicant's construction business.
3. The applicant would like to construct an additional 30' x 34' (1,020 sq. ft.) garage bringing the total accessory structures to 4,020 sq. ft.. The proposed building will be a storage building on the property for personal use and plans to meet all applicable setbacks.
4. The application explains the applicants are in the construction business and own a construction company with their base of operations located in North Dakota. With lots of tools and construction equipment, they need space to

store personal items with the proposed accessory building.

5. The parcel is surrounded by adjacent agricultural fields and one other residential lot.
6. Bygland Township signed the application for construction of the proposed garage.
7. Neighbor, Lenny Yanish, called to inform the Zoning office that there is a rural water line that runs near the proposed building. He also expressed concerns with snow, as the winds are predominantly blowing across the field and drifts in along the trees and this building would create more snow drifting.
8. The proposed use is a conditional use expressly designated in the ordinance; and,
9. 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.
10. 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.
11. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
12. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
13. 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 Amanda & Casey Holweger 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. The building be placed to meet 10 feet from the Marshall/Polk rural water line that must be located on the parcel. As well as all other structural setbacks in the Polk County Zoning Ordinance.
7. 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.
8. The structure shall be used only by the occupant(s) of the residence. The structures may be use 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.
9. The storage of construction equipment on site meets all standards in PCZO 13.4300 and in PCZO Section 12.
10. Supplies stored on the site are those used during the ordinary course of the construction business. The building or storage area shall not be used as a warehouse.
11. No outdoor storage or display of goods is permitted. Outside storage of contractor equipment is screened from view of the road and any neighboring residences. Screening shall be provided in Section 12.4100.
12. The conditional use permit shall become void one year after it was granted unless used.

Commissioner seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: NAYS:





## Board of Commissioners

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

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

**FROM:** JACOB SNYDER P&Z ADMIN.

**MEETING DATE:** September 1, 2020

**AGENDA ITEM:** Final Plat Approval **Zavoral Addition**

### **SUMMARY:**

- 1) The applicant proposes to plat a portion of land located in the Agricultural District just outside East Grand Forks city limits. Specifically, existing parcels #40.00137.00 & 40.00154.00 which have some floodplain and shoreland district from a coulee to the west of the proposed development.
- 2) These properties currently encompass over 20 acres of land located in Section 18 of Huntsville Township and the developer is looking at creating 8 buildable parcels, one of which has an existing home currently located on it (specifically lot 2) and 1 out lot.
- 3) The roads have not been constructed yet but are planned to be built up to city of East Grand Forks specifications so that if the platted lots were ever annexed into the city, they would meet city specifications. These specifications are greater than Township road requirements. To construct the roadways, the developer must secure a NPDES/SWPPP permit from the MPCA due to the disturbance of over 1 acre.
- 4) The developer is planning to have the roadways built to specifications but to have them remain private roadways. We have received a draft of the road agreement which is required to be recorded with the plat when the road is planned to be private.
- 5) There are no known wetlands in the plat area, some may be located along the coulee specifically planned lots 2 & 3 but aren't seen to be in any potential disturbed or developable area. We have received a letter from the West Polk SWCD stating that a delineation report is not going to be required, but that there are possible wetland fringe areas along the coulee. Those potential wetland areas are also located in the 100-year floodplain which is a heavily regulated area within the Zoning Ordinance.
- 6) The area along the coulee does have 100-year floodplain located along the coulee which has been indicated on the plat. There is a 100 foot setback off the OHWM of the coulee so lots 2 & 3 can't have structures located in the floodplain anyway.
- 7) Sites all meet the applicable sizes and widths to meet the Polk County Zoning Ordinance for buildable parcels in the agricultural district. The shoreland area extends 300 feet from the coulee located along lots 2 & 3. Lot 2 has an existing home located on it all other lots do not have any structures located on them.

- 8) There is one planned excluded area in the north corner of the plat. This area would not meet the criteria for a buildable parcel but could be added to an existing parcel to the north. This will be addressed via conditions for the plat.
- 9) Staff has viewed the lots and feel this would be a nice development on the edge of East Grand Forks city limits. The developer must work with the city for the access to the proposed plat. Huntsville Township must also send a letter regarding the plat as Polk County does joint permitting with them.
- 10) Comments will be discussed at the Board meeting regarding the final plat

#### **PLANNING COMMISSION & STAFF RECOMMENDATIONS:**

Planning Commission & Staff recommends approval of the final plat with the following conditions;

- 1) Access to the proposed plat must be signed off on by the Road Authority. **Completed**
- 2) Huntsville Township must approve the plat as they do joint permitting with Polk County Planning & Zoning. **Completed**
- 3) Roadway construction will require the developer to get an NPDES/SWPPP permit from the Minnesota Pollution Control Agency before roadway construction can be done. **Completed**
- 4) Septic system soils evaluations must be submitted prior to final plat approval. **Completed**
- 5) Wetland delineation for the plat will not be required upon conditions that an excavation does not result in drainage and no fill materials are placed within the Floodplain area. **N/A**
- 6) No building permits shall be issued within the proposed plat until Final Plat approval. As well as no property within the platted area shall be sold before the Final Plat is Recorded. **N/A**
- 7) The property not included in the plat, specifically the north corner of existing parcel #40.00137.00, must be added to an existing parcel to the north as the remainder is not a buildable lot on its' own. **Pending**
- 8) A final Road Agreement must be recorded with the Final Plat. **Pending**
- 9) Within six (6) months of preliminary plat approval, the developer shall submit a Final Plat. The plat may contain only that portion of the approved preliminary plat which is proposed to record. Failure to meet this provision shall void the Preliminary Plat. **Completed**

**\*NOTE: Planning Commission waived the final approval process if all conditions above were satisfied.**

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

Motion to approve the Final Plat for Zavoral Addition with aforementioned conditions.

