

APRIL 22, 2014
BOARD MINUTES

Pursuant to motion of adjournment the Polk County Board of Commissioners met in regular session at 8:00 o'clock a.m., April 22, 2014 in the Commissioners Room, Government Center, Crookston, MN. Members present Commissioner Warren Strandell, Commissioner Nick Nicholas, Commissioner Warren Affeldt, Commissioner Don Diedrich, and Charles Whiting, Polk County Administrator, Clerk of the Board. Others present: Michelle Cote, Deputy Clerk of the Board. Commissioner Craig Bunes was absent.

REVISED AGENDA

A motion was made by Commissioner Affeldt seconded by Commissioner Strandell and adopted by unanimous vote of the Board to approve the revised April 22, 2014 agenda, adding Richard Sanders, Polk County Highway Engineer.

REVISED CONSENT AGENDA

A motion was made by Commissioner Strandell seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to approve the revised April 22, 2014 consent agenda adding No. 3:

1. Approve the April 15, 2015 board minutes.
2. Approve payment to Batteries and Bulbs, Savage, MN in the amount of \$94.99 for batteries for the Building and Grounds Department.
3. *Approve payment to the White Earth DOVE Program, White Earth, MN in the amount of \$65.00 for registration fees for Stephanie Pry for the 12th Annual Victim Service Collaborative Conference, Mahnomon, MN.

COUNTY BOARD MEMBERS ISSUE FORUM

1. Commissioner Nicholas brought forth that he attended a meeting regarding senior providers with the Northwest Mental Health being the spotlight group. In addition he attended a Northwest Mental Health meeting where the focus was the IT difficulties they are experiencing in addition to discussion about sharing server space with Polk County.
2. Commissioner Diedrich brought forth that he attended a MCIT meeting. He also attended the Northwest Mental Health meeting.
3. Commissioner Strandell brought forth that he attended the JD66 Hearing regarding a repair to a culvert near US HWY 2. In addition he brought forth discussion regarding an upcoming meeting regarding the Pipeline Safety at the Crookston American Legion.
4. Commissioner Affeldt brought forth that he attended a DAC Meeting. It is anticipated that the administrator will be presenting the board with his notice of retirement.

SHERIFF'S DEPARTMENT

Barb Erdman, Polk County Sheriff and Sergeant Randy Sondrol came before the Board with matters pertaining to her department: The Grant amount is \$5,327.00.

1. **Resolution (2014-018) 2014 State Boat & Water Operations Grant**
2014 State Boat and Water Operations Grant
RESOLUTION (2014-018)

The following resolution (2014-018) was offered by Commissioner: Strandell

WHEREAS, Under the provisions of M.S. Section 86B.105 the Sheriff of each county is require to carry out the provision of Chapter 86B and the Boat an Water Safety Rules promulgated by the Commission of Natural Resources, including patrol, enforcement, search and rescue, watercraft inspection, waterway marking and accident investigation, all included as the Sheriff's duties.

NOW THEREFORE BE IT RESOLVED, By the Board of County Commissioners of Polk County, that Polk County, submits a budget to the Commissioner of Natural Resources to carry out the duties of Boat and Water Safety.

BE IT FURTHER RESOLVED, By the Board of County Commissioners of Polk County that the County Sheriff, the Chairman of the Polk County Board and the Polk County Administrator are authorized to sign said agreement and to submit said Agreement on behalf of Polk County.

Commissioner Affeldt seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: Strandell, Affeldt, Diedrich and Nicholas. NAYS: None.

2. Resolution (2014-019) 2014 Federal Boat & Water Grant – Boat Purchase

2014 Federal Boat & Water Grant –Boat Purchase
RESOLUTION (2014-019)

The following resolution (2014-019) was offered by Commissioner Affeldt:

WHEREAS, Under the provisions of M.S. Section 86B.105 the Sheriff of each county is require to carry out the provision of Chapter 86B and the Boat an Water Safety Rules promulgated by the Commission of Natural Resources, including patrol, enforcement, search and rescue, watercraft inspection, waterway marking and accident investigation, all include as the Sheriff's duties.

NOW THEREFORE BE IT RESOLVED, By the Board of County Commissioners of Polk County, that Polk County, submits for a Federal Boating Safety Supplement Grant application to the MN Commissioner of Natural Resources.

