

**JULY 21, 2015**  
**BOARD MINUTES**

Pursuant to motion of adjournment the Polk County Board of Commissioners met in session at 10:00 o'clock a.m., July 21, 2015 in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Craig Bunes, 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.

**AGENDA**

A motion was made by Commissioner Diedrich seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to approve the Agenda for July 21, 2015.

**CONSENT AGENDA**

A motion was made by Commissioner Bunes seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the Consent Agenda for July 21, 2015:

1. Approve Commissioner Warrants: General Revenue Fund, \$105,508.92; Public Works Fund, \$104,859.38; Public Safety Fund, \$33,957.64; Public Health Fund, \$60,303.64; Forfeited Tax Sale Fund, \$1,005.40; Special Assessments (Ditch Fund), \$24,795.00; Environmental Services Fund, \$43,894.97; Resource Recovery Fund, \$68,748.39; Landfill Fund, \$44,914.68; Per Diems, \$1,800.00; Meal Reimbursements (without overnight lodging), \$61.39 and Sign Audit List.
2. Approve the June 16 and June 23, 2015 Board Minutes.
3. Approve for Signature the Execution of Agreement with the Office of Justice Programs in the MN Department of Public Safety.
4. Approve payment to Hardware Hank, Crookston, MN in the amount of \$74.97 for fans for the Facilities Management Department.

**COUNTY BOARD MEMBER ISSUE FORUM**

1. Commissioner Strandell brought forth discussion with Robert Wagner regarding the Enbridge Meeting that focused on the tax court petition and the potential impact on Polk County. Discussion was brought forth regarding the Board Committee assignments.
2. Commissioner Lee brought forth that she attended a DAC meeting where staffing of clients were the focus. She brought forth discussion regarding a phone call received in reference to Leafy Spurge.
3. Commissioner Nicholas brought forth that he attended a meeting with Myron Jesme of the Red Lake Watershed and Chuck Whiting regarding Taxable or Non Taxable Bonding. Also attended was a Polk County Personnel meeting which focused on negotiations. In addition he attended a Polk Norman Mahnomen Public Health Meeting.
4. Commissioner Bunes brought forth that he attended a NW Regional Radio Board Meeting where interviews were held for a communication specialist consultant. He also attended the Red Lake Watershed meeting with Chuck Whiting in addition to the Polk County Personnel meeting. In addition he attended the Polk Norman

- Mahnomen Meeting. He also attended the Maple Lake Improvement District Meeting. He also attended the Polk County Fair as he heard only positive comments.
5. Commissioner Diedrich brought forth that he attended an MCIT meeting. Also attended was a One Watershed One Plan meeting. He also attended a NW Mental Health meeting where the new board member Kathy Peterson was introduced. Plans were made for an all-day retreat of the Board members. Also brought for discussion was the advertising of the Red Lake Watershed appointee opening.

### **SOCIAL SERVICES**

Kent Johnson, Social Services Director came before the Board with matters pertaining to his department:

- 1. CY 2015 Adult Mental Health Grant – Amendment**

A motion was made by Commissioner Nicholas seconded by Commissioner Bunes and adopted by unanimous vote of the Board to approve the CY 2015 Adult Mental Health Grant Amendment which includes an additional \$50,000.00 to pay for Intensive Rehabilitation Services (ICRS) that must be awarded through contract to the NW Mental Health Center ICRS Team.

- 2. DHS Funded Child Protection Positions Request**

A motion was made by Commissioner Bunes seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve to use Polk County's Staffing/Services Allocation in the amount of \$153,000.00 to hire an additional Social Worker – Child Protection Specialist and an additional Family Based Services Provider and to approve and authorize the refilling of any internal subsequent position vacancies occurring as a result of this action. It was clarified that these positions are contingent upon the available funding.

### **HIGHWAY DEPARTMENT**

Randy Huot and Jody Beauchane, Polk County Highway Department came before the Board and discussed matters pertaining to the Highway Department:

- 1. Auto Opening Garage Doors (2)**

A motion was made by Commissioner Bunes seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the installation of two automatic doors by The Door Guy, Crookston, MN in the amount of \$3,182.00.