# BOARD OF COUNTY COMMISSIONERS

## ZAVORAL ADDITION

Final Plat

**Parcels #40.00137.00 & #40.00154.00**

September 1, 2020

### APPLICANT REQUEST:

- 1) The applicant proposes to plat a portion of land located in the Agricultural District just outside East Grand Forks city limits. Specifically, existing parcels #40.00137.00 & 40.00154.00 which have some floodplain and shoreland district from a coulee to the west of the proposed development.

### ZONING ORDINANCE REQUIREMENTS:

- 1) PCZO Sect 22.0200 requires any proposed subdivision that creates five or more lots shall be processed as a plat in accordance with the provisions of this ordinance. Applicant proposes to eight (8) lots and one (1) out lot through subdivision.
- 2) PCZO Sect 13.8100 All new lots except those created for conditional uses. Minimum of one and one half acres. All new lots meet this requirement except the out lot located to the north of the plat which must be added to existing property.
- 3) PCZO Sect 13.8300 Lot configuration for new lots. 13.8310 Minimum width - 125 feet with 125 feet of frontage on an existing public road. The minimum width must be maintained for the entire depth of the lot except where the lot is located on a cul-de-sac. 13.8320 Minimum lot depth - 125 feet. 13.8330 Width to depth ratio. Depth of lot shall not exceed 5 times the width. All new lots meet this requirement except the out lot located to the north of the plat which must be added to existing property.
- 4) PCZO Sect. 22.2732 If platted lots shall not have frontage on a public road, a private road must be constructed to meet township specifications and be served by a road agreement recorded with the deed of each lot with frontage on the private road. The applicants intends on having a private road agreement recorded with the plat as a draft has been submitted with the preliminary plat.
- 5) PCZO Sect. 21.4132 states that all lots created after January 23, 1996 shall have a minimum of two (2) soil treatment areas that can support a standard ISTS. Septic evaluations are needed to see what type of systems the soils can support but the lots should have adequate space for two system locations.
- 6) PCZO Sect. 22.2733.A.2 states the plat cannot be recorded until the road has been built to those specified dimensions and verified by the appropriate road authority. The private roadways must still meet the minimum Township road specifications.

### **PERTINANT FACTS:**

- 1) These properties currently encompass over 20 acres of land located in Section 18 of Huntsville Township and the developer is looking at creating 8 buildable parcels, one of which has an existing home currently located on it (specifically lot 2) and 1 out lot.
- 2) The road has been constructed and built up to city of East Grand Forks-Huntsville Township specifications so that if the platted lots were ever annexed into the city, they would meet city specifications. These specifications are greater than Township road requirements. To construct the roadways, the developer must secure a NPDES/SWPPP permit from the MPCA due to the disturbance of over 1 acre.
- 3) The developer is planning to have the roadways built to specifications but to have them remain private roadways. We have received a draft of the road agreement which is required to be recorded with the plat when the road is planned to be private.
- 4) There are no known wetlands in the plat area, some may be located along the coulee specifically planned lots 2 & 3 but aren't seen to be in any potential disturbed or developable area. We have received a letter from the West Polk SWCD stating that a delineation report is not going to be required, but that there are possible wetland fringe areas along the coulee. Those potential wetland areas are also located in the 100-year floodplain which is a heavily regulated area within the Zoning Ordinance.
- 5) The area along the coulee does have 100-year floodplain located along the coulee which has been indicated on the plat. There is a 100 feet setback off the OHWM of the coulee so lots 2 & 3 can't have structures located in the floodplain anyway.
- 6) Sites all meet the applicable sizes and widths to meet the Polk County Zoning Ordinance for buildable parcels in the agricultural district. The shoreland area extends 300 feet from the coulee located along lots 2 & 3. Lot 2 has an existing home located on it all other lots don't have any structures located on them.
- 7) There is one planned excluded area in the north corner of the plat. This area would not meet the criteria for a buildable parcel but could be added to an existing parcel to the north. This area has a legal description developed and needs to be added to an existing parcel to not create a nonconforming left over parcel. The parcel combination must be completed upon final recording.
- 8) Staff has viewed the lots and feel this would be a nice development on the edge of East Grand Forks city limits. The city of East Grand Forks has submitted a letter stating there is no issues with this plat. Huntsville Township sent a letter regarding the plat as Polk County does joint permitting with them.

### **COMMENTS RECEIVED:**

- 1) Stephanie Klamm, DNR Area Hydrologist, stated that the County must not approve subdivisions that are designed so variances from one or more

standards in the official controls are needed to use them with their intended purposes. Practically, this means evaluating the sites to ensure all setbacks and other standards can be met without a variance. She continued to add that the plat should have clear indication of floodplain and shoreland area setbacks so that potential buyers are aware of the requirements before purchasing either lot 2 or 3 of the proposed plat.

- 2) Aaron Habermehl, West Polk SWCD, sent a letter stating the Wetland Conservation Act rules Ch. 8420 will not apply to the proposed plat upon conditions that an excavation does not result in drainage and no fill materials are placed within the Floodplain area.

