

JANUARY 24, 2023
BOARD MINUTES

Pursuant to motion of adjournment the Polk County Board of Commissioners met in regular session at 8:00 o'clock a.m., January 24, 2023, in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Warren Strandell, Commissioner Gary Willhite, Commissioner Joan Lee, Commissioner Mark Holy and Charles S. Whiting, County Administrator, Clerk of the Board. Others present Samuel Melbye, Deputy Clerk of the Board.

AGENDA

A motion was made by Commissioner Lee seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve the revised January 24, 2023, agenda adding the resolutions to No. 3 & 4 under Jon Steiner, Environmental Services.

CONSENT ITEMS

A motion was made by Commissioner Willhite seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve the below consent item:

1. Approve the January 17, 2023, Board Minutes

COUNTY BOARD MEMBERS ISSUE FORUM

1. Board Committee Assignments - New Appointments and Vacant Seats

The following changes were made to Board Committee Assignments due to the vacant seat in Commissioner District 1.

- a. Judicial Ditch No. 60 Committee - 3rd Delegate.
 - i. No Commissioner appointed.
- b. Red Lake County – Polk County Joint Ditch 1,3,66 Committee – Alternate
 - i. No Commissioner appointed.
- c. Red Lake County – Polk County Joint Ditch 64, 71 Committee – Alternate
 - i. No Commissioner appointed.
- d. Polk – Red Lake County Ditch 2 – Alternate
 - i. No Commissioner appointed.
- e. Red Lake Watershed – Polk County Judicial Ditch No. 72 Committee
 - i. Commissioner Lee appointed.
- f. Sand Hill Watershed District Advisory Committee
 - i. No Commissioner appointed.
- g. One Watershed One Plan District Policy Committee (Sand Hill Watershed)
 - i. Commissioner Lee appointed.
- h. Six County Solid Waste Advisory Committee – Alternate
 - i. No Commissioner appointed.
- i. AMC Environmental & Natural Resources Policy Committee
 - i. Commissioner Holy appointed.
 - ii. Commissioner Holy's will no longer serve on the AMC Transportation & Infrastructure Policy Committee and said committee seat will remain vacant until the District 1 Commissioner Seat is filled.
- j. Regional Solid Waste Advisory Board – Alternate
 - i. No Commissioner appointed

- k. Retired Senior Volunteer Program
 - i. Commissioner Willhite appointed.
 - l. Tri-Valley Opportunity Council
 - i. No Commissioner appointed.
 - m. Crookston Downtown Task Force
 - i. No Commissioner appointed.
 - n. Lake Agassiz Regional Library – Alternate
 - i. No Commissioner appointed
 - o. Land of the Dancing Sky Region 1
 - i. Commissioner Strandell appointed
 - p. MN Rural Counties Caucus
 - i. Commissioner Willhite appointed
 - q. Down Payment Assistance Program (Loan Pool)
 - i. No Commissioner appointed.
 - r. NW Regional Transportation Coordination Council Advisory Board
 - i. Commissioner Strandell appointed.
 - s. Parks Committee
 - i. No Commissioner appointed.
2. Commissioner Willhite brought forth that he attended the following meetings:
 - a. City of Crookston Downtown Development
 - b. Lake Agassiz Regional Library
 - c. Fertile – Public Health
 - d. Attended Commissioner Jacobson’s funeral
 3. Commissioner Strandell brought forth that he attended the following meetings:
 - a. Grand Forks-East Grand Forks Metropolitan Planning Organization
 - b. Drug Task Force
 4. Commissioner Lee brought forth that she attended the following meetings:
 - a. Association of Minnesota Counties
 - b. Association of Minnesota Counties Board of Directors
 - c. Polk, Norman, and Mahnomen Community Health Board
 - d. Inter-County Community Council Board
 5. Commissioner Holy brought forth that he attended the following meetings:
 - a. Soil and Water Conservation District Statewide Virtual
 - b. Resigned from the Tri-County Corrections appointment and Commissioner Willhite appointed to replace him on the Committee

SHERIFF

James Tadman, Polk County Sheriff came before the Board with matters pertaining to his department:

1. Monthly Sheriff Reports

The December 2022 monthly Sheriff reports were presented and discussed with the Board. (Reports on file in the Administrator’s Office)

2. 2023 State of Minnesota Federal Boating Safety Supplement Equipment Grant Contract Agreement

The 2023 State of Minnesota Federal Boating Safety Supplement Equipment Grant Contract Agreement for \$2,337.00 for the purchase of (8) Mustang Hydrostatic Auto

Inflatable PFDs was discussed and presented to the Board. A motion was made by Commissioner Lee seconded by Commissioner Willhite and adopted by unanimous vote of the Board to approve the 2023 Federal Grant Contract Agreement as presented. (Contract on file in the Administrator's Office)

3. Retirement of Patrol Sergeant

Due to the retirement of a Patrol Sergeant position a Patrol Deputy will be promoted to the Sergeant position and a Transport Deputy will fill the open Patrol Deputy position, leaving a Transport Deputy position vacant. A motion was made by Commissioner Willhite seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve advertising and hiring a replacement for the vacant Transport Deputy position.

