*REVISED

POLK COUNTY BOARD

MEETING LOCATION: GOVERNMENT CENTER, CROOKSTON, MN

COMMISSIONERS ROOM

AGENDA

MARCH 5, 2019

8:00 A.M.  MEETING OPEN/CONVENE

CALL TO ORDER

PLEDGE ALLEGIANCE TO FLAG

REVIEWAL & APPROVAL OF THE AGENDA

CONSENT AGENDA
1. Approve Auditor Warrants.
2. Approve for payment Lost Warrant No. 500640 dated May 2, 2017 issued to Fengstad-Solie Post #200 in the amount of $40.00.
3. Approve for payment Lost Warrant No. 218203 dated May 10, 2016 issued to Fengstad-Solie Post #200 in the amount of $40.00.

COUNTY BOARD MEMBERS ISSUE FORUM
1. AMC County Board Roundtables Get The Tools For Leading Locally Handout

8:30

GREG WIDSETH – COUNTY ATTORNEY

8:35

SARAH REESE – PUBLIC HEALTH
1. Advertisement and Hiring (.49 FTE Wellness Coordinator & .8 FTE Public Health Nurse)
2. Strategic Prevention Framework – Partnership for Success
3. Polk-Norman-Mahomen Community Health Board Community Representative
5. Legionnaire’s Update

9:05

JON STEINER – ENVIRONMENTAL SERVICES
1. Polk County MRF Project – Change Orders & Trade-In
2. 2019 Trailer Hauling Contract – Trailer Surcharge
3. Transfer Station Project Update
4. Transfer Station Temporary Office Lease

9:35

MARK DIETZ - FACILITIES
1. Custodial FTE Job Opening

9:40

JIM TADMAN – SHERIFF
1. Purchase (5) Getac Laptop Computers For The Sheriff’s Office

9:50

BREAK
10:00  BOB KOVAR, MSTR WATERSHED BOARD MEMBER & JOEL PRASKA, WATERSHED ADMINISTRATOR
1. Report Regarding the Middle-Snake-Tamarac River Watershed District

10:30  NICOLE BERND – WEST POLK SOIL & WATER CONSERVATION DISTRICT
2. Memorandum Of Agreement For The Wild Rice-Marsh River One Watershed One Plan

10:50  CHUCK WHITING - ADMINISTRATION
1. Staff/Board Teambuilding Session
2. *Enbridge Related Updates

If you need any type of accommodation to participate in the Polk County Board meeting, please contact Chuck Whiting at (218) 281-5408 at least 1 working day before the meeting. This Board agenda is subject to change without notice.
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**AUDITOR WARRANTS 02/12/2019**

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**AUDITOR WARRANTS 02/12/2019**
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**AUDITOR WARRANTS 02/19/2019**

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**AUDITOR WARRANTS 02/26/2019**

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| 11 Payments less than 2000       | 5,827.61  |

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You've learned about the job of a County Commissioner at County Government 101...

Now, learn about how to make it all work!

The Association of Minnesota Counties has partnered with Mitchell Hamline School of Law's Dispute Resolution Institute on new County Board Roundtables that cover our most requested topics from commissioners across the state.

You will walk away with effective tools to:
- Manage difficult conversations
- Deal with conflict
- Find common ground with other elected officials
- Respond effectively to public requests

Julie Ring, AMC Executive Director, and Jim Coben, Professor and Senior Fellow, will lead a discussion about how to navigate the toughest parts of the job. There will be plenty of opportunities to talk with fellow commissioners and share stories and advice.

Please join us at one of the following sessions:

**Thursday, March 21, 2019**
Sourcewell Service Cooperative, Staples

**Wednesday, March 27, 2019**
South Central Service Cooperative, Mankato

To register:
Visit mncounties.org --> Meetings & Education --> Education & Training --> Leadership Development

Check-in window begins at 9:00 a.m.
Session time: 9:30 a.m. - 2:00 p.m.
Coffee/Morning snack and Catered lunch included.
Cost: $50
TO:  POLK COUNTY BOARD OF COMMISSIONERS
FROM:  Greg Widseth, Polk County Attorney
MEETING DATE:  March 5, 2019

SUMMARY:

1. MOTION ACCEPTING FINANCIAL DONATIONS MADE TO POLK COUNTY COORDINATED VICTIM SERVICES FROM VARIOUS LOCAL ENTITIES.

ACTION REQUESTED:  (INFORMATION ONLY/MOTION/RESOLUTION)

1. Pass a MOTION (attached) accepting financial donations made to Polk County Coordinated Victim Services from Sandhill Lutheran Church WELCA, Trinity Lutheran Church WELCA.
RESOLUTION OF THE POLK COUNTY BOARD OF COMMISSIONERS

Resolution Accepting Financial Donations On Behalf Of Polk County Coordinated Victim Services

RESOLUTION (2019-13)

The following resolution (2019-13) was offered by Commissioner:

WHEREAS, WELCA of Sandhill Lutheran Church, located in Climax, Minnesota, has made a financial donation of $100.00 to support the services and programming of PCCVS; and

WHEREAS, WELCA of Trinity Lutheran Church, located in Crookston, Minnesota, has made a financial donation of $100.00 to support the services and programming of Polk County Coordinated Victim Services (PCCVS); and

WHEREAS, PCCVS, which is part of the Polk County Attorney’s Office, wishes to have the County Board formally accept these financial donations on behalf of PCCVS.

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

1. The financial donations from Trinity Lutheran Church WELCA and Sandhill Lutheran Church WELCA, which are listed above, hereby are accepted by the Polk County Board of Commissioners on behalf of Polk County Coordinated Victim Services to be used in support of the services and programming provided by Polk County Coordinated Victim Services.