### **PLANNING COMMISSION & STAFF RECOMMENDATIONS:**

Planning Commission & Staff recommends approval of the preliminary/final plat approval with the following recommendations;

- 1) Access to the proposed plat must be signed off on by the Road Authority.  
**Completed**
- 2) Huntsville Township must approve the plat as the they do joint permitting with Polk County Planning & Zoning. **Completed**
- 3) Roadway construction will require the developer to get an NPDES/SWPPP permit from the Minnesota Pollution Control Agency before roadway construction can be done. **Completed**
- 4) Septic system soils evaluations must be submitted prior to final plat approval.  
**Completed**
- 5) Wetland delineation for the plat will not be required upon conditions that an excavation does not result in drainage and no fill materials are placed within the Floodplain area. **N/A**
- 6) No building permits shall be issued within the proposed plat until Final Plat approval. As well as no property within the platted area shall be sold before the Final Plat is Recorded. **N/A**
- 7) The property not included in the plat, specifically the north corner of existing parcel #40.00137.00, must be added to an existing parcel to the north as the remainder is not a buildable lot on its' own. **Pending**
- 8) A final Road Agreement must be recorded with the Final Plat. **Pending**
- 9) Within six (6) months of preliminary plat approval, the developer shall submit a Final Plat. The plat may contain only that portion of the approved preliminary plat which is proposed to record. Failure to meet this provision shall void the Preliminary Plat. **Completed**

**Note\* The Polk County Planning Commission waived the final approval process if all conditions above were satisfied.**



# City of East Grand Forks

600 DeMers Ave · P.O. Box 373 · East Grand Forks, MN 56721  
218-773-2483 · 218-773-9728 fax      www.eastgrandforks.net

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RECEIVED

JUN 22 2020

POLK COUNTY ENV. SVS.

June 22, 2020

Jacob Snyder  
Polk Co Planning and Zoning  
Crookston, MN

RE: Zavoral Plat

Mr. Snyder:

I am sending this letter to inform you of the process that the Zavorals have taken with the city to plat property within our two mile extraterritorial boundary. Before submittal to the County, the City of East Grand Forks, including our utility group (Engineering, Water and Light, Public Works, Planning), reviewed the Zavoral plat located just south of city limits and across from the Central Middle School. The plat was designed to meet our minimum lot standards, Right of Way requirements, road widths and access standards for a platted property if located within city limits.

Therefore, we had no issues with the submittal to Polk County for review and approval and if annexed into City limits in the future. The property would not need to be replatted to meet city standards. At this time the City has no intentions of annexing because there are properties in between this plat that are still located outside of city limits and we do not perform "leap frog" annexation. However, this plat could be easily annexed into the city limits as it does meet our city lot standards and platting requirements.

If you have any questions regarding this letter, do not hesitate to contact me at 218.773.0124 or by email at [nellis@egf.mn](mailto:nellis@egf.mn). Thank you and have a good day.

Respectfully,

*Nancy Ellis*

Nancy Ellis  
Community Development Director

## Jacob Snyder

---

**From:** Gayle <gmvonasek@aol.com>  
**Sent:** Friday, August 21, 2020 12:08 PM  
**To:** Jacob Snyder  
**Subject:** [External] Zavoral Development, East Grand Forks, MN

From: Len Vonasek  
43646 190th St. SW  
East Grand Forks, MN 56721

To: Polk County Planning and Zoning  
jacob.snyder@co.polk.mn.us

Dear Sirs/Madams:

Huntsville Township has approved the Zavoral Development near East Grand Forks including drive and approach areas.

Thank you:  
Len Vonasek  
Huntsville Zoning Administrator

**PUBLIC ROADWAY CONSTRUCTION AND MAINTENANCE AGREEMENT**

An Agreement made this original date of \_\_\_\_\_, 20\_\_\_, applicable to the undersigned parcel owners along with their heirs and assignees,

**RECITALS**

**WHEREAS**, the right-of-way for Lois Lane and Roberts Road are delineated and dedicated to the public for roadway and utility purposes and are platted within Zavoral Addition situated in Huntsville Township, County of Polk, State of Minnesota, and

**WHEREAS**, R. J. Zavoral & Sons, Inc. is the owner of all of the platted lots within said Zavoral Addition.

**WHEREAS**, R. J. Zavoral & Sons, Inc. desires to enter into an Agreement that defines the entity that will construct, operate and maintain the roadways located within the right-of-way of said Louis Lane and Roberts Road

**WHEREAS**, it is agreed that this document will be recorded in the office of the Polk County Recorder after the plat of said Zavoral Addition is recorded and this agreement will run with land and be binding on the heirs and assignees of the original lot owners that have signed this agreement.

**NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:**

**1. Type of Easement.** By virtue of the recorded plat of said Zavoral Addition, Louis Lane and Roberts Road are perpetual, nonexclusive easements for public roadway and utility purposes.

**2. Public Utilities.** Upon receiving written approval from the Private Road Authority created under this agreement, public utilities are permitted to be installed and maintained below ground utilities within the right-of-way of said Louis Lane and Roberts Road.

**3. Private Road Authority.** One (1) property owner that lives within said Zavoral Addition shall be elected by a simple majority vote of all of the property owners in said addition to act as the road authority agent responsible for monitoring the condition of the roadways and initiating maintenance activities as needed to maintain acceptable township roadway standards. The majority vote shall be based on one vote per each individual lot. The elected agent is required to live within said Zavoral Addition and shall serve for a three (3) year term. The agent is to be replaced by a simple majority vote should the agent cease to own property and live within said Zavoral Addition.

