

AUGUST 16, 2016
BOARD MINUTES

Pursuant to motion of adjournment the Polk County Board of Commissioners met in regular session at 10:00 o'clock a.m., August 16, 2016 in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Craig Bunes, Commissioner Warren Strandell, Commissioner Nick Nicholas, Commissioner Don Diedrich, and Commissioner Joan Lee. Others present: Charles S. Whiting, Polk County Administrator, Clerk of the Board and Michelle Cote, Deputy Clerk of the Board.

AGENDA

A motion was made by Commissioner Lee seconded by Commissioner Bunes and adopted by unanimous vote of the Board to approve the August 16, 2016 agenda.

CONSENT AGENDA

A motion was made by Commissioner Strandell seconded by Commissioner Bunes and adopted by unanimous vote of the Board to approve the Consent Agenda:

1. Approve Commissioner Warrants: General Revenue Fund, \$197,641.49; Public Works Fund, \$140,178.22; Public Safety Fund, \$21,078.09; Public Health Fund, \$21,186.68; Forfeited Tax Sale Fund, \$849.74; Watershed/Ditch Debt Service, \$16,800.00; Environmental Services Fund, \$14,147.02; Resource Recovery Fund, \$42,276.73; Landfill Fund, \$23,405.61. Per Diems, \$1,650.00; Meal Reimbursements (w/o overnight lodging) \$65.17 and Sign Audit List.
2. Approve the July 19, July 26, and August 2, 2016 Board minutes.
3. Approve payment to Card Members Services, St. Louis, MO in the amount of \$16,522.40 for Credit Card Purchases.
4. Approve payment to Theco, Inc., Maple Grove, MN in the amount of \$10,687.50 for 1 month rental for an Edge Trommel for the Incinerator.
5. Approve payment to the Crookston Daily Times in the amount of \$155.00 for a one year subscription for the Incinerator.
6. Approve Satisfaction of Mortgage between Arnold Lanman & Lillian Lanman married couple aka Arnold R. Lanman and Polk County dated November 25, 1987.
7. Approve for Signature the Satisfaction of SSTS Loan Repayment Agreement & Lien for Roger & Geraldine Dahl

COUNTY BOARD MEMBER ISSUE FORUM

1. Commissioner Bunes brought forth that he attended a Region I Triple A Dancing Sky meeting in Thief River Falls.
2. Commissioner Strandell brought forth that he attended the Buffer Zone meeting. He also brought forth discussion about the abandonment of the Sandpiper Pipeline Project. He also attended the Tri-County Corrections meeting in addition to the 2016 Primary Canvassing Board. In addition he was contacted by a farmer in Lowell Township where a ditch was sprayed with the concern he was attempting to gain organic certification.
3. Commissioner Nicholas brought forth that he attended the RSVP banquet which was well attended. He also attended the Tri-County Corrections meeting. In addition he attended the Tri-County Corrections where it was brought forth the average

- population was 183 inmates. A 2nd quarter internal audit indicated there is a 1.7M fund balance.
4. Commissioner Diedrich brought forth that he attended the Tri-Valley Community Council meeting. He also brought forth that the Law Library Committee is still awaiting a response regarding legal aid for persons who are submitting self-filled forms to the court system. Also brought forth was he received a call from Dan Driscoll regarding ditches in his area that are backing up and the need for additional cat tail spraying. He also attended a MCIT meeting.
 5. Commissioner Lee brought forth that she attended the Buffer Zone meeting. In addition she attended the Enbridge meeting which focused on property tax. Also attended was a Housing Action Network meeting in Fosston regarding available affordable housing. She also participated in the 2016 Primary Canvassing Board.

DUI COURT

Maria Pahlen, DUI Court Coordinator came before the Board with matters pertaining to the DUI Court:

- 1. Overview on the Status of DUI Court Funding for the Polk County DUI Court**

Discussion was held with the Board regarding requesting the Board to consider providing \$10,000 in funds towards the continued operation of the DUI Court in Polk County. No action was taken.

SOCIAL SERVICES

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

- 1. Office Support Specialist (OSS) Worker Resignation – Replacement Request**

A motion was made by Commissioner Diedrich seconded by Commissioner Bunes and adopted by unanimous vote of the Board to refill the Office Support Specialist position and any internal subsequent position vacancies occurring as a result of this action.

RETIRED SENIOR VOLUNTEER PROGRAM (RSVP)

Tammy Frohlich, RSVP Program Director came before the Board with matters pertaining to the RSVP Program:

- 1. RSVP Programming Update and Allocation for 2017**

An update along with handouts were presented to the Board regarding RSVP Programming. The 2017 budget allocation was also discussed with the Board. (RSVP Programming handouts are on file in the Administrator's Office).

