

May 7, 2013
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 6, 2013 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 S. Whiting, County Administrator, Clerk of the Board Others present: Michelle Cote, Deputy Clerk of the Board.

AGENDA

A motion was made by Commissioner Strandell seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the Agenda for May 7, 2013.

CONSENT AGENDA

A motion was made by Commissioner Affeldt seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the Consent Agenda for May 7, 2013:

1. Approve Auditor Warrants.
2. Approve payment to Fosston's Auto Body & Collision, Fosston, MN in the amount of \$1,208.45 for auto repairs to a customer vehicle whose vehicle was damaged at the transfer station by ice sliding off the roof.
3. Approval of a salary increase from \$750 per month to \$1,000 per month for the Campground Host of Polk County Park.

COUNTY BOARD MEMBERS ISSUE FORUM

HIGHWAY DEPARTMENT

Richard Sanders, County Highway/Ditch Engineer came before the Board with matters pertaining to his department.

1. A motion was made by Commissioner Strandell seconded by Commissioner Affeldt and adopted by unanimous vote of the Board to approve the award of CP 113-00-01 for gravel stockpile to Vogt Dirt Service, LLC in the amount of \$78,300.00.
2. A motion was made by Commissioner Diedrich seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to approve the award of CP 113-00-00 for gravel hauling to Thygeson Construction in the amount of \$267,875.00.
3. A motion was made by Commissioner Strandell seconded by Commissioner Affeldt and adopted by unanimous vote of the Board to approve the award of CP 113-38-1160 for Base One/Agg. Base Project in the amount of \$120,120.00.
4. A motion was made by Commissioner Affeldt seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to approve the award of Rental Equipment to all vendors who submitted bids for 2013. See attachment in packet.
5. Mr. Sanders provided a report regarding the National Association of County Engineers Conference held in Des Moines, IA on April 19-25, 2013.

DIRECTOR OF PROPERTY RECORDS

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

1. A motion was made by Commissioner Diedrich seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to approve the 2013 Liquor Licenses contingent upon the approval of the Polk County Sheriff and the Polk County Attorney.

Name	Location	Type of License
Christopher Weiland 13267 US HWY &% /P.O. BOX 246 Euclid, MN 56722	The One-N-Only	Off Sale 3.2% Malt Liquor
Deborah Kay Wilmot 26035 180th AVE SW Crookston, MN 56716	Deb's Snowsled Inn	Off Sale 3.2% Malt Liquor
Joe DiMaggios Grill & Pizza, Inc. 22594 347th ST SE Erskine, MN 56535	Joe DiMaggios Grill & Pizza	On Sale/Sunday
Christopher Weiland 13267 US HWY &% /P.O. BOX 246 Euclid, MN 56722	The One-N-Only	On Sale/Sunday/Off Sale
Lakeview Resort, Inc. 16233 340th ST SE Mentor, MN 56736	Lakeview Resort	On Sale/Off Sale/Sunday
Deborah Kay Wilmot 26035 180th AVE SW Crookston, MN 56716	Deb's Snowsled Inn	On Sale/Off Sale/Sunday

2. Michelle Cote provided the PILT Distributions information that has been made for the board's review.

TRI -VALLEY

Cindy Pic, from Tri- Valley came before the Board:

1. Ms. Pic came before the board requesting a Resolution Authorizing Application for MN Housing & Finance Agency Family Homelessness Prevention & Assistance Program:

**Authorizing Application for
Minnesota Housing and Finance Agency
Family Homelessness Prevention and Assistance Program
Resolution (2013-029)**

The following resolution (2013-029) was offered by Commissioner Diedrich:

WHEREAS, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide funds for Family Homeless Prevention & Assistance Projects; and,

WHEREAS, Tri-Valley Opportunity Council, Inc. in the nine-county region of northwest Minnesota has developed an application for the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program; and

WHEREAS, Tri-Valley Opportunity Council, Inc. have demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program;

NOW, THEREFORE, be it resolved that Tri-Valley Opportunity Council, Inc. is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program in the county of Polk, in Minnesota.