BE IT FURTHER RESOLVED, By the Board of County Commissioners of Polk County that the County Sheriff and County Administrator be and they hereby are authorized to sign said grant application and to submit said grant application on behalf of Polk County.

Commissioner Nicholas seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: Strandell, Affeldt, Diedrich and Nicholas. NAYS: None.

3. Sheriff's Department Transport & Building/Court Security Staffing

Discussion was held with the Board regarding the submitted proposal to replace Security at the Justice Center with a Sheriff's Office Building/Court Security and Transport Unit; includes transition plan for 2014 through implementation set for January 2, 2015. A motion was made by Commissioner Strandell seconded by Commissioner Affeldt and adopted by unanimous vote of the Board to move forward with the Sheriff's Office Building/Court Security and Transport Unit to be housed at the Justice Center.

4. Sheriff Reports

The March Sheriff Reports were presented and discussed with the Board.

ENVIRONMENTAL SERVICES

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

1. Solid Waste Contract

A motion was made by Commissioner Affeldt seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to approve the proposed 2015 Solid Waste Contract and authorize release to partner counties for final approval.

2. 2014 Hauler License Issue

Jon Steiner reviewed agenda item. Discussion was held regarding 2014 Polk County Waste Haulers License for Bacon Dray Lines (Erskine, MN). Bacon Dray currently holds a provisional license pending submittal of required insurance and bonding. MN DoR has requested that Polk County revoke Bacon Dray's 2014 Haulers License for failure to remit Solid Waste Management Tax for multiple years (see MN DoR letter on file in the office of the County Administrator). Bacon Dray has since submitted the required insurance and bond information, and is in settlement discussion with MN DoR to comply. A motion was made by Commissioner Affeldt seconded by Commissioner Strandell and adopted by unanimous vote of the Board to authorize issuance of the Polk County 2014 Hauler's License for Bacon Dray Lines and to send notice to comply with MN DoR. The Notice will specify deadlines to achieve MN DoR compliance in order to avoid revocation of their Haulers License.

3. 2013 – 2014 Tax Forfeit Asbestos Project Payment

A motion was made by Commissioner Nicholas seconded by Commissioner Strandell and adopted by unanimous vote of the Board to authorize payment of \$15,975.00 to Building Systems Corporation, Grand Forks, ND for asbestos abatement services from structures in the City of Crookston and Village of Tabor during the winter of 2013-2014.

4. Environmental Education Awards

Polk County Environmental Services maintains an ongoing educational program for elementary schools in Polk County which concludes with an Environmental Essay contest. A motion was made by Commissioner Affeldt seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to authorize the distribution of monies to the 5th and 6th Grade 2014 Essay Winners.

5. Upcoming Projects

Discussion was held regarding the upcoming projects in the Environmental Services areas.

PROPERTY RECORDS

Michelle Cote, Director of Property Records came before the Board with matters pertaining to her department:

1. Temporary Liquor License

A motion was made by Commissioner Affeldt seconded by Commissioner Strandell and adopted by unanimous vote of the Board to approve the application and permit for a temporary liquor license for The Knights of Columbus #5341, May 25, 2014, Maple Lake Pavilion for a Jonny Holm Concert.

2. US Fish and Wildlife PILT Payment

The allocation of payment was presented to the Board regarding the US Fish and Wildlife PILT payment which has been received in the amount of \$11,500.00 in regards to the transfer of Parcel No. 61.00178.00 to US Fish & Wildlife, (based on the appraised value of the parcel not the actual price paid).

HIGHWAY DEPARTMENT

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

1. Crack Filling Quote

A motion was made by Commissioner Strandell seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to award the quote for crack filling to Northwest Asphalt and Maintenance of Goodridge, MN at \$1.38 per pound.

2. Award Bid on SAP 60-641-026 and SAP 60-641-028 CSAH 41

A motion was made by Commissioner Affeldt seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to award the bid on SAP 60-641-026 and SAP 60-641-028 to Knife River Materials, Bemidji, MN in the amount of \$1,698,309.50 and allow the Polk County Administrator and the Polk County Board to sign said contracts.