Commissioner seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: NAYS:

STATE OF MINNESOTA )
COUNTY OF POLK ) ss

I, Charles S. Whiting, County Administrator to and Clerk of the Polk County Board of Commissioners do hereby certify that I have compared the foregoing resolution with the original resolution filed in my office on the 5th day of March, 2019, and that the same is a true and correct copy of the whole thereof.

WITNESS my hand and Official Seal of Polk County at Crookston, Minnesota this 5th day of March, 2019.

Charles S. Whiting, County Administrator
Clerk of the Board
TO: POLK COUNTY BOARD OF COMMISSIONERS

CC: CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: SARAH REESE, PUBLIC HEALTH DIRECTOR

MEETING DATE: March 5, 2019

AGENDA ITEM: Advertisement and Hiring

SUMMARY: Wellness Coordinator (1 FTE) has recently submitted resignation from full time employment. Public Health Nurse – Roster (19 hours per week) has recently submitted resignation.

Reviewed organizational considerations (current and future funding, staffing expertise and caseloads) with the HR Director and County Administrator. Discussed opportunities to serve the department and county well into the future.

This is a request for approval to post a Wellness Coordinator, Roster position, 19 hours per week and the advertisement and posting of a .8 Public Health Nurse (Grade 15) (and any subsequent vacancies) within Polk County Public Health. The .8 PHN request aligns with agency needs of the Statewide Health Improvement Partnership’s healthcare focus and PHN availability and responsiveness to meet Family Home Visiting client needs.

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<td>Public Health Nurse, .49 FTE, Grade 15, Roster</td>
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<td><strong>TOTAL 1.49 FTE</strong></td>
<td><strong>$124,922.53</strong></td>
<td><strong>$106,543.95</strong></td>
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*calculated for a full year

Reduction/Savings $18,378.58

ACTION REQUESTED: Motion to approve advertisement and posting of .49 FTE Wellness Coordinator and .8 FTE Public Health Nurse (and any subsequent vacancies) within Polk County Public Health.
TO: POLK COUNTY BOARD OF COMMISSIONERS  
CC: CHUCK WHITING, POLK COUNTY ADMINISTRATOR  
FROM: SARAH REESE, PUBLIC HEALTH DIRECTOR  
MEETING DATE: March 5, 2019  
AGENDA ITEM: Strategic Prevention Framework - Partnership for Success  

SUMMARY:  

SAMHSA is accepting applications for Strategic Prevention Framework - Partnerships for Success (SPF-PFS) grants. The purpose of this grant program is to prevent the onset and reduce the progression of substance abuse and its related problems while strengthening prevention capacity and infrastructure at the community level. The program is intended to address one of the nation’s top substance abuse prevention priorities - underage drinking among persons aged 9 to 20. Recipients may also use grant funds to target up to two additional, data-driven substance abuse prevention priorities, likely marijuana and opioids in Polk County.  

SAMHSA plans to issue 127 grants of up to $300,000 per year for up to 5 years. No match required.  

ACTION REQUESTED: Motion to apply for the Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Prevention’s Strategic Prevention Framework - Partnerships for Success grant.
TO: POLK COUNTY BOARD OF COMMISSIONERS

CC: CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: SARAH REESE, PUBLIC HEALTH DIRECTOR

MEETING DATE: March 5, 2019

AGENDA ITEM: Polk-Norman-Mahnomen Community Health Board Community Representative

SUMMARY:

I recommend Mary Holz-Clause, Chancellor, University of Minnesota Crookston and Crookston resident, be appointed and serve as the Polk County Community Representative on the PNM CHB.

As noted in our Term Rotation Schedule, all members of the CHB shall serve three (3) year terms or until their successor has been duly appointed and qualified. No member shall serve more than three (3) consecutive terms. Holz-Clause service end date will be December 31, 2027.

ACTION REQUESTED: Motion to appoint Mary Holz-Clause to serve as the Polk County Community Representative on the Polk-Norman-Mahnomen Community Health Board.
TO: POLK COUNTY BOARD OF COMMISSIONERS
CC: CHUCK WHITING, POLK COUNTY ADMINISTRATOR
FROM: SARAH REESE, PUBLIC HEALTH DIRECTOR
MEETING DATE: March 5, 2019
AGENDA ITEM: Resolution Accepting Financial Donations on Behalf of Polk County Public Health

SUMMARY:

Request to accept donations from Crookston Noon Day Lions, Crookston Rotary Club, and Sisters in Spirit to be used in support of the services and programming provided by Polk County Public Health.

ACTION REQUESTED: Resolution Accepting Financial Donations on Behalf of Polk County Public Health
RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

Accepting Financial Donations On Behalf Of Polk County Public Health

RESOLUTION (2019-14)

The following resolution (2019-14) was offered by Commissioner:

WHEREAS, Crookston Noon Day Lions, located in Crookston, Minnesota, has made a financial donation of $100.00 to support the services and programming of PCPH’s Fitness Fever; and

WHEREAS, Crookston Rotary Club, located in Crookston, Minnesota, has made a financial donation of $50.00 to support the services and programming of PCPH’s Fitness Fever; and

WHEREAS, Sisters in Spirit, located in Crookston, Minnesota, has made a financial donation of $50.00 to support the services and programming of PCPH’s Fitness Fever; and

WHEREAS, Polk County Public Health wishes to have the County Board formally accept these financial donations.

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

1. The financial donations from Crookston Noon Day Lions, Crookston Rotary Club, and Sisters in Spirit, which are listed above, hereby are accepted by the Polk County Board of Commissioners on behalf of Polk County Public Health to be used in support of the services and programming provided by Polk County Public Health.