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

PLANNING AND ZONING

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

1. Mr. Holte presented Conditional Use Permits for approval:
 - a. A motion was made by Commissioner Strandell seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the Conditional Use Permit for the building a 1575 sq. ft. accessory structure on a riparian lot located less than 300 feet from the OHW in the Shoreland District (Parcel 27.00249.00) for David Eischens with the following condition of the applicant shall maintain adequate vegetative screening between the 1575 sq. ft. structure and the OHW for Anderson Lake. See resolution on file in the Office of the Polk County Administrator (2013-033)
 - b. A motion was made by Commissioner Affeldt seconded by Commissioner Strandell and adopted by unanimous vote of the Board to approve the Conditional Use Permit for the construction, maintenance and operation of a single pole overhead electrical transmission line for Minnkota Power. See Resolution on file in the Office of the Polk County Administrator (2013-034)

2. Mr. Holte presented a Plat – Sunset Cemetery for approval. Jerry Pribula, surveyor also appeared.
 - a. A motion was made by Commissioner Affeldt seconded by Commissioner Strandell and adopted by unanimous vote of the Board to approve the Sunset Cemetery Plat located in Section 25 of Garfield Township upon the following conditions.
 1. The Cemetery needs to follow all state and federal regulations
 2. Must meet access requirements of road authority and be granted access by road authority.
 3. A sign/gate must be installed to identify that the site is a cemetery.
 4. All filled cemetery plots need to be marked with grave markers identifying the deceased.
 5. Pins need to be located in a manner to allow each plot to be easily identifiable from the surrounding plots.
 6. A marker or monument shall be established to mark at least one corner of the cemetery plat.
 7. The existing driveway that currently runs through the north part of the proposed cemetery must be relocated off of the platted lots or placed on Parcel #28.00207.01
 8. Sunset Cemetery will submit a detailed plan of orderly development that describes how the cemetery plots will be filled in order to minimize disturbance to existing plots before plat is recorded and detailed records must be maintained Sunset Cemetery.

PUBLIC HEARING

1. A motion was made by Commissioner Affeldt seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to open the public hearing for the Property Tax Abatement/City of Crookston. In attendance was Tony Cladek, City of Crookston Administrator and Mary Ann Simmons, representative of KROX Radio Station. Comments were received. A motion was made by Commissioner Diedrich seconded by Commissioner Nicholas and adopted by unanimous vote of the Board to close the public hearing for the Property Tax Abatement/City of Crookston.

Approval of Property Tax Abatement/City of Crookston
Resolution 2013-030

The following resolution (2013-030) was offered by Commissioner Nicholas:

WHEREAS, The County of Polk has held a public hearing on the use of property tax abatement for the purpose of acquisition by the City of Crookston of residential building lots and the funding of development costs for the construction of a single family residence and two twin homes, in the City of Crookston pursuant to Minnesota Statutes, Section 469.1812 through and including 469.1815, as amended and;

WHEREAS, The City of Crookston desires to offer a program pursuant to said statutes.

BE IT RESOLVED, By the Board of County Commissioners of Polk County that Polk County does authorize to participate with the City of Crookston and Independent School District 593 to abate the County's share of property taxes on the following parcels 82.03960.00, 82.03961.00, and 82.03962.00 subject to the conditions set forth in the City of Crookston' Resolution No. 25833.

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

MIDDLE-SNAKE-TAMARAC RIVERS WATERSHED

Nick Drees, MSTR Manager/Administrator, Danny Omdahl, MSTR Assistant Administrator and Marvin Hedlund, MSTR Board member came before the Board to provide the Watershed Project Report.

The Board recessed for lunch.

COUNTY ADMINISTRATION

Charles Whiting, County Administrator came before the Board to discuss matters pertaining to his department.

1. Linsey Rood, Human Resources Coordinator appeared before the Board.
 - a. A motion was made by Commissioner Nicholas seconded by Commissioner Strandell and adopted by unanimous vote of the Board to accept the Early Retirement effective June 28, 2013 for Charlene Brekken, Administrative Secretary of the Highway Department in addition to the approval to pay the County Healthcare Contribution through December 31, 2013 in the amount of \$745.00 per month.
 - b. A motion was made by Commissioner Affeldt seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve Job Description for the Account Clerk II position in the Finance Department.
2. Mr. Whiting, County Administrator brought forth Resolution (2013-031) for the City of Fosston Property Tax Abatement program for approval:

**City of Fosston – Tax Abatement
Resolution (2013-031)**

The following resolution (2013-031) was offered by Commissioner Affeldt:

WHEREAS, Minnesota Statutes 469.1812 through 469.1815 authorize Property Tax Abatement for Community Development Purposes, and;

WHEREAS, The City of Fosston desires to provide for a Tax Abatement as authorized by MN. St. 469.1812 through 469.1815 for a housing incentive tax abatement program following parameters required for City participation in City of Fosston Resolution 13-10; and

WHEREAS, the City of Fosston approved City resolution 13-10 April 15, 2013 authorizing such a tax abatement and forwarded to the Polk County Board of Commissioners for its review and approval; and

WHEREAS, the Polk County Board of Commissioners has reviewed and concurs with the request.

