

MAY 5, 2015
BOARD MINUTES

Pursuant to motion of adjournment the Polk County Board of Commissioners met in regular session at 8:00 o'clock a.m., May 5, 2015 in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Craig Buness, Commissioner Warren Strandell, Commissioner Nick Nicholas, Commissioner Joan Lee, Commissioner Don Diedrich, and Charles S. Whiting, County Administrator, Clerk of the Board. Others present: Michelle Cote, Deputy Clerk of the Board.

REVISED AGENDA

A motion was made by Commissioner Nicholas seconded by Commissioner Buness and adopted by unanimous vote of the Board to approve the Revised May 5, 2015 Board agenda adding No. 7 under the Revised Consent Agenda and No's 8 and 9 under Highway Department and No. 3 under County Administrator.

REVISED CONSENT AGENDA

A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the Revised May 5, 2015 consent agenda adding No. 7.

1. Approve Auditor Warrants.
2. Approve payment to Card Member Services, St. Louis, MO in the amount of \$7,807.22 for credit card purchases.
3. Approve payment to Marshall County Coop, Warren, MN in the amount of \$3,712.50 for fuel for Angus shop.
4. Approve payment to the Grand Forks Herald, Grand Forks, ND in the amount of \$227.00 for a 12 month subscription for the Fosston Incinerator.
5. Approve payment to Batteries + Bulbs, Savage, MN in the amount of \$89.99 for batteries for the Facilities Management Department.
6. Approve payment to Code 4 Services, LLC, Pelican Rapids, MN in the amount of \$13,263.72 for Whelen Siren/Light Controller/Warning & Transport Systems & Freight for the Sheriff's Office.
7. *Approve signatures for Assignment of Leasehold Interest and Release for Parcel No. 74.10003.00 owned by Laurel L. Benson (Assignor) to Karen D. and Todd Thingelstad (Assignees).

COUNTY BOARD MEMBERS ISSUE FORUM

1. Commissioner Strandell brought forth no information.
2. Commissioner Lee brought forth information that she was contacted by DAC in acknowledgement of position on the board of directors and notified her of the annual meeting. In addition she has been provided notice of a TIF hearing in Fosston.
3. Commissioner Nicholas brought forth that he attended the Foster Parent Banquet. In addition he brought forth that he received an email from the NW Mental Health Center and they have started the interviews to fill the Finance Director position.
4. Commissioner Buness brought forth that he participated in a Negotiations/Personnel Committee meeting.

5. Commissioner Diedrich brought forth that he attended the Foster Parent Banquet. In addition information was brought forth regarding Warren Ambulance funding.

HEARING

1. Hearing to Adopt Amendments to Polk County Solid Waste Ordinance

A motion was made by Commissioner Bunes seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to open the Public Hearing at 8:50 a.m. to amend the Polk County Solid Waste Ordinance. A motion was made by Commissioner Lee seconded by Commissioner Bunes and adopted by unanimous vote of the Board to close the Public Hearing at 8:56 a.m.

ENVIRONMENTAL SERVICES

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

1. Resolution (2015-16) 2015 Revisions to the Polk County Solid Waste Ordinance **2015 Revisions to the Polk County Solid Waste Ordinance** **RESOLUTION (2015-16)**

The following resolution (2015-16) was offered by Commissioner Diedrich:

WHEREAS, Polk County has adopted a Solid Waste Management Plan pursuant to MS 115A to promote the proper management and disposition of solid waste generated within the County; specifically encouraging the reduction, reuse, recycling, composting and advanced processing utilizing the integrated waste management system in place. The latest Solid Waste Management Plan was adopted on December 17, 2013; and

WHEREAS, Polk County has adopted a Solid Waste Ordinance pursuant to MS 115A, 116 and 400 to establish standards and procedures which govern the management of Solid Waste within the County; to protect the public health and safety, prevent creation of nuisance, and to protect and conserve natural resources. Specifically, the Solid Waste Ordinance regulates the storage, collection, transportation, disposition and management of solid waste from the point of generation through the various types of management facilities which comprise the integrated waste management system. The last Solid Waste Ordinance was adopted on April 25, 1989; and