Commissioner seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: NAYS:

STATE OF MINNESOTA )
) ss
COUNTY OF POLK )

I, Charles S. Whiting, County Administrator to and Clerk of the Polk County Board of Commissioners do hereby certify that I have compared the foregoing resolution with the original resolution filed in my office on the 5th day of March, 2019, and that the same is a true and correct copy of the whole thereof.

WITNESS my hand and Official Seal of Polk County at Crookston, Minnesota this 5th day of March, 2019.

Charles S. Whiting
County Administrator
Clerk of the Board
TO: POLK COUNTY BOARD OF COMMISSIONERS
CC: CHUCK WHITING, POLK COUNTY ADMINISTRATOR
FROM: SARAH REESE, PUBLIC HEALTH DIRECTOR
MEETING DATE: March 5, 2019
AGENDA ITEM: Update on Legionnaires' disease

SUMMARY:

Continue to communicate with the Minnesota Department of Health.
No new or suspect cases to date.

ACTION REQUESTED: Information only.
TO: POLK COUNTY BOARD OF COMMISSIONERS
FROM: JON STEINER, ENV. SVS. ADMIN.
MEETING DATE: March 05, 2019
AGENDA ITEM: Polk County MRF Project – Change Orders & Trade-in

SUMMARY:

1. Polk County MRF Project is being installed by Titus MRF Services of Fontana, CA.

2. Substantial completion of the Phase II MRF was reached 12/05/18.

3. A punchlist of items remaining to be finished (in-scope of contracted work) has been assembled and Titus MRF Services is transitioning back to complete the project.

4. Titus MRF Services is willing to accept the used equipment on a trade-in if a local buyer could be located. Becker County (MN) has expressed a desire to purchase the equipment from Titus MRF Services if we trade it to them.

5. The dollar figure previously discussed on the trade-in value of the used MRF equipment was $200,000. Titus estimated approximately $20,000 for disassembly of equipment for resale, equip prep and loading trucks. However, due to the current site/equipment conditions and need for Polk to get the equipment out of the building/off-site, the estimate was revised to by an additional $9,704. (the rate is higher due to amount of effort/equipment to get snow-covered/frozen equipment off-site, but they are leaving magnets and some conveyors for additional sale)

6. There are some things that needed to be done before Titus left in order to operate, and others that are desired, that were ‘out-of-scope’. Change Orders need to be approved for this work.

7. Any change order to be done needs to be done before they arrive in order to allow lead-time for ordering and sequencing, and in order to be done before they mobilize off-site.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

1. Action/Approval: Approve trade-in of used MRF equipment (less magnets) to Titus MRF Services of Fontana, CA in the amount of $200,000, and payment for equipment prep for sale in amount of $29,704.00.

2. Action/Approval: Approve Change Order 3-05-19 for out of scope work to the new Phase I & Phase II MRF in the amount of $31,462.50 Titus MRF Services of Fontana, CA.
TO: POLK COUNTY BOARD OF COMMISSIONERS
FROM: JON STEINER, ENV. SVS. ADMIN.
MEETING DATE: March 05, 2019
AGENDA ITEM: 2019 Trailer Hauling Contract – Trailer Surcharge

SUMMARY:

1. Polk County entered into a joint hauling contract with Beltrami County for CY 2019 for the live floor trailer hauling services on 12/11/18.

2. Under the 2019 contract, Beltrami County bid the contract, supplied the trailers, and administers the contract.

3. Polk County was charged $1.00/ton trailer surcharge for waste hauled in their trailers in 2018 (approx. $8,000/yr – the value of each trailer is approx. $80,000 ea.).

4. Beltrami County recalculated the trailer surcharge based on its fleet, modifications made to its program and Hubbard County entering the contract with Polk and Beltrami Co’s.

5. For CY2019 Beltrami County proposes to change the trailer surcharge to $0.07/mile.

6. For comparison of a 20 ton load hauled 96 miles (roundtrip between Crookston & Fosston):
   CY2018 = $20/load
   CY2019 = $6.72/load

7. The proposed rate is a significant reduction in Polk’s surcharge. Polk has confirmed the calculated savings with Beltrami County.

8. The proposed change would be retro-active to January 1, 2019.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

1. ACTION ITEM. Approval of the trailer surcharge for the 2019 Trailer Hauling Contract awarded by Beltrami County to Anderson Trucking of Bemidji, MN. The trailer surcharge would be set at $0.07/mile.
TO:        POLK COUNTY BOARD OF COMMISSIONERS
FROM:      JON STEINER, ENV. SVS. ADMIN.
MEETING DATE:  March 05, 2019
AGENDA ITEM:  Transfer Station Project Update

SUMMARY:

1. Polk County is in the process of completing construction of a new Transfer Station in Crookston, which was a part of the Phase II CAP Grant funding received in 2017.
2. The prime contractor on the project is Nor-Son Inc of Baxter MN.
3. The project was to be competed in two phases – Phase I (Tip Floor) was to be done on 10/01/18 and Phase II (Office) to be done on 12/21/18.
4. Phase I was completed 12/21/18 and Phase II completion is yet-to-be-determined (Certificate of Occupancy was received from the City of Crookston on 2/21/19).
5. Preliminary discussion related to liquidated damages and project extensions was held on 2/22/19.
6. Issues with building finish were documented and resolution not identified.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

1. Information/Update: General update of project status and issues.
Board of Commissioners
Polk County Government Center
612 N Broadway – Room 211
Crookston, MN 56716-1452

TO: POLK COUNTY BOARD OF COMMISSIONERS
FROM: JON STEINER, ENV. SVS. ADMIN.
MEETING DATE: March 05, 2019
AGENDA ITEM: Transfer Station Temporary Office Lease

SUMMARY:

1. Polk County rented a double-wide construction trailer for administrative functions during the demolition of the old, and construction of the new Transfer Station.