**4. Road Authority Agent Duties.** R. J. Zavoral & Sons, Inc. will initially construct all roadways within the addition to acceptable township roadway standards. The Road Authority Agent will determine what roadway maintenance and improvements are necessary at any given time to insure the roadways are in good passable condition for residents within Zavoral Addition and emergency vehicles. From time to time the Agent shall take competitive quotes from vendors to provide the required materials, machinery and labor to maintain the roadways to acceptable township roadway standards. The Road Authority Agent shall annually call a meeting of all property owners within the addition to inform and discuss with them of the issues relating to operating and maintaining the roadways within the addition. After discussing the roadway issues, all the property owners shall determine by consensus what needs to be done to maintain the roadways to acceptable township roadway standards. After a consensus is determined on what needs to be done an annual assessment for the operation and maintenance of the roadways will be determined by a simple majority vote of all of the property owners that are present. The Road Authority Agent, along with another property owner within the addition, shall setup a checking account at a local bank for the purpose of paying roadway maintenance expenses. The Road Authority Agent will prepare and distribute to the herein affected parcel owners an annual income and expense report and a yearend balance sheet, accounting for all funds received and disbursed.

**5. Cost Sharing.** Roadway, maintenance, snowplowing and road improvement costs shall be shared equally among the eight (8) lots within the addition. The annual assessment for roadway operation and maintenance will be determined at the required annual meeting as described in Paragraph No. 4 above.

**6. Prepayment.** Each of the eight (8) property owners within the addition shall pay in advance their annual roadway operation and maintenance assessment to the Road Authority Agent on or before January 1<sup>st</sup> of each coming year. By purchasing a lot in said Zavoral Addition, and by this agreement being recorded, each property owner has been served notice that an annual roadway maintenance assessment will be required.

**7. Definition of a Parcel.** A parcel is defined as a platted lot within said Zavoral Addition. Each parcel receives only one (1) vote in electing the Road Authority Agent described in Paragraph No. 3 above. If a parcel has been sold on a land contract, the land contract vendee shall be deemed the owner of record and have the right to vote for the Road Authority Agent.

**8. Future Parcels.** Any additional parcels gaining access to Lois Lane and Roberts Road by way of a replat will be bound by all terms and conditions of this agreement, and will be required to pay that portion of the operation and maintenance of the roadways as described in Paragraphs No. 5 and 6 above.

**9. Private Driveways.** All private driveways entering Lois Lane and Roberts Road are private entrance roadways that are the responsibility of each individual property.

**10. Effective Term.** This Agreement shall be perpetual, and shall encumber and run with the land until such time another road authority agrees to accept the responsibility for the operation and maintenance of the subject roadways.

**11. Binding Agreement.** This Agreement shall be binding upon the parties hereto, their respective heirs, executors, administrators and assigns.

**12. Amendment.** This Agreement may be amended only by simple majority consent of all parcel owners.

**13. Enforcement.** This Agreement may be enforced by a majority of parcel owners. If a court action or lawsuit is necessary to enforce this Agreement, the party commencing such action or lawsuit shall be entitled to reasonable attorney fees and costs, if the party prevails.

**14. Disputes.** If a dispute arises over any aspect of the improvements, maintenance, repair or replacement, a third party arbitrator shall be appointed to resolve the dispute. The decision of the arbitrator shall be final and binding on all of the lot owners. Contact information for local arbitrators can be obtained through the American Arbitration Association. In selecting a third party arbitrator, each lot shall be entitled to one vote and the nominee receiving a majority of the votes shall be the arbitrator. All parties shall share in the cost of any arbitration.

**15. Notices.** Parcel owners under the Agreement shall be notified by mail or in person. If an address of a parcel owner is not known, a certified notice will be mailed to the address to which the parcel owner's property tax bills are sent.

**16. Invalidity.** Should any provision in this Agreement be deemed invalid or unenforceable, the remainder of the Agreement shall not be affected and each term and condition shall be valid and enforceable to the extent permitted by law.