WHEREAS, Polk County is divided into Solid Waste Districts which define the programs, services, facilities, rules and regulations by which solid waste is managed. The Solid Waste Ordinance referenced pertains to Polk County Solid Waste District #2 which is defined as that area outside the corporate limits of the City of East Grand Forks, MN; and

WHEREAS, Polk County Solid Waste Ordinance prescribes the standards for permitting solid waste haulers and facilities, and sets the fees for said permits and licensing; and

WHEREAS, Polk County Solid Waste Ordinance is based upon Polk County's Solid Waste Management Plan, and upon Minnesota Statutes, Rules, and Permits for facilities which are subject to changes, modifications and other influences and trends in the marketplace. As such, periodic updates to the Solid Waste Ordinance are required; and

WHEREAS, Polk County has drafted revisions to the Solid Waste Ordinance. The draft 2015 Solid Waste Ordinance has been submitted for public comment, with no negative comment being received during that public review period.

NOW THEREFORE BE IT RESOLVED, Polk County Board of Commissioners hereby adopts the aforementioned 2015 revisions to the Polk County Solid Waste Ordinance.

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

2. Approve Purchase of New Vehicle – Environmental Services

A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the state contract dealer quote for a new 2015 GMC Sierra 4x4 Short Box Crew Cab from Ranger GM, Ely, MN in the amount of \$32,521.00.

3. Bonding Update

Jon Steiner, Environmental Services Director provided a bonding update at the Board's request.

PUBLIC HEALTH

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

1. Avian Influenza Update – Memo and News Release

An update was given to the Board along with Informational handouts regarding Avian Influenza which is a viral disease that affects all species of birds.

2. Obesity Trend Data Maps – Memo and Map Reference

An update was given to the Board along with informational handouts from the Minnesota Department of Health regarding Obesity Trend Data Maps Charts.

3. Public Health Emergency Preparedness Intern Contract

A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the Public Health Emergency Preparedness Intern Contract with Shannon Kaiser for 150 hours to be paid out the Core Medical Reserve Grant.

HIGHWAY DEPARTMENT

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

1. Mowing Polk County Properties in Crookston

A motion was made by Commissioner Bunes seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to award the lawn mowing services at the Government Center and Environmental Services property to Total Lawn Care - Morgan Terpstra at the rate of \$65.00 per time for the Government Center and \$85.00 per time for the Environmental Services property in Crookston and award the lawn mowing services at the Justice Center property to Lawn Craftsman Service, Inc., - Pat Janorschke at the rate of \$208.41 per time.

2. Mowing Polk County Properties in East Grand Forks

A motion was made by Commissioner Diedrich seconded by Commissioner Bunes and adopted by unanimous vote of the Board to award the lawn mowing services at the Polk County Human Service Center property at a rate of \$30.00 per time and the East Grand Forks Highway Shop at a rate of \$25.00 per time to Aubrie and Halie Carlstrom, East Grand Forks, MN.

3. Flat Panel Display

A motion was made by Commissioner Bunes seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to allow the Polk County Highway, GIS & Ditch Department to accept the quote from Morris Electronics in the amount of \$7,330.81 (includes an estimate for the freight charges) for a Sharp Interactive Flat Panel Display System.

4. Fuel Purchases

A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the purchase of 1650 gallons of diesel fuel at the cost of \$3,712.50 (discounted amount for payment within 10 days) from Marshall County Coop. A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve making payments on Tuesday Auditor Warrants for all diesel fuel and gasoline charges for the Polk County Highway Department.

5. Grand Marais Cut Channel

A motion was made by Commissioner Diedrich seconded by Commissioner Bunes and adopted by unanimous vote of the Board to allow the Red Lake Watershed District to complete the cut channel north slope failure fix as part of the current Grand Marais Project and to pay 50% of the costs associated with the fix in the amount of \$31,631.25.