2. The lease term was one year – which expires 3/11/19.

3. With the delays in the Transfer Station construction, we likely will need to rent the temporary office for at least one additional month.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

1. Action/Approval: Approve extension of the temporary trailer lease from William Scotsman on a month-to-month basis.
TO: POLK COUNTY BOARD OF COMMISSIONERS

CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: Mark Dietz, Director, Polk County Facilities Management Department

MEETING DATE: 3/5/2019

AGENDA ITEM: Custodial FTE

SUMMARY: To Fill a Vacated Custodial Position

1) Oral report by the director of the Polk County, Facilities Management Department, Mark Dietz.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)
Please make the motion, to move forward with filling the vacated Polk County, custodial position.
TO: POLK COUNTY BOARD OF COMMISSIONERS
FROM: Sheriff James Tadman

MEETING DATE: March 5, 2019

AGENDA ITEM:

1. Purchase (5) Getac laptop computers for sheriff’s office.

SUMMARY:

1. Purchase (5) Getac laptop computers for sheriff’s office use. The computers will replace old computers assigned to deputies, which are on a four-year rotation plan. Unit price per computer is $3,238.17

ACTION REQUESTED:

RACOM CORPORATION
201 WEST STATE ST
MARSHALLTOWN IA  50158

Phone: 641) 752-5820 Ext. 0000

Bill To:  CHIEF DEPUTY JIM TADMAN
POLK CO MN SHERIFF OFFICE
600 N BRUCE ST
PO BOX 416
CROOKSTON MN  56716

Ship To:
POLK CO MN SHERIFF OFFICE
600 N BRUCE ST
PO BOX 416
CROOKSTON MN  56716
(218) 281-0431 Ext. 0000

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Misc: $0.00
Tax: $0.00
Freight: $0.00
Discount: $0.00
Total: $16,190.85

Deposit On Invoice $0.00

convenience fee of 3% may be added to payments made by credit card
RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

Adopt and Implement The Amended Red Lake River
Comprehensive Watershed Management Plan

RESOLUTION (2019-12)

The following resolution (2019-12) was offered by Commissioner:

WHERAS, the Polk County Board of Commissioners has been notified by the Minnesota Board of Water and Soil Resources that the Red Lake River Comprehensive Watershed Management Plan (Plan) Amendment has been approved according to Minnesota Statutes §103B.101, Subdivision 14 and §103B.801, and Board Resolution #18-14:

NOW THEREFORE BE IT RESOLVED, The Polk County Board of Commissioners hereby adopts and will continue implementation of the approved Red Lake River Comprehensive Watershed Management Plan.

Commissioner seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: NAYS:

STATE OF MINNESOTA

COUNTY OF POLK

) ss

I, Charles S. Whiting, County Administrator to and Clerk of the Polk County Board of Commissioners do hereby certify that I have compared the foregoing resolution with the original resolution filed in my office on the 5th day of March, 2019, and that the same is a true and correct copy of the whole thereof.

WITNESS my hand and Official Seal of Polk County at Crookston, Minnesota this 5th day of March, 2019.

______________________________
Charles S. Whiting
County Administrator;
Clerk of the Board
January 23, 2019

Red Lake River Policy Committee
c/o Peter Nelson, 1W1P Coordinator
201 Sherwood Ave S
Thief River Falls, MN 56701

RE: Approval of the Red Lake River Comprehensive Watershed Management Plan Amendment

Dear Red Lake River Policy Committee,

The Minnesota Board of Water and Soil Resources (BWSR) is pleased to inform you the Red Lake River Comprehensive Watershed Management Plan Amendment was approved on January 23, 2019. Attached is the signed Board Order that documents approval of the Amendment and indicates the Amendment meets all relevant requirements of law and rule.

This Amendment of the Plan is effective until April 26, 2027. Please be advised, the partners must adopt and begin implementing the amended Plan within 120 days of the date of the Order in accordance with Minnesota Statute 103B.101, Subd. 14 and 103B.801, and the One Watershed, One Plan Operating Procedures.

Please contact your Board Conservationist, Matt Fischer, at 218-755-2683 or matt.fischer@state.mn.us for further assistance on this matter.

Sincerely,

Gerald Van Amburg, Chair
Minnesota Board of Water and Soil Resources

Enclosure: BWSR Board Order

CC: Margaret Wagner, MDA (via email)
    Ryan Lemickson, MDA (via email)
    Jenilynn Marchand, MDH (via email)
    Barbara Weisman, DNR (via email)
    Nathan Kestner, DNR (via email)
    Juline Holleran, MPCA (via email)
    Denise Oakes, MPCA (via email)
    Ryan Hughes, BWSR Regional Manager (via email)
    Matt Fischer, BWSR Board Conservationist (via email)
    Julie Westerlund, BWSR One Watershed, One Plan Program Coordinator (via email)
ORDER
APPROVING
COMPREHENSIVE
WATERSHED
MANAGEMENT PLAN
AMENDMENT

In the Matter of the review of the Comprehensive Watershed Management Plan Amendment for the Red Lake River Watershed, pursuant to Minnesota Statutes Sections 103B.101, Subdivision 14 and 103B.801.

Whereas, on April 26, 2017, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Red Lake River Comprehensive Watershed Management Plan (Plan); and

Whereas, the Red Lake River Policy Committee (Partnership) submitted a Comprehensive Watershed Management Plan Amendment (Amendment) to the Board on December 20, 2018, pursuant to Minnesota Statutes Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #18-14; and

Whereas, the Board has completed its review of the Amendment;

Now Therefore, the Board hereby makes the following Findings of Fact, Conclusions, and Order:

FINDINGS OF FACT

1. On August 15, 2018, the Board received a petition from the Partnership stating its intent to amend its current Plan, pursuant to Minnesota Statutes Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #18-14.