3. Resolution (2014-020) County Easement Industrial Park Project

County Easement Industrial Park Project

RESOLUTION (2014-020)

The following resolution (2014-020) was offered by Commissioner Affeldt:

WHEREAS, it is in the best interest of the County of Polk, State of Minnesota (“County”) to grant a utility easement in and to real property, as follows:

Legal Description:

That part of Lot Nine (9), Block Three (3), Industrial Park Addition to the City of Fertile, Minnesota, described as follows:

Commencing at the northwest corner of said Lot 9; thence southerly along the west line of said Lot 9 having a platted bearing of South 04 degrees 26 minutes 37 seconds West a distance of 32.84 feet; thence South 03 degrees 19 minutes 55 seconds West a distance of 0.17 feet to the point of beginning; thence South 03 degrees 19 minutes 55 seconds West

a distance of 50.01 feet; thence South 87 degrees 25 minutes 17 seconds East a distance of 209.66 feet to the east line of a tract of land conveyed by Quit Claim Deed to Polk County, Document Number 671927 on file and recorded in the office of the County Recorder, Polk County, Minnesota; thence North 02 degrees 34 minutes 43 seconds East a distance of 50.01 feet; thence North 87 degrees 25 minutes 17 seconds West a distance of 209.73 feet to the point of beginning. Containing 10,485 square feet, more or less.

("Land")

Grantee:

City of Fertile, a Minnesota municipal corporation

("City"); and

WHEREAS, Minnesota Statutes, Section 375.18, subd. 12, provides that real property of the County may be disposed of as its public interests require.

NOW, THEREFORE, IT IS RESOLVED by the Board as follows:

1. That the Board grant a utility easement in and to the Land to the City or any previous granting of a utility easement in and to the Land to the City is ratified and approved; and
2. That the Chair and the Clerk are authorized and directed to sign and deliver a utility easement in and to the Land to the City and any such utility easement which was previously signed and delivered is ratified and approved.

Commissioner Strandell seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: Strandell, Affeldt, Diedrich and Nicholas. NAYS: None.

4. Resolution (2014-021) Public Easement for Utilities

Public Easement for Utilities
RESOLUTION (2014-021)

The following resolution (2014-021) was offered by Commissioner Nicholas:

EASEMENT, Made April 22, 2014, between County of Polk, a Minnesota municipal corporation ("**Owner**"), (whether one or more) and City of Fertile, a Minnesota municipal corporation ("**City**").

Recitals

- A. **Owner** owns and possesses land in and over which **City** desires to obtain an easement and right-of-way.
- B. **Owner** agrees to grant an easement and right-of-way to **City** under the terms set forth below.

THEREFORE, For good and valuable consideration, the receipt of which is hereby acknowledged by **Owner**, **Owner** and **City** agree as follows:

1. **Grant. Owner** grants to **City** an easement and right-of-way in the following described real property located in the County of Polk and State of Minnesota:

That part of Lot Nine (9), Block Three (3), Industrial Park Addition to the City of Fertile, Minnesota, described as follows:

Commencing at the northwest corner of said Lot 9; thence southerly along the west line of said Lot 9 having a platted bearing of South 04 degrees 26 minutes 37 seconds West a distance of 32.84 feet; thence South 03 degrees 19 minutes 55 seconds West a distance of 0.17 feet to the point of beginning; thence South 03 degrees 19 minutes 55 seconds West a distance of 50.01 feet; thence South 87 degrees 25 minutes 17 seconds East a distance of 209.66 feet to the east line of a tract of land conveyed by Quit Claim Deed to Polk County, Document Number 671927 on file and recorded in the office of the County Recorder, Polk County, Minnesota; thence North 02 degrees 34 minutes 43 seconds East a distance of 50.01 feet; thence North 87 degrees 25 minutes 17 seconds West a distance of 209.73 feet to the point of beginning. Containing 10,485 square feet, more or less.

2. **Purpose. City** may use this easement and right-of-way for the following purpose(s): all public and franchised utilities.

3. **Persons Bound.** This Easement is binding on and for the benefit of **Owner, City**, and their successors and assigns.

4. **Duplicate Copies.** Each executed copy of this Easement will be considered an original.

IN WITNESS WHEREOF, Owner has signed this Easement to be effective the day and year first above written.

Commissioner Affeldt seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: Strandell, Affeldt, Diedrich and Nicholas. NAYS: None.