THEREFORE BE IT RESOLVED, By the Polk County Board of Commissioners that a two year tax abatement program in the City of Fosston is established with the following parameters required for participation:

1. The three primary tax authorities, City of Fosston, Polk County and School District #601, are all participating in the incentive program.
2. The program applies to new residential construction only. New residential construction shall include modular homes, manufactured homes and stick built home.
3. The program applies to single family dwellings ready for occupancy within two years of acquisition of the undeveloped real property.
4. The abatement of real property taxes is for two years, in the first two years where payment of taxes are based upon the value of the new dwelling.
5. Term of the program shall be December 31, 2014.
6. The City of Fosston shall be responsible to notify Polk County of which properties are in the program at the time the real property is acquired and arrange for the appropriate hearing(s) as required by law.

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

3. Mr. Whiting and Greg Widseth, County Attorney brought forth discussion regarding the Tilberg Park Development options. There was a consensus of the Board that Greg Widseth should contact the attorney representing the Boy Scouts to ascertain who can legally sign for the Boy Scouts and the FFA chapter. It was also the consensus of the Board that it is the preference to own the property currently owned by the Boy Scouts and the Future Farmers of American chapter of the Fosston school district.
4. Mr. Whiting demonstrated portions of the Springsted Budget Model to the Board.
 - a. A motion was made by Commissioner Diedrich seconded by Commissioner Strandell. Commissioner Strandell withdrew his second to approve the purchase of the Springsted Budget Model in the amount of \$2,500 and retain Springsted as the Financial Advisor. Motion died for a lack of a second.
 - b. A motion was made by Commissioner Nicholas seconded by Commissioner Strandell and adopted by the following vote of the Board YEAS: Nicholas, Affeldt and Strandell NAYS: Diedrich to approve the purchase of the Springsted

Budget Model in the amount of \$7,000.00 and utilize Springsted in the competitive bid process for financial projects.

5. Mr. Whiting brought forth discussion tabled from the April 23, 2013 meeting regarding the engagement of a Financial Advisor. Item remains tabled.

MARK GRAINGER (ATTORNEY) & DARRAL ALTEPETER (FARMER)

Mr. Grainger, Mr. Darral Altepeter and Mr. Daniel Altepeter brought forth discussion regarding the Culvert in the NW Corner of Section 10, Fanny Twp. under C.S.A.H. 17. It is Mr. Grainger's position that there was no petition, notice or hearing process a for a drainage project. It is his contention it is illegal for water to drain outside of the district to the inside of the district. Gene Tiedemann, Paul and Kathleen Hanson were also present. Loren Sanderson, Red Lake Watershed District spoke to the Board regarding this issue. He addressed the Watershed Permit that was issued to the County in 1988 for the construction of CSAH 17 and the placement of the culvert. Mr. Hanson addressed the board regarding his drainage. Rich Sanders, County Engineer addressed Mr. Altepeter and Mr. Grainger regarding the natural flow of the land. Mr. Sanders confirmed that there is a petition processing ongoing to add 5,400 acres to the benefitted lands of CD#126. Mr. Grainger wants the 24" culvert plugged. Mr. Altepeter was provided with a map of the 5,400 acres involved in the petition. Mr. Altepeter feels that to remedy the situation one of the 48" culverts thru the township road should be removed and a ditch dug along the east side of the township road north to CD#126. A motion was made by Commissioner Strandell seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to table this issue in an effort to find common ground.

ADMINISTRATION CONTINUED

6. Mr. Whiting and Ron Denison, Finance Officer brought forth a Resolution (2013-032) RE: TCCC Budget Amendment for approval.