4. Sale of Polk County Patrol Vehicles

Discussion was held with the Board regarding the sale of the following Polk County Patrol Vehicles:

Unit # 230, 2016 Ford Utility, Vin # 1FM5K8AR1GCZ26377, milage 90,000,

Unit # 232, 2016 Ford Utility, Vin # 1FM5K8AR4GGC36689, milage 86,800,

Unit # 244, 2018 Ford Utility, Vin # 1FM5K8AR1JGB12466, milage 103500,

Unit # 245, 2018 Ford Utility, Vin # 1FM5K8ARXJGB12465, milage 128,000,

A motion was made by Commissioner Holy seconded by Commissioner Willhite and adopted by unanimous vote of the Board to approve the above sale of vehicles through Enterprise.

MIS

Levi Webster, MIS Director came before the Board with matters pertaining to his department:

1. Approval of Renewing Microsoft Enterprise Agreement for Microsoft 365 and Windows Server Licensing

The Microsoft Enterprise Agreement for Microsoft 365 and Windows Server is used by all Polk County departments for Windows, Email, Word, Excel, Outlook, Share Point and Teams. This is also the licensing required for Server Infrastructure that is running at the County. A motion was made by Commissioner Lee seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve the Microsoft Enterprise Agreement SHI quotes in total of \$187,815.96 per year as presented to the Board. (Agreement on file in the Administrator's Office)

ENVIRONMENTAL SERVICES

Jon Steiner, Environmental Services Director came before the Board with matters pertaining to his department:

1. MSW Landfill Cover Project – ARPA Funding

In 2022 Polk County contracted with R.J. Zavoral & Sons to complete the Phase 14 MSW Landfill Project worth \$2.4M. The Phase 14 Project was comprised of the following elements: new 3.2 acres MSW Cell #14, new leachate collection system, and final cover over old portions of the MSW Landfill. A motion was made by Commissioner Willhite seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve the \$600,000.00 in ARPA funds to be paid to the Landfill for the Landfill Cover portion of the 2022 Phase 14 Project.

a. Addenda #1

The invoice for the Landfill Cover portion of the project was presented to the Board. The invoice provides the details of the project, pictures of the Landfill Cover project at various parts of the project, and the ARPA citations which document its eligibility for receiving ARPA funds. (On file in the Administrator's Office)

2. Solid Waste Program Updates

An update was given to the Board regarding; Status of Polk Landfill Wetland Permits, Status of Polk Landfill Plant Taking Permits, Status of Polk RRF Robotics Project, Polk Regional MPCA CAP Grant 2022, Polk Regional EPA SWIFR Grant 2023, 9 County Regional C&D Study Grant 2022, 9 County Regional C&D Infrastructure EPA SWIFR Grant 2023, and the 9 County Regional C&D MPCA CAP Grant 2024.

3. *Resolution (2023-08) EPA Solid Waste Infrastructure for Recycling (SWIFR) Grant Program Polk County Support for 6 County Regional Recycling Project

RESOLUTION (2023-08)

EPA Solid Waste Infrastructure for Recycling (SWIFR) Grant Program

Polk County Support for 6 County Regional Recycling Project

The following resolution (2023-08) was offered by Commissioner Lee:

WHEREAS, The US EPA has provided Grant funding through the Solid Waste Infrastructure for Recycling (SWIFR) for political subdivisions to construct, modify or expand recycling infrastructure; and

WHEREAS, Polk County (MN) is applying for a SWIFR Grant on behalf of six (6) Counties in northwest MN. The Counties that make up that 6 County Group are: Beltrami, Clearwater, Hubbard, Mahnommen, Norman and Polk; and

WHEREAS, The 6 County Group has an extensive history, dating back to 1988, of working cooperatively on regional projects such as Waste-to-Energy, Waste Processing, Household Hazardous Waste and Source Separated Organic Material Composting; and

WHEREAS, Various challenges have had adverse impacts on the regional recycling and composting programs. Challenges include the COVID-19 Pandemic, lack of available labor resources, adverse weather events associated with climate change, and transportation-related impacts; and

WHEREAS, The 6 County Group proposes to incorporate Artificial intelligence (AI) robotic sorters into the Material Recovery Facility (MRF) which processes both waste and recycling streams. The incorporation of AI into the MRF will increase both the types and volumes of the recyclables removed. The AI will fill those vacant manual labor stations which have been unable to be filled for over 2 years; and