5. Approval to Advertise and Rehire a Clerk Typist Position

A motion was made by Commissioner Affeldt seconded by Commissioner Strandell and adopted by unanimous vote of the Board to approve the advertising and rehiring of a Clerk Typist position at the Highway Department.

6. Revision of Agenda

A motion was made by Commissioner Nicholas seconded by Commissioner Strandell and adopted by unanimous vote of the Board to approve revising the agenda to add the following:

- a. 2014 Cooperative Construction Agreement between Polk County and the City of Fosston
- b. Septic Quotes at Tilberg-Cross Lake Park and Maple Lake Park
- c. Dumpster Rental Quotes at Tilberg-Cross Lake and Maple Lake Park

- d. Award Contract for Gravel Stockpile 114-00-01
 - e. Award Contract for Gravel Hauling 114-00-00
 - f. Award Contract for Base 1 CP 114-210-1173, CP 114-232-1174
 - g. Certificate of Performance for SAP 60-611-019 and 060-670-004
- 7. Cooperative Construction Agreement with the City of Fosston**
A motion was made by Commissioner Affeldt seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to authorize the signing of the 2014 Construction Contract between Polk County and the City of Fosston for SAP 060-601-058, SAP 060-601-060 and SAP 060-630-010 by the County Administrator and the County Board Chair.
- 8. Septic Quotes at Tilberg-Cross Lake Park and Maple Lake Park**
A motion was made by Commissioner Affeldt seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to award the Septic Tank Quote for Tilberg-Cross Lake Park and Maple Lake Park to Regional Septic Service, Crookston.
- 9. Dumpster Quotes at Tilberg-Cross Lake and Maple Lake Park**
A motion was made by Commissioner Affeldt seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to award the Dumpster Rental Quote for Tilberg-Cross Lake Park to Listrom's Disposal, Bagley, MN and Maple Lake Park to Regional Septic Service, Crookston, MN.
- 10. Award Gravel Stockpile Project 114-00-01**
A motion was made by Commissioner Strandell seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to award the bid on Contract No. 114-00-01 Gravel Stockpile to Vogt Dirt Service, LLC in the amount of \$89,500 and allow the Polk County Administrator and the Polk County Board to sign said contracts.
- 11. Award Gravel Hauling 114-00-00**
A motion was made by Commissioner Affeldt seconded by Commissioner Strandell and adopted by unanimous vote of the Board to award the bid on Contract No. 114-00-00 Gravel Maintenance Gravel Hauling to Thygeson Construction, Inc. in the amount of \$256,375.00 and allow the Polk County Administrator and the Polk County Board to sign said contracts.
- 12. Award Contract for Base 1 CP 114-210-1173, CP 114-232-1174**
A motion was made by Commissioner Strandell seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to award the bid on Project No. 114-210-1173, CP 114-232-1174 Base 1 to Thygeson Construction, Inc. in the amount of \$289,065.00 and allow the Polk County Administrator and the Polk County Board to sign said contracts.
- 13. Certificate of Performance for SAP 60-611-019 and 060-670-004**
A motion was made by Commissioner Nicholas seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to authorize the Highway Engineer to sign the Certificate of Performance for Project SAP 060-670-004 in the amount of \$705,810.83 for Minn Dak Asphalt and the Certificate of Performance for Project SAP 060-611-019 in the amount of \$919,823.24 for Minn Dak Asphalt.

The Board meeting was moved from the Commissioners Room to Level 3, ITV Room #332 at the Government Center.

PUBLIC HEALTH

Sarah Reese, Public Health Director came before the Board to present a live one-hour informational video conference (eat-in lunch) featuring Commissioner of Health, Edward Ehlinger, MD, MSPH discussing the health in all polices approach and what that means for local decision makers. Debra Burns, Director, MDH Office of Performance Improvement and County Commissioner Larry Kittelson of Pope County also spoke.

PUBLIC HEALTH

Sarah Reese, Public Health Director came before the Board and presented her Departmental Status Report to the Board.

With no further business the Board adjourned to reconvene at 8:00 o'clock a.m., May 6, 2014.

Don Diedrich, Chairman

ATTEST:

Charles S. Whiting, County Administrator
Clerk of the Board