6. County Ditch No. 7

The Middle-Snake-Tamarac River Watershed District has some concerns over the amount of sediment in County Ditch No. 7 north of Judicial Ditch No. 75. A motion was made by Commissioner Diedrich seconded by Commissioner Bunes and adopted by unanimous vote of the Board to order the Ditch Department to survey and clean if necessary, County Ditch No. 7 and fix the slope failures as needed and assign Richard Sanders as the Ditch Engineer over this project.

7. County Ditch No. 95 Maintenance Request

A motion was made by Commissioner Bunes seconded by Commissioner Lee and adopted by unanimous vote of the Board to allow Paul Engelstad to construct an approach in County Ditch No. 95 along the north side of CSAH 1 in Section 18 of Liberty Township at his expense and designate Richard Sanders as the Engineer for this project.

8. **SAP 060-615-010

A motion was made by Commissioner Nicholas seconded by Commissioner Bunes and adopted by unanimous vote of the Board to award the contract to Knife River Materials, Bemidji, MN for SAP 060-615-010 in the amount of \$2,213,127.85.

9. *SAP 060-617-021, SAP 060-613-006, SAP 060-655-003, SAP 60-658-014, and SAP-060-659-003**

A motion was made by Commissioner Nicholas seconded by Commissioner Bunes and adopted by unanimous vote of the Board to award the contract to Knife River Materials, Bemidji, MN for SAP 60-617-021, SAP 060-613-006, SAP 060-655-003, SAP 60-658-014, and SAP-060-659-003 in the amount of \$2,124,140.30.

SHERIFF

Barb Erdman, Polk County Sheriff; Tim Froeber, Crookston Fire Chief; Gary Larson, East Grand Forks Fire Chief & Wolfe Clark, Fertile Fire Chief came before the Board with matters pertaining to the Fire Chief position:

1. Resignation of Polk County Fire Chief Bruce Roed

A motion was made by Commissioner Diedrich seconded by Commissioner Bunes and adopted by unanimous vote of the Board to accept the resignation of Polk County Fire Chief Bruce Roed per his letter dated April 30, 2015.

2. Appoint New Polk County Fire Chief

A motion was made by Commissioner Nicholas seconded by Commissioner Lee and adopted by unanimous vote of the Board to appoint Crookston Fire Chief Tim Froeber as the new Polk County Fire Chief with East Grand Forks Fire Chief Gary Larson and Fertile Fire Chief Wolfe Clark as Assistant Fire Chiefs.

ADMINISTRATION

Chuck Whiting, Polk County Administrator came before the Board with matters pertaining to his department:

1. Resolution (2015-17) Reappointing Richard Sanders as County Highway Engineer

The following resolution (2015-17) was offered by Commissioner Bunes:

WHEREAS, MN Statute 163.07 Subd. 2 allows county boards to reappointment the County Engineer for a term of four years in May of the year in which the term expires; and

WHEREAS, the term for County Highway Engineer Richard Sanders expires in May, 2015; and

WHEREAS, the Board of Commissioners is pleased with the work of Mr. Sanders as County Highway Engineer and with the Polk County Highway Department.

THEREFORE BE IT RESOLVED, by the Polk County Board of Commissioners that Richard Sanders be reappointed as Polk County Highway Engineer for a four year term expiring in May, 2019.

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

2. Authorization for Purchase of Human Resources Software

A motion was made by Commissioner Nicholas seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the purchase of Kronos Workforce Ready HRIS Software for the Polk County Human Resources Department in the amount of \$20,687.20.

3. **Red Lake Watershed District Funding Request for District Ditch No. 15 Project No. 15**

A motion was made by Commissioner Bunes seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the Resolution of the Red Lake Watershed District dated April 23, 2015, Concerning the Funding (\$1,430,000.00) of the Red Lake Watershed District Ditch No. 15 Project No.175 authorizing staff to proceed with the bond sale process.