WHEREAS, The 6 County Group proposes to modify the SSOM Compost Pad (Pad) and incorporate Aerated Static Pile (ASP) compost technologies. The Pad improvements would allow more compostable materials to be managed during inclement and severe weather events related to climate change. Use of ASP technologies will allow a more

efficient use of the existing site to manage more materials and reduce the use of diesel-powered equipment needed to operate the compost site under the windrow method; and

WHEREAS, The modifications to the MRF, SSOM Pad and incorporation of ASP technologies would create and enhance waste diversion from disposal practices which generate CO₂ and GHG's associated with Climate Change. These modifications would also support efforts to meet the Reasonable Separation Plan requirements of the EPA for Biomass and Biogas producers as required for eRINS eligibility to decarbonize the transportation sector; and

WHEREAS, The results and impacts associated with the 6 County Group Regional Recycling Project would address many Federal, State and local initiatives, have positive impacts on air and water resources and benefit the many underserved and disadvantaged communities located within the 6 County Group region.

THEREFORE BE IT RESOLVED, Polk County seeks SWIFR grant funding on behalf of the 6 County Group it represents to implement the 6 County Regional Recycling Project described herein; and

BE IT FURTHER RESOLVED, If SWIFR grant funds are allocated to the 6 County Group's Regional Recycling Project, Polk County pledges to implement the aforementioned modifications on behalf of the 6 County Group.

Commissioner Holy seconded the foregoing resolution, and it was declared adopted upon the following vote: YEAS: Commissioner Strandell, Commissioner Willhite, Commissioner Lee, and Commissioner Holy. NAYS: None.

4. **Resolution (2023-07) EPA Solid Waste Infrastructure for Recycling (SWIFR) Grant Program Polk County Support for Hubbard County Hub & Spoke Regional Recycling Project

RESOLUTION (2023-07)
EPA Solid Waste Infrastructure for Recycling (SWIFR) Grant Program
Polk County Support for Hubbard County Hub & Spoke
Regional Recycling Project

The following resolution (2023-07) was offered by Commissioner Holy:

WHEREAS, The State of Minnesota (MN) is in the process of changing the rules which regulate the operation of unlined Construction and Demolition Debris (C&D) landfills. All changes would lead to costly modifications to these C&D landfills in order to capture and treat leachate; and

WHEREAS, Many of these C&D landfill already subsidized by the Counties in which they are located to reduce the tip fees charged for materials. The intent of the subsidy is

to discourage illegal disposal which would lead to environmental degradation and harmful Greenhouse Gas (GHG) emissions; and

WHEREAS, The cost of these C&D landfill modifications is not economically feasible for small volume facilities in very rural areas to incur. The result is many of these small C&D landfills have indicated they will likely close once the rules are implemented; and

WHEREAS, Many of the smallest and most vulnerable C&D landfills in MN are found within our nine (9) County region of Northwest MN (9 County Group) which includes: Beltrami, Cass, Clearwater, Hubbard, Mahnommen, Marshall, Norman, Red Lake and Polk Counties. Numerous underserved or disadvantaged communities reside within this nine (9) County region; and

WHEREAS, The 9 County Group have engaged in a cooperative effort to organize and develop a “Hub & Spoke” system to replace these C&D landfills likely to be closed. Hubbard County, one of the 9 County Group, was selected to lead this cooperative effort to secure a SWIFR grant to fund this Hub & Spoke system; and

WHEREAS, If SWIFR funds are awarded to the 9 County Group’s Hub & Spoke project, Hubbard County would provide an equitable distribution of the funds across the 9 Counties to establish the Spokes and one County to establish a Hub to serve those Spokes; and

WHEREAS, The project would result in creation of new, or expansion of existing, infrastructure to increase waste diversion activities such as recycling, reuse, composting and special material handling and provide an environmentally protective disposal option for materials that cannot be diverted; and

WHEREAS, The creation of the Hub & Spoke system in the 9 County region, GHG and CO emissions will be reduced by aggregating into one large load what would otherwise have required multiple small loads hauling to the Hub.

THEREFORE BE IT RESOLVED, Polk County supports Hubbard County (MN) efforts to secure SWIFR grant funds on behalf of the 9 County Group cooperative to implement a regional Hub & Spoke project; and

BE IT FURTHER RESOLVED, If SWIFR grant funds are allocated to the 9 County Group’s regional Hub & Spoke project, Polk County pledges to implement its portion of the Hub & Spoke system.

Commissioner Willhite seconded the foregoing resolution, and it was declared adopted upon the following vote: YEAS: Commissioner Strandell, Commissioner Willhite, Commissioner Lee, and Commissioner Holy. NAYS: None.