- 2. Motor Grader Rental**

A motion was made by Commissioner Diedrich seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to approve renting a John Deere 870GP motor grader from RDO Equipment, Grand Forks, ND in the amount of \$3,950.00 per month for 100 hours per month. Cost for hours over 100 per month is \$40.00 per hour overtime.

- 3. Preventative Maintenance Technician Inventory Specialist**

A motion was made by Commissioner Bunes seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve advertising and filling the Preventative Maintenance Technician Inventory Specialist and Preventative Maintenance Technician position if required.

#### **4. Power Washer Fosston Shop**

A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve purchasing an Alkota Power Washer from Home of Economy, Grand Forks, ND in the amount of \$3,300.00.

#### **5. County Ditch No. 48 Maintenance Request**

A motion was made by Commissioner Lee seconded by Commissioner Bunes and adopted by unanimous vote of the Board to approve the County Ditch No. 48 maintenance request and name Richard Sanders the Engineer for this project. The petitioner Scott Balstad will pay for the maintenance.

### **PLANNING AND ZONING**

Josh Holte, Planning and Zoning came before the Board with matters pertaining to Planning and Zoning:

#### **1. Septic Loan Approval**

A motion was made by Commissioner Lee seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to award a Low Income Septic Fix-Up Funding to Cora Bernice Oftelie to upgrade her failing septic system and to award the bid to Ryan's Backhoe Service who was the low bidder in the amount of \$7,197.15 and will be installing the septic system.

### **FACILITIES MANAGEMENT**

Mark Dietz, Facilities Management Director came before the Board with matters pertaining to his department:

#### **1. Polk County Justice Center Heating System – Butterfly Valves Replacement**

A motion was made by Commissioner Diedrich seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to accept the quote offered by Lunseth Plumbing and Heating Company, Grand Forks, ND in the amount of \$41,770.00 to replace the butterfly valves and install flow control valves in the Justice Center HVAC system.

#### **2. Tank Removal**

A motion was made by Commissioner Nicholas seconded by Commissioner Bunes and adopted by unanimous vote of the Board to accept the quote with oral adjustments and consideration, to Petroleum Equipment, Fargo, ND in the amount of \$5,975.00 to remove the old fuel tank from the Polk County Government Center property.

### **ADMINISTRATION**

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

#### **1. Resolution (2015-38) Enbridge Limited Partnership Tax Court Petition for Polk County**

**Enbridge Energy Limited Partnership Tax Court Petition  
For Polk County  
RESOLUTION (2015-38)**

The following resolution (2015-38) was offered by Commissioner Lee:

WHEREAS, the Polk County Board of Commissioners has closely followed Enbridge's pipeline development plans, having met with Enbridge officials and attended Enbridge public planning meetings, and supported the development of Enbridge's pipeline through portions of Polk County; and

WHEREAS, the Board's position has and continues to be that the benefits of Enbridge's pipelines for the health, safety and welfare of Polk County residents and property owners outweigh rail and trucking transportation options for oil and gas; and

WHEREAS, the Board of Commissioners has publicly supported Enbridge's pipeline development plans and supportive decisions to that effect by the Public Utilities Commission; and

WHEREAS, the Board is aware of Enbridge's petition to the Minnesota Tax Court for relief of local property taxes generated through the assessment and levying processes for all taxable properties within Polk County; and

WHEREAS, Polk County adheres to the yearly certified State Ordered and State Recommended Utility Values as valued by the State Assessed Property Division of the Minnesota Department of Revenue; and

WHEREAS, Polk County's assessment practices for locally appraised property properly follow state prescribed processes and requirements yielding consistent determination of valuations across property classifications, including utilities; and

WHEREAS, the Board is also aware that a Tax Court decision reducing market values for past, current or future years will require Polk County to refund to Enbridge significant property taxes either already collected after the levy and budget year, or will need to be factored into future budgets and levies as a cost to be borne by all other taxable properties; and

WHEREAS, the County estimates these amounts are significant, as much as \$119,000 from 2013, \$250,000 from 2014, and likely additional amounts for current and future years; and

WHEREAS, such refunding these large amounts cause undue financial difficulties and adjustments after years of significant budget planning, public input and administrative

processes.