CLOSED SESSIONS

1. Closed session for Labor Negotiations MS § 13D.03 Regarding County Labor Units

A motion was made by Commissioner Diedrich seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to move into a closed session at 10:23 a.m. for labor negotiations MS § 13D.03 regarding county labor units.

2. Reconvene into Open Session

A motion was made by Commissioner Diedrich seconded by Commissioner Bunes and adopted by unanimous vote of the Board to reconvene into the open session at 11:19 a.m.

A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board approving the expense of 12 additional hours of compensation per employee in 2015 as a result of conversion to biweekly payroll starting July 1, 2015.

3. Closed session pursuant to Minnesota Statutes §13D.05, Subd. 3(b). (Closed meeting to discuss pending litigation, i.e. Greg Widseth, Appellant, and Polk County Board of Commissioners, Respondent, Polk County District Court, Court File No. 60-CV-14-2339)

A motion was made by Commissioner Nicholas seconded by Commissioner Bunes and adopted by unanimous vote of the Board to move into a closed session at 11:20 a.m. pursuant to Minnesota Statutes §13D.05, Subd. 3(b). (Closed meeting to discuss pending litigation, i.e. Greg Widseth, Appellant, and Polk County Board of Commissioners, Respondent, Polk County District Court - Court File No. 60-CV-14-2339.

4. Reconvene into Open Session

A motion was made by Commissioner Nicholas seconded by Commissioner Bunes and adopted by unanimous vote of the Board to reconvene into the open session at 12:29 a.m.

5. Consideration of any Motions which Pertain to Pending Litigation

The following is to be released:

PRESS RELEASE

The Polk County Board of Commissioners took action today on matters involving the current pending appeal brought by Polk County Attorney Greg Widseth regarding the setting of his salary on December 16, 2014. The Board, on December

16, 2014, increased the County Attorney's salary from \$98,144 to \$105,500, a 7.5% increase. On December 24, 2014, County Attorney Widseth filed an appeal of this decision. This matter is set to be heard by The Honorable Paul E. Rasmussen on July 24, 2015. The County Board, recognizing the continuing costs of litigating this issue, chose in the interest of saving taxpayer dollars to first undo part of the resolution entered into on December 16, 2014 relative to the setting of the annual compensation of County Attorney Widseth, and second, entertained and passed a motion increasing County Attorney Widseth's salary retroactively effective January 1, 2015 to \$112,000. The County Board has also directed administration to collect comparative data and other pertinent information prior to the setting of all elected official's salaries for 2016 for consideration by the County Board during the fall of 2015.

A motion was made by Commissioner Nicholas seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to revoke that subpart of Resolution 2014-64 dated December 16, 2014 relative to the setting of the annual compensation of the County Attorney at \$105,500, effective January 1, 2015. A motion was made by Commissioner Nicholas, seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve setting the annual compensation of the County Attorney at \$112,000, retroactively effect January 1, 2015. The Board recognizes that the costs to Polk County in defending the current appeal filed by the County Attorney would be multiple times more expensive than increasing the County Attorney's salary.

AUDITOR WARRANTS

A motion was made by Commissioner Nicholas seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the following Auditor Warrants for payment:

AUDITOR WARRANTS 4/02/2015

<u>Vendor Name</u>	<u>Amount</u>
1 Payments 2000	15.00
less than	
Final Total:	15.00

AUDITOR WARRANTS 4/03/2015

<u>Vendor Name</u>	<u>Amount</u>
Crookston City	4,838.23
School District 593 Treas	3,016.95
6 Payments 2000	625.90
less than	
Final Total:	8,481.08