EAST AND WEST POLK SOIL AND WATER CONSERVATION DISTRICTS

Lisa Newton – East Polk County Manager, Nicole Bernd – West Polk County District Manager along with Aaron Habermehl – District Technician came before the Board regarding the Districts:

- 1. East and West Polk Soil and Water Conservation Districts Proposed 2017 Budget**

Discussion was held with the Board regarding the East Polk Soil and Water Conservation District Proposed 2017 Budget. (Handouts on file in the Administrator's Office)

ENVIRONMENTAL SERVICES

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

1. Polk County Landfill – Contaminated Soil Billing

A motion was made by Commissioner Diedrich seconded by Commissioner Bunes and adopted by unanimous vote of the Board to amend the tip fee for the contaminated soils load delivered from Lenex Sand & Gravel from the current price of \$20.00/ton to the previous price at the time of quote of \$6.00/ton. The price adjustment would be retroactive for this transaction only.

2. Polk County Landfill – Former Delage Property Lease

A motion was made by Commissioner Diedrich seconded by Commissioner Bunes and adopted by unanimous vote of the Board to sign the proposed 2016 lease agreement between Polk County and Bryan Boll for an annual lease payment in the amount of \$1,000.00.

3. Polk County Landfill – Bomag Compactor Trade

A motion was made by Commissioner Bunes seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to purchase from Titan Machinery, Grand Forks, ND a used 2005 Bomag 601 Compactor in the amount of \$40,000.00 (excluding sales tax) plus trade-in of the 1995 Bomag Compactor.

4. Polk County Environmental Services – 2017 Residential Solid Waste Fee Adjustment

A motion was made by Commissioner Bunes seconded by Commissioner Lee and adopted by unanimous vote of the Board to amend the Residential Solid Waste Fee Assessment for 2017 from \$100.00 (\$50.00 for 2nd Residential) to \$120.00 (\$80.00 for 2nd Residential).

REVISED AGENDA

A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the revised August 16, 2016 agenda adding No. 5 under Environmental Services.

5. Polk County Environmental Services – Landfill update.

Information was provided to the Board regarding the Polk County Landfill. It was the consensus of the board to support staff's continued course of action regarding the landfill permit developments.

PUBLIC HEALTH

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

1. Inter-County Head Start Nurse Consultant & Nutrition Consultant – Renew Service Contracts

A motion was made by Commissioner Lee seconded by Commissioner Bunes and adopted by unanimous vote of the Board to approve the Inter-County Community Council Head Start Nurse Consultant and Nutrition Consultant Services Contracts. (Contracts on file in the Administrator's Office).

2. Public Health Nuisance Abatement Order

Discussion was held with the Board regarding a Public Health Nuisance Abatement Order. The Board of Health was requested to order the landowner to abate the nuisance conditions within 10 days of the Notice of Nuisance, or file both an abatement plan and complete abatement actions within an appropriate agreed upon time frame. A motion was made by Commissioner Diedrich seconded by Commissioner Strandell and adopted by unanimous vote of the Board to abate nuisance conditions in manner most feasible – up to and including demolition of structure and contents – should the landowner not respond to Notice in time frame prescribed and/or complete abatement actions according to timeline/plan approved for the property located at 19718 State Highway 220, Alvarado MN 56710 located within Polk County.

PLANNING AND ZONING

Josh Holte, Assistant Environmental Services Administrator came before the Board with matters pertaining to Planning and Zoning:

1. Resolution 2016-45) Opting-Out of the Requirements of Minnesota Statutes, Section 394.307 for Temporary Family Dwellings

Opting-Out Of The Requirements Of Minnesota Statutes, Section 394.307 For Temporary Family Dwellings

RESOLUTION (2016-45)

The following resolution (2016-45) was offered by Commissioner Strandell:

WHEREAS, On May 12, 2016, the Governor of Minnesota signed into law Chapter 111 of the 89TH Legislature of the State of Minnesota establishing definitions and requirements for Temporary Family Health Care Dwellings, which was introduced during the 2016 legislature session as Senate File 2555 and House File 2497; and

WHEREAS, Chapter 111 amends Minnesota Statute §394 which regulates county permitting and zoning processes by establishing new rules for the placement of Temporary Family Health Care Dwellings on residential property; and

WHEREAS, The Minnesota Association of County Planning and Zoning Administrators, the professional association for county planning and zoning staff in Minnesota, supports the concept of Temporary Family Health Care Dwellings; and

WHEREAS, Chapter 111 erodes local control of the permitting process; limiting a county's ability to foster and guide development, and placing undue burden on county staff to forego standard permitting practices; and

WHEREAS, It is the intent of the Polk County Board of Commissioners to protect the public health, safety, and general welfare of County residents and the environment of the County; and

WHEREAS, Subdivision 9 of Minnesota Statute § 394.307 allows a county to “opt-out” of the regulations through the passage of a county board resolution.

NOW THEREFORE BE IT RESOLVED, Polk County elects to regulate Temporary Family Health Care Dwellings through already existing permitting standards of the Polk County Land Use/Zoning Ordinance; and

BE IT RESOLVED, Pursuant to authority granted by Minnesota Statutes, Section 394.307, Subdivision 9, the County of Polk opts-out of the requirements of Minnesota Statute 394.307, which defines and regulates Temporary Family Health Care Dwellings.

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

2. Resolution (2016-46) Corrected – Conditional Use Permit Resolution for David Rock

Resolution (2016-46) was offered by Commissioner Diedrich seconded by Commissioner Bunes and adopted upon the following vote: YEAS: Lee, Diedrich, Nicholas, Bunes and Strandell. NAYS: None. See Resolution (2016-46) on file in the office of the Polk County Administrator.