2. On October 1, 2018, the Partnership submitted the proposed Amendment to the plan review authorities for a 60-day review process that ended on November 30, 2018.

3. On December 19, 2018, the Partnership held the required public hearing in Thief River Falls, MN.

4. On December 20, 2018, the Board received the Amendment, a record of the public hearing, copies of all written comments pertaining to the Amendment, and a summary of changes incorporated as a result for final State review pursuant to Board Resolution #18-14. The following state review comments were received during the comment period.

   A. Minnesota Department of Agriculture (MDA): No written comments were received.

   B. Minnesota Department of Health (MDH): MDH confirmed receipt of the Amendment at the final formal review and had no comments or concerns regarding the Amendment.

   C. Minnesota Department of Natural Resources (DNR): DNR confirmed receipt of the Amendment at the final formal review and had no comments or concerns regarding the Amendment.
D. Minnesota Pollution Control Agency (MPCA): MPCA confirmed receipt of the Amendment at the final formal review and had no comments or concerns regarding the Amendment.

E. Minnesota Environmental Quality Board (EQB): No written comments were received.

F. Minnesota Board of Water and Soil Resources (BWSR) regional staff: BWSR regional staff worked closely with the Partnership in the development of the Amendment and had no additional comments during the final review.

5. Northern Regional Committee. On January 2, 2019, the Northern Regional Committee of the Board reviewed the Amendment. Those in attendance from the Board’s Committee were Neil Peterson, Gerald Van Amburg, Tom Schulz, Rita Albrecht, Jeffrey Berg, and Committee Chair Rich Sve. Board staff in attendance were Northern Regional Manager, Ryan Hughes, and Board Conservationist, Matt Fischer. The representatives from the Partnership were Myron Jesme and Gene Tiedemann, Red Lake Watershed District, Peter Nelson, Pennington SWCD, Dillon Nelson, HDR Engineering, and Tony Nordby, Houston Engineering. Board regional staff provided its recommendation of approval to the Committee. After discussion, the Committee’s decision was to present a recommendation of approval of the Amendment to the full Board.

6. This Amendment will be in effect until April 26, 2027.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law have been fulfilled.

2. The Board has proper jurisdiction in the matter of approving a Comprehensive Watershed Management Plan Amendment pursuant to Minnesota Statutes Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #18-14.

3. The Amendment attached to this Order is in conformance with the requirements of Minnesota Statutes Sections 103B.101, Subdivision 14 and 103B.801 and Board Resolution #18-14.

ORDER

The Board hereby approves the attached Amendment of the Red Lake River Comprehensive Watershed Management Plan. The Amendment will be in effect until April 26, 2027.

Dated at Shoreview, Minnesota, this twenty-third of January, 2019.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

[Signature]

BY: Gerald Van Amburg, Chair
MEMORANDUM OF AGREEMENT

This agreement (Agreement) is made and entered into by and between:
The Counties of Becker, Clay, Clearwater, Mahnomen, Norman, and Polk by and through their respective County Board of Commissioners, and
The Becker, Clay, Clearwater, Mahnomen, Norman, East Polk, and West Polk Soil and Water Conservation Districts, by and through their respective Soil and Water Conservation District Board of Supervisors, and
The Wild Rice Watershed District, by and through their respective Board of Managers;
Collectively referred to as the “parties.”

WHEREAS, the Counties of this Agreement are political subdivisions of the State of Minnesota, with authority to carry out environmental programs and land use controls, pursuant to Minnesota Statutes Chapter 375 and as otherwise provided by law; and

WHEREAS, the Soil and Water Conservation Districts (SWCDs) of this Agreement are political subdivisions of the State of Minnesota, with statutory authority to carry out erosion control and other soil and water conservation programs, pursuant to Minnesota Statutes Chapter 103C and as otherwise provided by law; and

WHEREAS, the Watershed Districts of this Agreement are political subdivisions of the State of Minnesota, with statutory authority to carry out conservation of the natural resources of the state by land use controls, flood control, and other conservation projects for the protection of the public health and welfare and the provident use of the natural resources, pursuant to Minnesota Statutes Chapters 103B, 103D and as otherwise provided by law; and

WHEREAS, the parties to this Agreement have a common interest and statutory authority to prepare, adopt, and assure implementation of a comprehensive watershed management plan in the Wild Rice – Marsh River Watershed to conserve soil and water resources through the implementation of practices, programs, and regulatory controls that effectively control or prevent erosion, sedimentation, siltation and related pollution in order to preserve natural resources, ensure continued soil productivity, protect water quality, reduce damages caused by floods, preserve wildlife, protect the tax base, and protect public lands and waters; and

WHEREAS, with matters that relate to coordination of water management authorities pursuant to Minnesota Statutes Chapters 103B, 103C, and 103D with public drainage systems pursuant to Minnesota Statutes Chapter 103E, this Agreement does not change the rights or obligations of the public drainage system authorities.

WHEREAS, the Parties have formed this Agreement for the specific goal of developing a plan pursuant to Minnesota Statutes § 103B.801, Comprehensive Watershed Management Planning, also known as One Watershed, One Plan.
NOW, THEREFORE, the Parties hereto agree as follows:

1. **Purpose:** The Parties to this Agreement recognize the importance of partnerships to plan and implement protection and restoration efforts for the Wild Rice – Marsh River Watershed (See Attachment A). The purpose of this Agreement is to collectively develop and adopt, as local government units, a coordinated watershed management plan for implementation per the provisions of the Plan. Parties signing this agreement will be collectively referred to as Wild Rice Planning Partnership.

2. **Term:** This Agreement is effective upon signature of all Parties in consideration of the Board of Water and Soil Resources (BWSR) Operating Procedures for One Watershed, One Plan; and will remain in effect until adoption of the plan by all parties, unless canceled according to the provisions of this Agreement or earlier terminated by law.

