

**SEPTEMBER 23, 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., September 23, 2014 in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Craig Bunes, Commissioner Warren Strandell, Commissioner Nick Nicholas, Commissioner Warren Affeldt, Commissioner Don Diedrich, and Charles Whiting, Polk County Administrator, Clerk of the Board. Others present: Valerie Bjerk, Deputy Clerk of the Board (morning session) and Michelle Cote, Deputy Clerk of the Board (afternoon session).

**REVISED AGENDA**

A motion was made by Commissioner Bunes seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to approve the Revised September 23, 2014 agenda adding Mark Dietz, Facilities Management Director and changing the resolution number on the 2015 Preliminary Tax Levy Resolution.

**COUNTY BOARD MEMBERS ISSUE FORUM**

1. Commissioner Nicholas brought forth that the RSVP Board is looking for new members. December 1, 2014 Polk County Sheriff's Office will be taking over security at the Justice Center.
2. Commissioner Diedrich brought forth he called Tony Filipi of Tabor Township regarding a tax forfeited parcel. He also mentioned that the Planning and Zoning meeting is on September 26, 2014.
3. Commissioner Affeldt brought forth he attended the DAC meeting they have a new Executive Director that replaced Wayne Holt. He also attended an Inter-County Community Council meeting on September 22, 2014 they been active in MNSure. He stated they had a grant that did not get renewed through the Inter-County Community Council. A video regarding the homeless was presented at the meeting a copy of this video will be given to Polk County for viewing. He also will be attending the MRCC annual meeting at Pinehurst Resort, Naytahwaush, MN.
4. Commissioner Strandell brought forth attending the Northwest Regional Development Commission in Thief River Falls, MN. He is also continuing to work on the Polk County Newsletter. He stated he will not be attending the October 7, 2014 Board meeting due to a family matter. He and Commissioner Nicholas attended a Public Safety meeting with Sheriff Erdman regarding budget issues, security at the Justice Center, Sheriff's Office Fosston Building and capital replacement and a vehicle purchase.
5. Commissioner Bunes brought forth that the Boundary Commission meeting went well. Attended the SCHSAC Annual Conference at Craguns Resort, Brainerd, MN. Public health issues regarding the Ebola virus were discussed during conference. Discussed LARL matters.

**SHERIFF'S DEPARTMENT**

Barb Erdman, Polk County Sheriff came before the Board with matters pertaining to her department:

**1. Monthly Sheriff Reports**

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

**ADDITION TO AGENDA**

A motion was made by Commissioner Nicholas seconded by Commissioner Affeldt and adopted by unanimous vote of the Board to add to the agenda the request to re-fill a part-time position at the Sheriff's Office:

Barb Erdman, Polk County Sheriff came before the Board with matters pertaining to her department:

**1. Re-Fill a Part-Time Position at the Sheriff's Office**

A motion was made by Commissioner Strandell seconded by Commissioner Bunes and adopted by unanimous vote of the Board to approve re-filling Curt Nelson's job as a part-time Civilian Evidence Technician – Vehicle Support position at the Sheriff's Office.

**SOCIAL SERVICES**

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

**1. Request for Position Replacement, Office Support Specialist (OSS)**

A motion was made by Commissioner Affeldt seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to approve advertising and re-hiring an Office Support Specialist position due to a retirement.

**PLANNING AND ZONING**

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

**1. Resolution (2014-051) In The Matter of the Polk County Boundary Commission Number 1 Pursuant to Minnesota Statutes § 465.79**

**In The Matter of the Polk County Boundary Commission  
Number 1 Pursuant to Minnesota Statutes § 465.79  
RESOLUTION (2014-051)**

The following resolution (2014-051) was offered by Commissioner Bunes:

WHEREAS, the Polk County Board had previously determined that parcels lying within Part of Government Lots 8 and 9, the Southwest Quarter of the Northwest Quarter, and the Northwest Quarter of the Southwest Quarter of Section 35, Township 148 North, Range 43 West of the Fifth Principal Meridian, in Polk County, Minnesota have conflicting legal descriptions; and,

WHEREAS, the Polk County Board, under the authority of M.S.A. § 465.79, established Polk County Boundary Commission Number One (herein after "Boundary Commission #1") by resolution on May 6, 2014 for the express purpose of reviewing said property descriptions in the affected area; and,

WHEREAS, Boundary Commission #1 has undertaken this review and has mailed notice to all known parties in interest and attempted to establish

agreements between adjoining landowners as to the location of common boundaries. And where agreement could not be reached, Boundary Commission #1 has made recommendations as to the location of the common boundaries within the disputed areas; and,

WHEREAS, Boundary Commission has now delineated its findings by way of a certified land survey and has made its report to the Polk County Board; and,

WHEREAS, on September 16, 2014, the Polk County Board held a public hearing, after Notice to all interested parties and in compliance with M.S.A. § 465.79, Subd. 3.