THEREFORE BE IT RESOLVED, that the Polk County Board of Commissioners, while supportive of Enbridge's pipeline and development plans, has significant concerns with the lack of sustainable, dependable and predictable outcomes of Tax Court decisions regarding Enbridge Energy Limited Partnership's tax petition that affect the County's ability to prudently plan, inform its public, and manage its fiscal affairs as it is required and expected to as a local governing entity in Minnesota.

BE IT FURTHER RESOLVED, that any decision by the Minnesota Tax Court to reduce the tax liability of Enbridge or require Polk County to refund property taxes to Enbridge, be done in such a manner so as not to cause undue fiscal pressure on Polk County and its local taxing entities, and not shift the property tax burden of local government services for Enbridge properties unfairly to other property taxpayers in the County.

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. Deed Transfers of Agassiz Recreation Trail Sections to Respective Counties**

With the dissolution of the ART Joint Powers Agreement each section of the ART Trail needs to be transferred to the respective county. A motion was made by Commissioner Lee seconded by Commissioner Bunes and adopted by unanimous vote of the Board to approve the transfer of three deeds presented to Polk, Norman, and Clay Counties, respectively.

**3. County Administrator Performance Evaluation Preparation**

Discussion was held regarding the process and selection of a meeting date for the actual performance evaluation meeting for the Polk County Administrator's position.

**COMMISSIONER WARRANTS**

A motion was made by Commissioner Bunes seconded by Commissioner Diedrich and adopted by unanimous vote of the Board that the following Commissioner Warrants were approved:

**COMMISSIONER WARRANTS**

**DATED 07/24/2015**

**APPROVED 07/21/2015**

<u>Vendor Name</u>	<u>Amount</u>
3 D Specialties	7,427.46
Al's Electric Inc	2,429.55
Architectural Resources Inc	10,481.25
Beltrami Industrial Services	4,909.50
Brandner Printing	2,544.65
Christian Brothers Ford Inc	3,512.01
City of McIntosh	2,449.43
Clark Dailey Construction	17,980.00
Code 4 Services LLC	3,964.98
Commissioner Of Transportation	9,347.23
Crookston Fuel Company	2,875.00
Csp Delivery	2,250.00

Curfman Construction	3,280.80
Friends of Rydell Refuge Assoc.	2,000.00
GP Excavating LLC	6,695.00
Higher Ground	3,988.90
Hildi Inc	4,200.00
Hometown Management Inc	4,071.75
Johnson Controls Inc	6,791.38
Jsb Engineered Solutions	10,067.00
Leighton Broadcasting	9,756.00
Lepier Oil Company Inc	2,106.01
Lepier Oil Company Inc	9,597.90
M R Sign Company	4,200.50
MCCC MI 33	5,000.00
Midcontinent Communications	2,349.00
Midwest Steeplejacks Inc	5,463.00
Millers Building Center	4,554.03
Minn Dak Asphalt Inc	2,128.00
Mn Counties Information Sys	4,098.25
Moore Family Theatre	6,840.00
Morris Electronics Inc	6,220.07
Natronx Technologies Llc	8,530.24
North Country Business Prod	2,630.98
Northdale Oil	3,155.14
Northern Lumber	2,372.16
Northern Propane & Fuel	2,095.70
Northside Express	6,534.06
Pemberton Law Firm	12,153.55
Peterson Sheet Metal	16,825.00
Polk County Administrator	3,963.68
Polk County Highway Department	14,115.25
Ranger Chevrolet	32,731.51
Reese/Sarah	2,385.74
RTVision Inc	5,286.50
Sampletech	5,950.00
SimplexGrinnell	2,050.00
Transmission City	2,649.68
U S Water Services	3,463.90
Urt Llc	2,984.86
US Bank Voyager Fleet Sys	3,950.79
Vogel Paint & Wax Co Inc	22,740.00
Wenck Associates Inc	29,096.20
Widseth Smith Nolting & Assoc	15,475.29
Wilbur Ellis Co	7,779.67
Zachariason Construction	6,240.00
290 Payments 2000	99,249.47
less than	
<b>Final Total:</b>	<b>487,988.02</b>

With no further business the Board adjourned until July 28, 2015.

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Warren Strandell, Chairman

ATTEST:

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Charles S. Whiting, County Administrator  
Clerk of the Board