3. **Adding Additional Parties:** A qualifying party desiring to become a member of this Agreement shall indicate its intent by adoption of a board resolution prior to 3/31/2019. The party agrees to abide by the terms and conditions of the Agreement; including but not limited to the bylaws, policies and procedures adopted by the Policy Committee.

4. **Withdrawal of Parties:** A party desiring to leave the membership of this Agreement shall indicate its intent in writing to the Policy Committee in the form of an official board resolution. Notice must be made at least 30 days in advance of leaving the Agreement.

5. **General Provisions:**
   a. **Compliance with Laws/Standards:** The Parties agree to abide by all federal, state, and local laws; statutes, ordinances, rules and regulations now in effect or hereafter adopted pertaining to this Agreement or to the facilities, programs, and staff for which the Agreement is responsible.
   b. **Indemnification:** Each party to this Agreement shall be liable for the acts of its officers, employees or agents and the results thereof to the extent authorized or limited by law and shall not be responsible for the acts of any other party, its officers, employees or agents. The provisions of the Municipal Tort Claims Act, Minnesota Statute Chapter 466 and other applicable laws govern liability of the Parties. To the full extent permitted by law, actions by the Parties, their respective officers, employees, and agents pursuant to this Agreement are intended to be and shall be construed as a “cooperative activity.” It is the intent of the Parties that they shall be deemed a “single governmental unit” for the purpose of liability, as set forth in Minnesota Statutes § 471.59, subd. 1a(a). For purposes of Minnesota Statutes § 471.59, subd. 1a(a) it is the intent of each party that this Agreement does not create any liability or exposure of one party for the acts or omissions of any other party.
   c. **Records Retention and Data Practices:** The Parties agree that records created pursuant to the terms of this Agreement will be retained in a manner that meets their respective entity’s records retention schedules that have been reviewed and approved by the State in accordance with Minnesota Statutes § 138.17. The Parties further agree that records prepared or maintained in furtherance of the agreement shall be subject to the Minnesota Government Data Practices Act.
At the time this agreement expires, all records will be turned over to the *Wild Rice Watershed District* for continued retention.

d. Timeliness: The Parties agree to perform obligations under this Agreement in a timely manner and keep each other informed about any delays that may occur.

e. Extension: The Parties may extend the termination date of this Agreement upon agreement by all Parties.

f. Termination: The Parties anticipate that this Agreement will remain in full force and effect through the term of the grant agreement with BWSR and until cancelled by all parties or until 12/31/2021 consistent with the term of the grant agreement, unless otherwise terminated in accordance with law or other provisions of the Agreement.

6. Administration:

   a. Establishment of Committees for Development of the Plan. The Parties agree to designate one representative, who must be an elected or appointed member of the governing board, to a Policy Committee for development of the watershed-based plan and may appoint of one or more technical representatives to an Advisory Committee for development of the plan in consideration of the BWSR Operating Procedures for One Watershed, One Plan.

      i. The Policy Committee will meet as needed to decide on the content of the plan, serve as a liaison to their respective boards, and act on behalf of their Board. Each representative shall have one vote.

      ii. Each governing board may choose one alternate to serve on the Policy Committee as needed in the absence of the designated member.

      iii. The Policy Committee will establish bylaws within 90 days of the execution of this document to describe the functions and operations of the committee(s).

      iv. The Advisory Committee will meet monthly or as needed to assist and provide technical support and make recommendations to the Policy Committee on the development and content of the plan.

   b. Submittal of the Plan. The Policy Committee will recommend the plan to the Parties of this agreement. The Policy Committee will be responsible for initiating a formal review process for the watershed-based plan conforming to Minnesota Statutes Chapters 103B and 103D, including public hearings. Upon completion of local review and comment, and approval of the plan for submittal by each party, the Policy Committee will submit the watershed-based plan jointly to BWSR for review and approval.

   c. Adoption of the Plan. The Parties agree to adopt and begin implementation of the plan within 120 days of receiving notice of state approval, and provide notice of plan adoption pursuant to Minnesota Statutes Chapters 103B and 103D.
7. **Fiscal Agent:** *Wild Rice Watershed District* will act as the fiscal agent for the purposes of this Agreement and agrees to:

   a. Accept all responsibilities associated with the implementation of the BWSR grant agreement for developing a watershed-based plan.
   
   b. Perform financial transactions as part of grant agreement and contract implementation.
   
   c. Annually provide a full and complete audit report.
   
   d. Provide the Policy Committee with the records necessary to describe the financial condition of the BWSR grant agreement.
   
   e. Retain fiscal records consistent with the agent’s records retention schedule until termination of the agreement (at that time, records will be turned over to *Wild Rice Watershed District*).

8. **Grant Administration:** *Wild Rice Watershed District* will act as the grant administrator for the purposes of this Agreement and agrees to provide the following services:

   a. Accept all day-to-day responsibilities associated with the implementation of the BWSR grant agreement for developing a watershed-based plan, including being the primary BWSR contact for the *One Watershed, One Plan* Grant Agreement and being responsible for BWSR reporting requirements associated with the grant agreement.
   
   b. Provide the Policy Committee with the records necessary to describe the planning condition of the BWSR grant agreement.