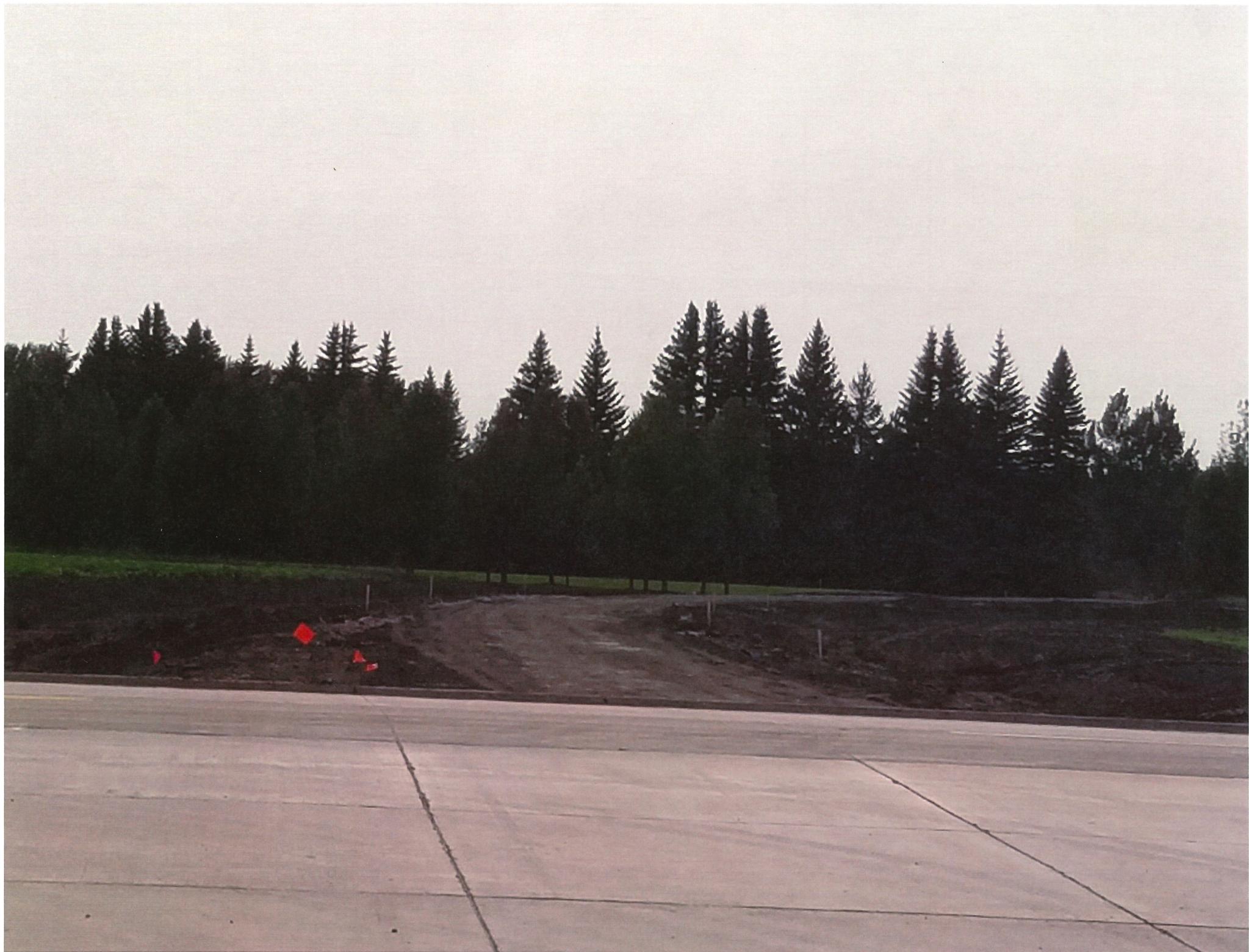
**17. Disclaimer by Township.** It is understood and agreed that Huntsville Township, Polk County, the City of East Grand Forks and all agents of these entities shall not be liable or responsible in any manner to the developer or the property owners along the subject roadways, or to their contractors, subcontractors, agents, or any other person, firm or corporation, for any debt, claim, demand, damages, action or causes of action of any kind or character arising out of or by reason of the construction, operation and maintenance of the roadways being required herein.

**18. Recording This Document.** Original and amended copies of this document shall be recorded in the office of the Polk County Recorder. After recordation, copies of the recorded document shall be delivered to the Huntsville Township Clerk.

Signed,

\_\_\_\_\_  
John Zavoral, President/CEO, R. J. Zavoral & Sons, Inc.  
Owners of Lots 1 through 7, Block 1 and Lot 1, Block 2,  
all in ZAVORAL ADDITION to Polk County, Minnesota.

\_\_\_\_\_  
Dated





Lot 2



Lot 3



Lots 1, 4-8





Private  
Road

N

out lot



# ZAVORAL ADDITION

TO POLK COUNTY, MINNESOTA

## OWNERS CONSENT AND DEDICATION

"KNOW ALL PERSONS BY THESE PRESENTS": That RJ Zavoral & Sons, Inc., the owner and proprietor of the following described property;

That part of Government Lot 2 AND the East Half of the Northwest Quarter, ALL IN Section 18, Township 151 North, Range 49 West of the 5th Principal Meridian, Polk County, Minnesota, described as follows:

Commencing at the southeast corner of said Government Lot 2; thence North 0 degrees 36 minutes 22 seconds West, assumed bearing, along the east line of said Government Lot 2, a distance of 430.00 feet to the point of beginning of that tract of land to be described herein; thence South 0 degrees 36 minutes 22 seconds East, along said east line, a distance of 385.00 feet; thence North 88 degrees 55 minutes 46 seconds East, a distance of 1042.94 feet to the southwesterly right-of-way line of Byglund Road; thence North 39 degrees 52 minutes 30 seconds West along said southwesterly right-of-way line, a distance of 1372.64 feet; thence South 37 degrees 50 minutes 06 seconds West, a distance of 280.00 feet; thence South 89 degrees 23 minutes 38 seconds West, a distance of 565 feet, more or less, to the thread of coulee; thence southerly along said thread of coulee to the intersection of a line bearing South 88 degrees 34 minutes 34 seconds West from the point of beginning; thence North 88 degrees 34 minutes 34 seconds East, a distance of 520 feet, more or less, to the point of beginning.

Said tract of land contains 20.37 acres, more or less.

Has caused the same to be surveyed and platted as "ZAVORAL ADDITION" to Polk County, Minnesota, do hereby dedicate to the public, all of the streets, alleys and utility easements as shown on this plat; the dimensions of which are as designated hereon.

Owner:

John Zavoral, President/CEO, RJ ZAVORAL & SONS, INC

STATE OF MINNESOTA)  
COUNTY OF POLK)

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by John Zavoral, President/CEO, RJ Zavoral & Sons, Inc.