PUBLIC HEALTH

Sarah Reese, Public Health Director came before the Board with matters pertaining to her department:

1. Local Public Health Legislative Priorities

Discussion along with a handout was presented to the Board regarding the Local Public Health Association – Legislative Action Priorities regarding Supporting Minnesota’s Local Public Health System, Strengthening Public Health Emergency Preparedness (PHEP) and Response Capacity, Responding to Public Health Workforce Shortages, and Addressing Community Health Needs. (Handout on file in the Administrator’s Office)

2. Inflation Reduction Act Update

An update was given to the Board regarding the Inflation Reduction Act (IRA) that eliminated out-of-pocket costs as of January 1, 2023, for Medicare Part D (prescription coverage) beneficiaries who receive vaccines recommended for adults by the Advisory Committee on Immunization Practices (ACIP). People with Medicare’s prescription drug coverage will pay no deductible and will not be responsible for any cost-sharing for ACIP-recommended vaccines, including shingles vaccine, Tdap, and travel vaccines.” This important new Medicare Part D benefit removes financial barriers to vaccination for millions of people ages 65 years and older. Similar benefits take effect on October 1, 2023, for adults insured by Medicaid (those eligible for both traditional and expansion Medicaid coverage) and a small number of young adults covered by the Children’s Health Insurance Program. Between now and October 1, state Medicaid programs not already in compliance will revise their Medicaid vaccine policies to implement the new law.

PROPERTY RECORDS

Annalee Jones, Property Records Deputy Director came before the Board with matters pertaining to the Property Records Department:

1. Watershed Levy Requests 2023 & Various Tax Authority Requests for 2023

A motion was made by Commissioner Willhite seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the Watershed Levy requests for 2023 in the amount of \$2,507,340.68.

A motion was made by Commissioner Holy seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the NWRDC AND HRA levy requests for 2023 in the amount of \$397,477.00.

A motion was made by Commissioner Willhite seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve the Maple Lake Improvement budget of \$59,600.00 and the Union Lake Sarah Improvement District budget of \$12,000.00 for 2023.

2. Ambulance Special Assessment Requests for 2023

A motion was made by Commissioner Lee seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve the Ambulance Districts special assessment requests for 2023 as presented to the Board. (Handout on file in the Administrator’s Office)

HIGHWAY

Richard Sanders, Polk County Highway Engineer came before the Board with matters pertaining to his department:

1. SAP 060-599-292 etc. Hammond Twp Box Culverts

A motion was made by Commissioner Willhite seconded by Commissioner Holy and adopted by unanimous vote of the Board to award SAP 060-599-292 etc. to Taggart Contracting Inc. in the amount of \$287,600.00 and have the Polk County Administrator and Polk County Board Chair sign the contracts.

PROPERTY RECORDS

Samuel Melbye, Property Records Director came before the Board with matters pertaining to his department:

1. Resolution (2023-06) Resolution for Polk County to Set a Special Election to Fill the Vacancy in Office of Polk County Commissioner for the 1st District

RESOLUTION (2023-06)
Resolution for Polk County to Set a Special Election
to Fill the Vacancy in Office of Polk County Commissioner
for the 1st District

The following resolution (2023-06) was offered by Commissioner Willhite:

WHEREAS, Polk County has established five individual Commissioner Districts; and

WHEREAS, Gerald Jacobson was elected to the office of Polk County Commissioner for the 1st District for a term expiring January 1, 2025; and

WHEREAS, Commissioner Jacobson has recently passed away on January 15, 2023; and

WHEREAS, Minn. Stat. § 375.101, Subd. 1 requires that, if one year or more remains in the unexpired term, a special election must be held to fill a vacancy in the office of a county commissioner; and

WHEREAS, Under Minn. Stat. § 205.10, Subd. 3a, a special election must be held on the second Tuesday of February, April, May or August, or on the first Tuesday after the first Monday in November.

THEREFORE BE IT RESOLVED, That the Polk County Board hereby calls for a special election to fill the vacancy in the office of the Polk County Commissioner for the 1st District.

FURTHER RESOLVED, That in the event three or more candidates file for the open seat, a special primary election shall be held in the 1st District on May 9, 2023, and a special general election shall be held in the 1st District on August 8, 2023.

FURTHER RESOLVED, Alternatively, that in the event two or fewer candidates file for the open seat, a special general election shall be held in the 1st District on May 9, 2023.

FURTHER RESOLVED, That any proper notices of these special elections shall be given, that the nomination and election of candidates be conducted and all things pertaining thereto be done as provided by relevant Minnesota law.

Commissioner Lee seconded the foregoing resolution, and it was declared adopted upon the following vote. YEAS: Commissioner Willhite, Commissioner Strandell, Commissioner Holy, and Commissioner Lee. NAYS: None.

With no further business the Board adjourned to reconvene at 8:00 a.m., February 7, 2023.

Warren Strandell, Chair

Charles S. Whiting, Polk County Administrator
Clerk of the Board