9. **Authorized Representatives:** The following persons will be the primary contacts for all matters concerning this Agreement:

   Clay County
   Frank Gross
   County Commissioner
   Email: frank.gross@co.clay.mn.us
   Telephone: 218-287-2152

   Clearwater County
   Dean Newland
   County Commissioner
   Email: emily.mcdougall@co.clearwater.mn.us
   Telephone: 218-657-2357

   Clay SWCD
   Richard Menholt
   District Supervisor
   Email: menholtfarms@yahoo.com
   Telephone: 218-790-4904

   Clearwater SWCD
   TBD
   District Supervisor
   Email: TBD
   Telephone: TBD
Becker County  
Barry Nelson  
County Commissioner  
Email: bknelso@co.becker.mn.us  
Telephone: 218-439-3250

Becker SWCD  
Travis Schauer  
District Supervisor  
Email: travisschauer@yahoo.com  
Telephone: 218-849-1925

Mahnomen County  
David Geray  
County Commissioner  
Email: david.geray@co.mahnomen.mn.us  
Telephone: 218-473-2425

Mahnomen SWCD  
Pete Revier  
District Supervisor  
Email: Neubert@outlook.com  
Telephone: 218-230-5385

Norman County  
Steve Jacobson  
County Commissioner  
Email: steve.jacobson@co.norman.mn.us  
Telephone: 218-861-6155

Norman SWCD  
Erik Rockstad  
District Supervisor  
Email: gbgejr@loretel.net  
Telephone: 218-784-8505

Polk County  
Joan Lee  
County Commissioner  
Email: joan.lee@co.polk.mn.us  
Telephone: 218-563-2762

East Polk SWCD  
Scott Balstad  
District Supervisor  
Email: mjbgvtel.com  
Telephone: 218-563-2173

West Polk SWCD  
Chris Cournia  
District Supervisor  
Email: farmer_taz@hotmail.com  
Telephone: 218-280-1332

Wild Rice Watershed District  
Mark Harless  
Manager  
Email: mlharlessz@gmail.com  
Telephone: 218-495-3330
IN TESTIMONY WHEREOF the Parties have duly executed this agreement by their duly authorized officers.

PARTNER: Polk County

APPROVED:

BY: ______________________________  ______________________________
    Board Chair                          Date

BY: ______________________________  ______________________________
    District Manager/Administrator      Date

APPROVED AS TO FORM (use if necessary)

BY: ______________________________  ______________________________
    County Attorney                     Date
TO: POLK COUNTY BOARD OF COMMISSIONERS  
FROM: CHUCK WHITING, POLK COUNTY ADMINISTRATOR  
MEETING DATE: March 5, 2019  
AGENDA ITEM: Staff/Board Teambuilding Session  
SUMMARY: Following up from last year’s Board goal setting session, I am proposing commissioners and department heads spend a day in a teambuilding session April 9, again using Huelife as the facilitator.

1. With new department heads and looking to the future, this exercise may help us mark where we are as the County’s leadership team and how best we may proceed into the coming years. Huelife utilizes an approach that is proven successful and engaging for the group and for each member individually.

2. Base cost for their service is $3,000 for meeting preparation and the actual facilitation itself. In addition, participants complete a self-assessment that assists in their contribution to the team. With full participation, 15-20 individual assessments and travel costs, I expect the final billing to be around $6,500 and would come from the Human Resources professional services line account.

3. In anticipation, I have asked to reserve the new meeting room at the Crookston Transfer Station building, but if that room is not completed satisfactorily by then, we can use the meeting room at the LEC.

4. April 9 is a non-Board meeting Tuesday, a day typically used for department head meetings.

ACTION REQUESTED: Action approving the service agreement with Huelife.
Date: February 22, 2019

TO: Chuck Whiting, Polk County Administrator
From: Richard Fursman Ed.D. Huelife
Subj: Insights Discovery Teambuilding Session

Polk County wishes to explore ways to enhance communication, teamwork, and individual development. This document serves as a proposal for Dr. Richard Fursman of Huelife to conduct an Insights Discovery Team Building Session with the Management Team and Elected Officials.

Each person receives a detailed personality assessment which includes a Foundation Chapter which tells individuals about their: style and approach, key strengths and weaknesses, value to the team, communication style, possible blind spots, opposite type and suggestions for development. It also includes a Management Chapter which enables users to consider their own management style as well as the needs of those they manage in terms of motivation, working environment and preferred style of leadership.

The details of the day include:
- Date: April 9, 2019
- Start: 8:30 AM
- End: 12:30

The 4-hour session will include several interactive events, examination of human dynamics, decision making, biases and team effectiveness. Participant will receive their own personal profile, several handouts and some items to help make the tool useable. I will stay until 2PM for people who would like to review their profile and to answer individual questions.

Fee: $3,000 + $150 per profile and expenses (mileage and lodging)
NEWS RELEASE

State of Minnesota Provides Permitting Timeline for Line 3 Replacement Project

CALGARY, Alberta, March 1, 2019 - Enbridge Inc. (TSX: ENB) (NYSE: ENB) (Enbridge or the Company) announced that the State of Minnesota (the “State”) has today provided Enbridge the permitting timeline for its agencies’ remaining environmental permits for the Line 3 Replacement Project.

The permitting timeline indicates that the certifications on all remaining State permits required for the construction of Line 3 will be provided by this November. Enbridge anticipates that the remaining Federal permits will be finalized approximately 30 to 60 days thereafter.

“We now have a firm schedule from the State on the timing of the remaining permits for our Line 3 Replacement project,” said Al Monaco, President and Chief Executive Officer of Enbridge. “We support a robust and transparent permitting process that includes opportunity for public input. We’ll continue to work closely with State officials during this process.”

This new permitting schedule updates the Company’s prior expectation for the receipt of final State permits in the second quarter of 2019, which underpinned an expected in-service date before the end of this year. In light of this permitting timeline, the Company is developing a revised construction schedule for the Line 3 Replacement Project, but now expects an in-service date during the second half of 2020. More specific timing on the in-service date, as well as any potential impacts on the 2020 financial outlook, will be provided once the revised construction schedule is finalized. The Company’s 2019 distributable cash flow guidance range of $4.30 to $4.60/share remains unchanged as a result of this permitting schedule.