Notary Public, Polk County  
State of Minnesota  
My Commission Expires: \_\_\_\_\_

## PLANNING COMMISSION APPROVAL

The subdivision of land shown herein has been approved by the Planning Commission of Polk County on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, in accordance with the laws of the State of Minnesota and regulations of said Planning and Zoning Commission.

Jacob Snyder  
Polk County Planning & Zoning Administrator

## BOARD OF COMMISSIONERS APPROVAL

We do hereby certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the Board of Commissioners of Polk County, Minnesota, approved this plat.

Polk County Board of Commissioners Chairman

## COUNTY TREASURER TAX STATEMENT

I hereby certify that all taxes for 2020 on the land described herein are paid.

Polk County Treasurer, State of Minnesota

RECORDING CERTIFICATE  
COUNTY RECORDER CERTIFICATE  
DOCUMENT NUMBER

I hereby certify that this instrument was filed in the office of the Polk County Recorder for record on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded in as Document No. \_\_\_\_\_

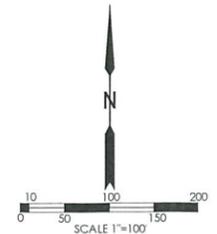
Polk County Recorder, State of Minnesota

## TAX STATEMENT

COUNTY AUDITOR TAX STATEMENT

No delinquent taxes due and transfer entered this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Polk County Auditor, State of Minnesota

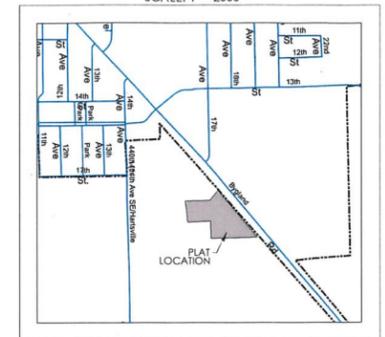


## LEGEND

MONUMENT FOUND	●
SET MONUMENT	○
SPOT ELEVATION (88' DATUM)	○
PLAT BOUNDARY	—
INTERIOR LOT LINE	- - -
EXISTING PARCEL LINE	- · - · -
ACCESS CONTROL	- · - · -
SECTION LINE	— · — · —
QUARTER-QUARTER LINE	— · — · —
FLOODPLAIN DISTRICT	▨

## VICINITY MAP

SCALE: 1" = 2000'



## CURVE TABLE

CURVE	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	39°16'08"	360.00'	246.73'	S 69°45'34" W	241.93'
C2	76°39'27"	65.00'	86.97'	N 52°16'38" W	80.62'
C3	90°00'00"	65.00'	102.10'	S 44°23'38" W	91.92'
C4	90°00'00"	65.00'	102.10'	S 45°36'22" E	91.92'
C5	15°28'49"	440.00'	118.88'	N 81°39'13" E	118.52'
C6	13°21'05"	440.00'	102.53'	N 56°48'03" E	102.30'
C7	50°34'42"	160.00'	141.24'	S 48°24'02" E	136.70'
C8	56°11'07"	160.00'	156.90'	N 78°13'04" E	150.69'
C9	106°45'49"	80.00'	149.07'	N 76°29'35" W	128.42'

## NOTES

Some portions of these lots near the Hartsville Coulee fall in Zone AE on the FIRM Map revised to reflect the LOMR Effective January 2, 2008, Base Flood Elevation 822.10 NAVD 1988 Datum. These portions are within the coulee area, below the elevation of 822.10 and designated as within the Floodway District to be used as a ponding area during flood conditions. This land is subject to the adopted Floodway Regulations in Section 152 of the East Grand Forks City Code. Any portions of the platted lots above the elevation 822.10 are considered out of the floodplain and should not be designated as such. However, no building shall have any opening (the lowest floor elevations including footings) below an elevation of 824.10 (NAVD 1988 Datum) per East Grand Forks City Code Section 152. In addition, Flood Insurance is not required, but recommended.