NOW, THEREFORE, BE IT RESOLVED, by the Polk County Board of Polk County, State of Minnesota as follows:

1. Report. That the Polk County Board has received a report and plat from Boundary Commission #1 which shall be known as BOUNDARY COMMISSION PLAT NO. 1 (hereinafter "Plat"). And that a copy of the Plat shall be attached hereto, and incorporated with, this Resolution as Exhibit "A."

2. Adoption. That the Plat as presented is acceptable to the Polk County Board and adequately and accurately describes the lots and designates the Owners and Encumbrances, therein and no adjustments to the Plat are required. And that there is a rational basis for Plat in that it provides for established and consistent boundaries, makes the described property marketable, and allows for equitable and accurate taxation upon the described property. And that the Polk County Board hereby adopts the Plat.

3. Authority. That the Polk County Board has been granted authority for the creation of Boundary Commission #1 and to approve its findings at said hearing by M.S.A. §465.79. And that the Polk County Board has been granted the authority to see judicial review of the adopted Plat by the same statute.

4. Judicial Review. That the Polk County Board directs the attorney for Boundary Commission #1 to petition the District Court for the County of Polk, State of Minnesota for judicial approval of the proposed plan and Plat. And that the attorney shall provide to the Court sufficient information to identify all parties in interest and shall give notice to parties in interest as the Court may order.

5. Variance. That the Polk County Board, in an effort to promote agreement between landowners, hereby grants and incorporates into the Plat a permanent variance from the Polk County Zoning Ordinance Section 18.2212 e., or any other or renumbered side yard requirement established by Polk County, to Lot #8 of the Plat. Said permanent variance shall allow for a side yard setback line as drawn on the Plat from the property line separating Lot #8 from Lot #7. This permanent variance shall run with the land and shall be for

the benefit of subsequent owners, heirs, and assigns. This permanent easement is granted by the Polk County Board in order to achieve agreement as to the property line separating Lot #8 and Lot #7. The current owners of Lot #8 and Lot #7 were present to inform the deliberations of the County Board and vocalized their consent to this permanent easement and boundary location at the public hearing. The Polk County Board directs the attorney for the Boundary Commission #1 to include this variance in the petition for judicial approval of the proposed plan and Plat.

6. Special Assessments. That the County of Polk shall reserve its authority under M.S.A. § 465.79, Subd. 5, to assess part or all of the cost incurred by Polk County against the benefited properties. And that the Polk County Board shall further review any assessments upon completion of the judicial review of the Plat.

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

#### **FINANCE**

Ron Denison, Polk County Finance Director came before the Board with matters pertaining to Finance:

**1. August Cash Balance Reports and YTD August Budget Comparison Report**

The August Cash Balance Reports and the year-to-date August Budget Comparison Report was presented to the Board.

#### **ADMINISTRATION**

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

**1. Loss Notice For Storm Damage Information**

Handouts were presented and discussion was held with the Board regarding the Final Loss Report from Moe & Nevin Insurance Adjusters, Grand Rapids, MN regarding the losses due to wind damage on July 21, 2014 at the Polk County Justice Center, Polk County Recycling Center, Polk County DAC Center, and the Polk County Highway Department.

Chuck Whiting, Administrator came before the Board with matters pertaining to the Administrator's Office:

**1. Resolution (2014-047) Setting 2015 Preliminary Tax Levy**

**Preliminary 2015 Property Tax Levy**  
**RESOLUTION (2014-047)**

The following resolution (2014-047) was offered by Commissioner Affeldt:

WHEREAS, The Minnesota State Legislature passed and the Governor of the State of Minnesota signed into law, Minnesota Laws 2001, Special Session Chapter 5, and;

WHEREAS, M.S. 275.065, subd. 1 requires local taxing authorities in the State of Minnesota to establish a proposed levy on or before September 30, 2014 for taxes payable in 2015, and;

NOW THEREFORE BE IT RESOLVED, By the Board of County Commissioners of Polk County that the proposed statement of expenses and anticipated receipts on file in the office of the County Administrator, for the year 2015, be and they hereby are preliminarily accepted by this Board as a proposed budget for Polk County for the year 2015 dated September 16, 2014 and that the proposed levy on the taxable property for Polk County for Year 2014 payable in 2015 be preliminarily set as follows:

Net Levy	\$20,654,891
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Commissioner Strandell seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: Strandell, Affeldt, Diedrich, Bunes and Nicholas. NAYS: None.

**2015 Department Budget Reviews**

Richard Sanders, Polk County Highway Engineer, Jon Steiner, Environmental Services Director and Barb Erdman, Polk County Sheriff's Office came before the Board and discussed their 2015 budgets.

Discussion was brought forth regarding the printing of plat books.

Discussion was brought forth regarding the possibility of utilizing a portion of the recycling building for law enforcement offices and vehicles. East Polk County Law Enforcement is currently being housed in the City of Fosston Offices. Interest has also been expressed regarding the possibility of housing Human Services in the same location.

Discussion was brought forth regarding dispatch activity phone calls.

With no further business the Board adjourned to reconvene at 8:00 o'clock a.m., September 24, 2014.

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Don Diedrich, Chairman

ATTEST:

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Charles S. Whiting, County Administrator  
Clerk of the Board