**A Resolution Requesting Adjustment to 2013 Budget Contribution to
Tri-County Community Corrections
Resolution (2013-032)**

The following resolution (2013-032) was offered by Commissioner Strandell:

WHEREAS, the counties of Polk, Norman and Red Lake are members of the Joint Powers Agreement forming the Tri-County Community Corrections Board; and

WHEREAS, the Polk County Board of Commissioners acted to pay off the outstanding Polk County bond for the Juvenile Detention Center four years prior to its scheduled final payment thereby saving significant interest payments; and

WHEREAS, the annual debt service on the bond has been a TCCC jail use cost that has been shared amongst the three counties in each annual budget cost share; and

WHEREAS, Polk County, being the owner of the bond, utilized its bond reserves to make full payment of the outstanding bond debt in March, 2013; and

WHEREAS, this action requires an adjustment to the TCCC budget for 2013 for the difference in bond interest cost due to the savings in bond interest payment.

THEREFORE BE IT RESOLVED, that the Polk County Board of Commissioners requests the Tri-County Community Corrections Board adjust its 2013 budget contributions from member counties to reflect the interest savings resulting from early payoff of the Juvenile Detention Bonds by Polk County with the following understandings:

1. The approved Tri-County Cost Shares for 2013 total is \$ 4,969,617.
2. Included in that Cost Share number (building operations) is the Juvenile Center Lease amount of \$ 122,368.76 which is equivalent to one half of the annual debt service of the Juvenile Center Bonds.
3. Due to the payoff of the debt, beginning 2013 the Juvenile Center Lease goes to zero, 2012 being the last year it was needed in the Tri-County Funding.
4. By removing the Juvenile Center Lease amount from the 2013 total the Revised Cost Share Requirement is \$ 4,847,248.24.
5. A 2013 Juvenile Center Lease payment of \$ 40,789.59, one third of annual amount, was made on 4/16/13 to Polk County by Tri-County and should be refunded to Tri-County.
6. The Juvenile Center Lease payment will not need to be included in the Tri-County "Funding Needed" for 2014 and subsequent years.
7. The Juvenile Center Lease payment is no longer required and Polk County will not need to contribute any more funds for that purpose.
8. Norman and Red Lake Counties will continue to pay their share of the principal payment that would have been due in each year, with the annual interest rate that would have been due in each year reduced to 1% as of March 1, 2013. These payments will continue through the years of the original debt service schedule ending in 2017. A prepayment of a county's remaining principal due, to avoid the 1% interest charge, would also be allowed.
9. The Cost Share for the three counties will be calculated as in the past using the existing method/formula but with no Juvenile Center Lease included in the Funding Needed.
10. The Norman and Red Lake County principal and interest due for the Juvenile Center Lease amount will be added to their annual Cost Share due amount.

11. Beginning in 2013 Tri-County Community Corrections will instead credit Polk County for the annual Norman and Red Lake County principal and interest payments, thereby reducing the Polk County cost share due, allowing Polk County, which has already paid off the entire debt, to receive the principal portion due from Norman and Red Lake Counties, over those years, along with a 1% interest rate for the use of Polk County funds.
12. Any remaining Cost Share payments due for the year 2013 from the three Counties will be adjusted to reflect the changes listed above.

BE IT FURTHER RESOLVED that TCCC apply these understandings to subsequent budget calculations for 2014 through 2017.

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

AUDITOR WARRANTS

A motion was made by Commissioner Affeldt seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the April Auditor Warrants for payment:

Auditor Warrant 04/02/2013

<u>Vendor Name</u>	<u>Amount</u>
Bremer Bank NA	5,579.37
Final Total:	5,579.37

Auditor Warrant 04/02/2013

<u>Vendor Name</u>	<u>Amount</u>
AVENET LLC	5,557.50
Halstad Telephone Co	9,987.64
Mcintosh City	10,596.44
Mn Counties Information Sys	3,283.00
Norman Mahnomen Public Health	3,547.00
North Country Security Inc	4,226.14
Polk County Public Health	18,362.00
Sandhill Snowcruisers	13,878.38
University Of North Dakota	5,242.67
21 Payments less than 2000	11,404.77
Final Total:	86,085.54

Auditor Warrant 04/04/2013

<u>Vendor Name</u>	<u>Amount</u>
1 payment less than 2000	129.00
Final Total:	129.00