## SURVEYOR'S CERTIFICATE

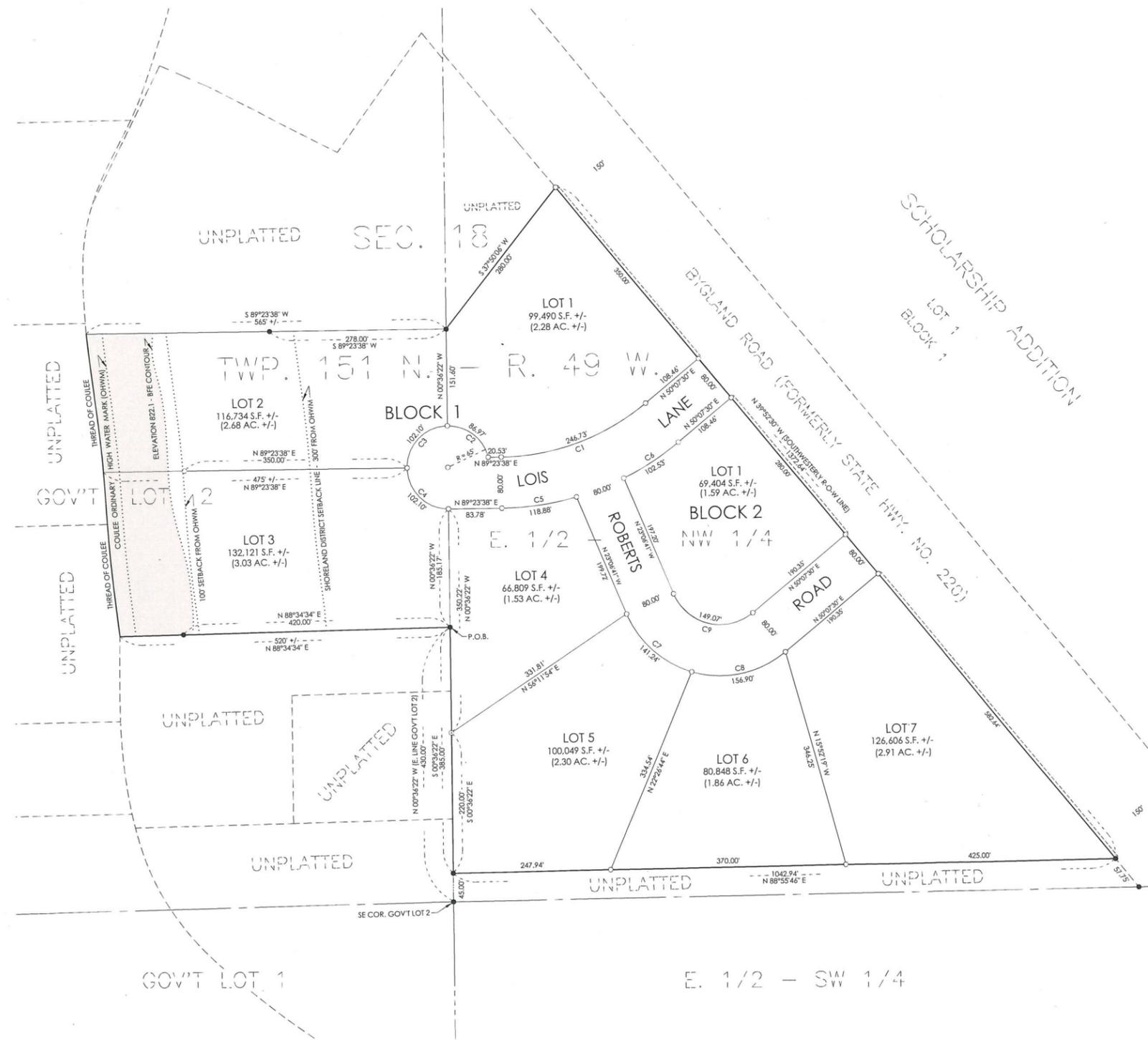
I hereby certify that I have surveyed and platted the property described on this plat as "ZAVORAL ADDITION" to Polk County, Minnesota, that this plat is a correct representation of the survey, that all distances are correctly shown on the plat in feet and hundredths of a foot, that all monuments will be placed in the ground as shown, that the outside boundary lines are correctly designated on the plat and that there are no well lands as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate or public Highways to be designated other than as shown.

Gerald D. Pribula, Registered Land Surveyor  
Minnesota Registration, Number 13468

STATE OF MINNESOTA)  
COUNTY OF POLK)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me a Notary Public in and for said County and State, personally appeared Gerald D. Pribula, to me known to be the person described herein and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Notary Public, Polk County  
State of Minnesota  
My Commission Expires: \_\_\_\_\_





## Board of Commissioners

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

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TO: POLK COUNTY BOARD OF COMMISSIONERS

FROM: Richard Sanders, County Engineer

MEETING DATE: 09-01-2020

AGENDA ITEM: CD 55 Tile Replacement

SUMMARY:

1. Drain Tile on County Ditch 55 collapsed as part of the 2019 flood.
2. Received approval from FEMA, Watershed to replace with 48” x 1060 feet of 48” RCP Culvert and 2 aprons.
3. Received quotes for Labor and Equipment to install pipe, aprons and riprap.
4. Lowest responsible Quote is\_\_?
5. Abstract of quotes will be handed out.

ACTION REQUESTED:

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_ to award the quote to \_\_\_in the amount of \_\_\_\_\_.



## Board of Commissioners

Polk County Government Center  
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Crookston, MN 56716-1452

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TO: POLK COUNTY BOARD OF COMMISSIONERS

CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: Michelle M. Cote, Director of Property Records

MEETING DATE: September 1, 2020

AGENDA ITEM: Temporary Easement to Construct for Governmental Entities

SUMMARY:

Mark Arndt, MNDOT Real Estate Representative has reached out regarding parcel 87.00570.01 (see attached map) This is a forfeited parcel that a temporary easement is necessary for necessary work on Trunk Highway 2.

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

A motion was made by Commissioner, seconded by Commissioner and adopted by unanimous vote of the Board to authorize the County Board Chair and the Administrator to sign the Temporary Permit to Construct for Government Entities for parcel 87.00570.01 in the City of Fosston.

**TEMPORARY PERMIT TO CONSTRUCT FOR GOVERNMENTAL ENTITIES**

C.S. 6005 (2=8) 522  
Parcel 61  
County of Polk

Dated: August 25, 2020

The State of Minnesota, by its Commissioner of Transportation, has established and designated the route of Trunk Highway No. 2 in Polk County, Minnesota.

It is necessary that the State of Minnesota use for highway purposes real property situated in Polk County, Minnesota, as shown on the attached Right of Way Parcel Layout Sketch. The corresponding Polk County Tax ID Number is:

87.00570.01

The undersigned, having an interest in the above described real property, understand that they are not required to surrender possession of the property without just compensation and are not required to surrender lawfully occupied real property without at least 90 days notice. By signing this Permit, the undersigned waives these rights and grants to the State of Minnesota the immediate right to enter the above described property to construct, maintain, and operate the Trunk Highway.