AUDITOR WARRANTS 4/07/2015

<u>Vendor Name</u>	<u>Amount</u>
Halstad Telephone Co	9,362.70
Lenes Sand & Gravel Inc	4,619.88
Motorola	15,843.24
Regents Of The Univ Of Mn	36,274.77
Tri Steel Manufacturing	13,750.00
University Of North Dakota	5,242.67
19 Payments 2000	8,470.42

less than

Final Total: 93,563.68

AUDITOR WARRANTS 4/14/2015

<u>Vendor Name</u>	<u>Amount</u>
Altru Health System	2,653.00
Fertile Fire Department	20,312.50
Mn UI Fund	5,876.77
RDO Equipment Company	144,869.38
Tri County Community Corr	1,179,976.25
US Postal Service (CMRS FP)	10,000.00
30 Payments 2000	15,304.27
less than	
Final Total:	1,378,992.17

AUDITOR WARRANTS 4/21/2015

<u>Vendor Name</u>	<u>Amount</u>
A1 Septic LLc	7,200.00
Christian Motors Inc	96,465.75
Crookston Water Department	2,284.85
Fosston Municipal Utilities	46,652.93
Fosston Municipal Utilities	2,212.18
Garden Valley Telephone Co	4,458.26
Great Plains Natural Gas Co	5,684.46
GreatAmerica Financial Services	9,328.82
Lake Agassiz Regional Library	61,512.50
Mn State Treasury	7,606.00
Norman Mahnomen Public Health	23,977.70
Ottertail Power Co	29,541.10
Polk County Administrator	19,651.27
Polk County Public Health	36,808.00
Powerplan OIB	3,450.00
US Postal Service	3,000.00
30 Payments 2000	16,875.76
less than	
Final Total:	376,709.58

AUDITOR WARRANTS 4/21/2015

<u>Vendor Name</u>	<u>Amount</u>
Blue Cross & Blue Shield Of Mn	124,742.00
Final Total:	124,742.00

AUDITOR WARRANTS 4/22/2015

<u>Vendor Name</u>	<u>Amount</u>
10 Payments 2000	150.00
less than	
Final Total:	150.00

AUDITOR WARRANTS 4/24/2015

<u>Vendor Name</u>	<u>Amount</u>
6 Payments 2000	90.00
less than	
Final Total:	90.00

AUDITOR WARRANTS 4/28/2015

<u>Vendor Name</u>			<u>Amount</u>
	Altru Health System		5,426.95
	CROOKSTON CITY		10,961.51
	East Grand Forks City		18,411.99
	Hagen Construction		6,169.87
	Hardwick P.C./Brian T		2,242.96
	Lenes Sand & Gravel Inc		16,821.98
	Lenes Sand & Gravel Inc		6,084.27
	Polk County		57,425.58
26	Payments	2000	12,243.44
	less than		
	Final Total:		135,788.55

MANUAL WARRANTS 04/03/2015

<u>Vendor Name</u>			<u>Amount</u>
1	Payments	2000	902.91
	less than		
	Final Total:		902.91

MANUAL WARRANTS 04/07/2015

<u>VENDOR NAME</u>	<u>AMOUNT</u>
SelectAccount	3,350.92
FINAL TOTAL	\$3,350.92

MANUAL WARRANTS 04/13/2015

<u>VENDOR NAME</u>	<u>AMOUNT</u>
SelectAccount	6,447.92
FINAL TOTAL	\$6,447.92

MANUAL WARRANTS 4/17/2015

<u>VENDOR NAME</u>	<u>AMOUNT</u>
Mn Dept Of Rev Tax Division	36,887.26
Mn Revenue	5,336.33
MN Dept of Revenue	2,868.00
FINAL TOTAL	\$45,091.59

MANUAL WARRANTS 04/20/2015

<u>VENDOR NAME</u>	<u>AMOUNT</u>
SelectAccount	3,471.85
FINAL TOTAL	\$3,471.85

MANUAL WARRANTS 04/27/2015

<u>VENDOR NAME</u>	<u>AMOUNT</u>
SelectAccount	2,437.39
FINAL TOTAL	\$2,437.39

With no further business the Board adjourned to reconvene at 10:00 o'clock a.m., May 19, 2015.

Warren Strandell, Chairman

ATTEST:

Charles S. Whiting, County Administrator
Clerk of the Board