Auditor Warrant 04/04/2013

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

Auditor Warrant 04/08/2013

<u>Vendor Name</u>	<u>Amount</u>
Bremer Bank NA	3,331.98
Final Total:	3,331.98

Auditor Warrant 04/09/2013

<u>Vendor Name</u>	<u>Amount</u>
Crookston Driftbusters	5,381.78
Fosston Municipal Utilities	43,390.10
Great Plains Natural Gas Co	2,460.07
Halstad Telephone Co	9,987.64
Mn State Treasury	7,455.00
Norman Mahnomen Public Health	3,983.81
North Country Security Inc	3,902.61
Ottertail Power Co	3,232.86
Polk County Environmental Services	4,207.00
Polk County Public Health	13,704.46
Polk County Solid Waste	41,817.40
Tri County Community Corr	1,087,577.25
U S Bank	2,552.50
18 Payments less than 2000	8,326.88
Final Total:	1,237,979.36

Auditor Warrant 04/11/2013

<u>Vendor Name</u>	<u>Amount</u>
Blue Cross & Blue Shield of MN	117,629.00
Final Total:	117,629.00

Auditor Warrant 04/12/2013

<u>Vendor Name</u>	<u>Amount</u>
Bremer Bank NA	70,000.00
Final Total:	70,000.00

Auditor Warrant 04/15/2013

<u>Vendor Name</u>	<u>Amount</u>
Bremer Bank NA	5,284.05
Final Total:	5,284.05

Auditor Warrant 04/16/2013

<u>Vendor Name</u>	<u>Amount</u>
Altru Health System	2,653.00
Great Plains Natural Gas Co	2,026.34
Lake Agassiz Regional Library	54,999.75
Lenes Sand & Gravel Inc	14,266.45
Ottertail Power Co	5,497.69
Polk County Administrator	23,522.43
Rust Stock Rasmusson	3,311.50
Tri County Community Corr	8,012.55
23 Payments less than 2000	13,530.55
Final Total:	127,820.26

Auditor Warrant 04/17/2013

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

Auditor Warrant 04/22/2013

<u>Vendor Name</u>	<u>Amount</u>
Bremer Bank NA	3,985.35
Final Total:	3,985.35

Auditor Warrant 04/23/2013

<u>Vendor Name</u>	<u>Amount</u>
Anderson Brothers	44,634.76
Anderson Brothers	24,484.27
Donarski Brothers Inc	86,000.00
Garden Valley Telephone Co	3,834.54
Honeywell International Inc	31,356.00
Kue Contractors Inc	319,200.00
Mn UI Fund	5,902.66
Norman Mahnomen Public Health	2,993.00
Polk County Public Health	16,352.00
Thomson Reuters - West	3,682.97
20 Payments less than 2000	11,753.76
Final Total:	550,193.96

Auditor Warrant 04/29/2013

<u>Vendor Name</u>	<u>Amount</u>
2 Payments less than 2000	1,741.59
Final Total:	1,741.59

Auditor Warrant 04/30/2013

<u>Vendor Name</u>	<u>Amount</u>
Cardmember Service	6,748.32
Fischer Law Office Plc	2,118.75
Hagen Construction	4,681.87
Haley/James	4,500.00
Lenes Sand & Gravel Inc	6,273.96
Norman Mahnomen Public Health	52,768.34
North Country Security Inc	4,226.14
Ottertail Power Co	4,457.38
Polk County	55,581.05
Polk County Administrator	14,130.29
Polk County Public Health	27,373.16
15 Payments less than 2000	6,124.62
Final Total:	188,983.88

MANUAL WARRANTS 3/29/2013

VENDOR NAME	AMOUNT
Internal Revenue Service	264,912.80
MN Revenue	45,309.33
FINAL TOTAL.....	\$310,222.13

MANUAL WARRANTS 4/10/2013

VENDOR NAME	AMOUNT
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2 PAYMENTS LESS THAN \$2000	109.03
FINAL TOTAL.....	\$109.03

MANUAL WARRANTS 4/11/2013

VENDOR NAME	AMOUNT
2 PAYMENTS LESS THAN \$2000	140.61
FINAL TOTAL.....	\$140.61

MANUAL WARRANTS 4/19/2013

VENDOR NAME	AMOUNT
Mn Dept Of Rev Tax Division	66,699.59
Mn Revenue	8,787.26
Final Total:	75,486.85

With no further business the Board adjourned to reconvene at 10:00 o'clock a.m. on May 21, 2013.

Craig Bunes, Chairman

ATTEST:

Charles S. Whiting, County Administrator
Clerk of the Board