This Permit will be in effect from the date of signature(s) and expires once construction has been completed.

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Gary Willhite

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Polk County Board Chairperson

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Charles S. Whiting

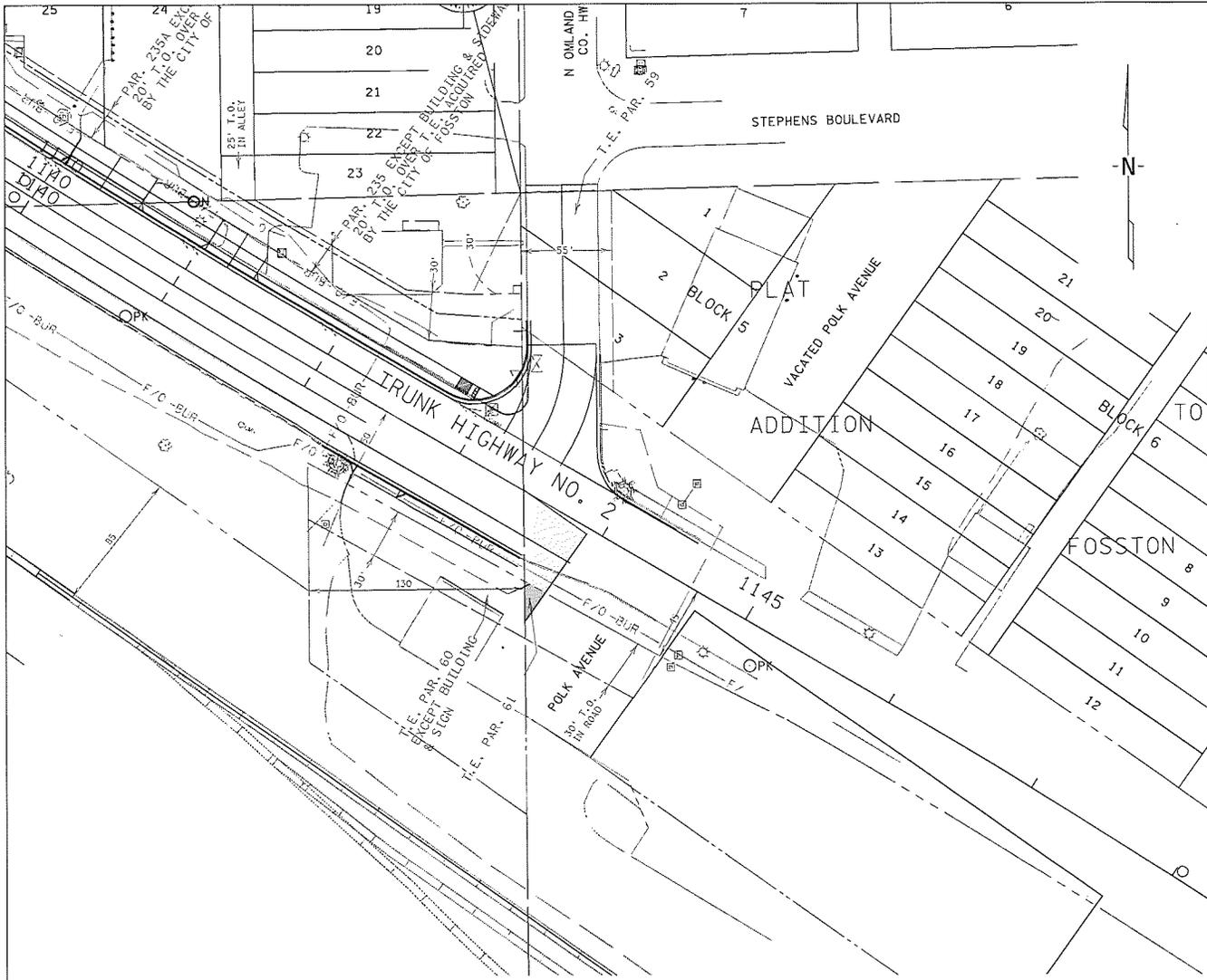
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Polk County Administrator

Control Section: 6005 (2=8) 522  
State Project: 6005-68RW  
Owner: State of Minnesota

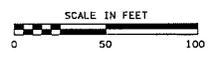
County: Polk

Parcel Number: 61  
Sheet 1 of 1  
Scale 1 inch = 100ft.



C. S. 6005 (2=8) 522 S. P. 6005-68

STEPHENS ADDITION TO WEST FOSSTON						
PARCEL NUMBER	OWNER	CONTIGUOUS PROPERTY	NEW T. H.	TEMPORARY EASEMENT		PERMANENT R/W INTEREST
			R/W SQ. FEET	SQ. FEET	EXPIRES	
61	STATE OF MINNESOTA	BLOCK 12	-	158	12/1/2023	-





## Board of Commissioners

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

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**TO:** Polk County Board of Commissioners

**FROM:** Greg Widseth

**MEETING DATE:** September 1, 2020

**AGENDA ITEM:** Approval To Fill Clerk Typist Cashier III Vacancy –  
Attorney's Office

**SUMMARY:** Seeking approval to fill Clerk Typist Cashier III position  
vacancy created by the resignation of Melanie Lessard

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

1. I am requesting that the Board pass a motion authorizing me to begin the process of hiring a new Clerk Typist Cashier III position to fill the opening created by the resignation of Melanie Lessard, who has submitted her resignation effective September 8, 2020. This is a currently budgeted position and would keep the legal secretary staff at six as previously authorized.