3. Tax Forfeit – Asbestos Abatement Quote – Parcel No. 94.00082.00

A motion was made by Commissioner Lee seconded by Commissioner Bunes and adopted by unanimous vote of the Board to award asbestos removal and disposal to Building Systems Corporation, Grand Forks, ND in the amount of \$8,000.00 for a tax forfeit demolition on Parcel No. 94.00082.00.

FACILITIES MANAGEMENT

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

1. Air Handler Unit (AHU) #3 Replacement

A motion was made by Commissioner Strandell seconded by Commissioner Bunes and adopted by unanimous vote of the Board to accept the quote offered by Johnson Controls, Fargo, ND in the amount of \$12,510.00 to replace the coil in Air Handler Unit #3 at the Justice Center.

HUMAN RESOURCES

Becky Kofoed, Human Resources Coordinator came before the Board with matters pertaining to her department:

1. AWAIR Program

A motion was made by Commissioner Bunes seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the updated AWAIR Safety Program as presented to the Board. (AWAIR Safety Program available in the Administrator’s Office).

ADMINISTRATION

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

1. 2017 Budget Status

a. Personnel Positions

Discussion was held with the Board regarding department personnel positions requests in their 2017 preliminary budgets.

b. Appropriations Requests

The 2017 appropriation requests were discussed with the Board.

c. Board Schedule of Department Budgets September 20 and September 21, 2016

A review of the Board schedule pertaining to budgets was brought forth.

d. Review of Preliminary Levy Options

The 2017 preliminary levy options were discussed with the Board.

2. Set Special County Board Meeting for September 21, 2016

A motion was made by Commissioner Strandell seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to set a Special Board Meeting for the purpose of department budget reviews on September 21, 2016 to begin at 8:00 a.m. (Department budget schedule on file in the Administrator's Office)

3. Performance Review – Closed Session (Pursuant to MN Statutes 13D.05, Subd. 3(a)) – Evaluate the Performance of Individual Subject to the Board's Authority, County Administrator Chuck Whiting

a. Action to Convene in Closed Session

A motion was made by Commissioner Lee seconded by Commissioner Bunes and adopted by unanimous vote of the Board to move into closed session at 3:52 p.m.

b. 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 regular session at 4:42 p.m.

c. Report Conclusion of Closed Session

Discussion was brought forth regarding the evaluation of Administrator Chuck Whiting. Polk County uses a three phase approach to the County Administrator's annual evaluation. The three areas are general performance, supervisor positions and specific objectives for past year. County Administrator Chuck Whiting received excellent and good scores in the general area of his evaluation. He also received excellent and good scores in the specific objectives for the past year. Areas of opportunity are in the board relationship and supervisor positions. Mr. Whiting's overall scores were 95% in the excellent to good range. Including the satisfactory scores his overall scores are 99%. The Polk County Board of Commissioners looks forward to continuing to work with Mr. Whiting as the Polk County Administrator.

COMMISSIONER WARRANTS

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

COMMISSIONER WARRANTS

DATED 08/19/2016

APPROVED 08/16/2016

<u>Vendor Name</u>	<u>Amount</u>
3 D Specialties	5,795.75
Acuity Specialty Products Inc	2,656.61
Architectural Resources Inc	21,299.00
Bergstrom Electric Inc	2,334.00
BNSF Railway Company	3,169.85
Burley's Tree Service	4,865.00
Church & Dwight Co Inc	16,488.64
City Of Fosston	21,202.23
Crookston Fuel Company	5,046.40
DeBoer Industries Inc	6,935.44
DS Solutions Inc	2,132.00
Florin Cultural Resource Services LLC	28,695.77
Hannaher's Inc	50,004.60
HP INC	2,137.76
J & S Gravel Inc	4,873.17
Johnson Controls Inc	14,888.00
Jsb Engineered Solutions	4,507.00
Kris Engineering	3,745.10
Lepier Oil Company Inc	4,889.66
MCCC MI 33	6,593.19
Morris Electronics Inc	38,885.82
Northside Express	4,518.15
OK Tire Stores	9,101.60
Pemberton Sorlie Rufer & Kershner PLLP	6,593.51
Polk County	2,044.07
Polk County Administrator	5,102.85
Polk County Highway Department	2,449.17
Polk County Highway Department	13,223.91
Productivity Plus Account	2,504.99
Public Financial Management	16,800.00
Theco Inc	3,735.28
U S Water Services	7,285.58
Urt Llc	4,759.45
US Bank Voyager Fleet Sys	3,822.31
Vogel Paint & Wax Co Inc	22,740.00
West Central Ag Services	3,832.05
Wilbur Ellis Co	5,572.26
Ziegler Inc	2,506.11
276 Payments 2000	109,827.30
less than	
Final Total:	477,563.58

With no further business the Board adjourned to reconvene at 8:00 o'clock a.m., August 23, 2016.

Nick Nicholas, Chairman

ATTEST:

Charles S. Whiting, County Administrator
Clerk of the Board