“We appreciate the State’s ongoing efforts in this regard and will continue to work with the State agencies and the Administration to ensure that this critical safety-driven project is completed in a timely manner. We also want to thank all stakeholders, including resident Tribes in Minnesota, various labour groups, local landowners, and the many counties and municipalities along the right of way for their continued support.”

Background

The $9 billion Line 3 Replacement Project is a critical integrity replacement project that will enhance the safety and reliability of the Enbridge Liquids Mainline System. The project has received overwhelming support from stakeholders in Minnesota.

The Minnesota Public Utilities Commission approved the Certificate of Need and Route Permit in June 2018 and unanimously denied petitions to reconsider the decisions. In addition, agreement was reached with the Fond du Lac Band of Lake Superior Chippewa granting a new 20-year easement for the entire Mainline including the Line 3 Replacement Project through their Reservation.
In October 2018, Enbridge submitted all permit applications to the various federal and State agencies, including the U.S. Army Corps of Engineers, the Minnesota Department of Natural Resources, the Minnesota Pollution Control Agency and other local government agencies in Minnesota.

**About Enbridge Inc.**

Enbridge Inc. is North America’s premier energy infrastructure company with strategic business platforms that include an extensive network of crude oil, liquids and natural gas pipelines, regulated natural gas distribution utilities and renewable power generation. The Company safely delivers in excess of 3 million barrels of crude oil each day through its Mainline and Express Pipeline; accounts for approximately 62% of U.S.-bound Canadian crude oil exports; and moves approximately 18% of all natural gas consumed in the U.S., serving key supply basins and demand markets. The Company’s regulated utilities serve approximately 3.7 million retail customers in Ontario, Quebec, and New Brunswick. Enbridge also has interests in more than 1,700 MW of net renewable generating capacity in North America and Europe. The Company’s common shares trade on the Toronto and New York stock exchanges under the symbol ENB.

*Life takes energy and Enbridge exists to fuel people’s quality of life. For more information, visit* [www.enbridge.com](http://www.enbridge.com).

**FOR FURTHER INFORMATION PLEASE CONTACT:**

**Media**

Tracie Kenyon
Toll Free: (888) 992-0997
Email: media@enbridge.com

**Investment Community**

Jonathan Gould
Toll Free: (800) 481-2804
Email: investor.relations@enbridge.com
Late yesterday, Enbridge announced a new state permitting schedule and In-service date for the Line 3 Replacement Project. No doubt this will generate media and public interest, so I wanted you to hear it from us (rather than others) as soon as possible. In coming weeks, we will know more specifics about the public comment process and schedule for the remaining state permits and will share accordingly. Meantime, if you have questions, please call me.


And, here is the official statement:

Enbridge receives permit timelines from the State of Minnesota

Enbridge continues to engage with permitting agencies and the Walz Administration on remaining State permits needed to begin construction on the safety-driven replacement of Line 3 in Minnesota. The schedule presented today to Enbridge by the Administration now includes specific timelines. The Administration has indicated it expects the full review of remaining permits, including stakeholder input, to be completed by this November. Enbridge anticipates that the remaining federal permits will be finalized approximately 30-60 days after that. Based on this permitting scenario, we now expect an in-service date in the second half of 2020.

We are pleased to have a firm schedule from the State on the timing of the remaining permits. We support a robust and transparent permitting process that includes opportunity for input from the public, and we will continue to work closely with State officials during this process.

The Line 3 Replacement Project is one of the most studied pipelines in Minnesota’s history. This safety-driven maintenance project means there will continue to be a secure and reliable source of crude oil to area refineries that supply essential fuels like gasoline, diesel and other products used by Minnesotans every day. This $2.6 billion private infrastructure investment will also provide benefits to northern Minnesota communities in the form of thousands of jobs, millions of dollars in local spending, and property tax revenues for years to come that support vital services such as building and maintaining our roads, funding our emergency services and public transit.

We want to thank Minnesotans across the state, including Tribes, unions, local landowners, and the counties and municipalities along the right of way for their continued support.

The $9 billion Line 3 Replacement Project is a critical project that will enhance the safety and reliability of the pipeline. The project has received overwhelming support from stakeholders in Minnesota.

The Minnesota Public Utilities Commission approved the Certificate of Need and Route Permit in June 2018 and unanimously denied petitions to reconsider the decisions.
March 1, 2019

Re: Enbridge Energy, Limited Partnership
Pollution Control Exemption Tax Appeal

Dear Commissioners:

As you are aware, for each of the past six years, Enbridge Energy, Limited Partnership (Enbridge) has appealed the tax assessment issued by the Minnesota Department of Revenue (DOR) and these appeals continue to be in various stages of review. In addition, Enbridge also has had an unrelated open appeal specific to a pollution control exemption granted to Enbridge in 2012 related to the construction of our Southern Lights (Line 13) pipeline. In 2017, this exemption was denied by the DOR and on January 28, 2019 the Minnesota tax court invalidated the DOR order denying the 2017 pollution control exemption for Enbridge pipelines. We estimate this ruling will result in approximately $400,000 in refunds becoming due from the 13 counties where our Line 13 operates. However, Enbridge will not be seeking immediate repayment at this time.

As you know, under Minnesota law it is the obligation of the local taxing districts, and not DOR, to refund the bulk of any refunds. Enbridge recognizes the counties are caught in the middle of this state-imposed tax dispute and we are aware of the difficult position the Enbridge tax appeals create for your county. After the first full year that the Line 3 Replacement Project is in service, Enbridge will pay an estimated additional $19.5 million dollars in property taxes in the state of Minnesota. Enbridge is willing to wait until this additional tax revenue begins to work with each county on the terms of the refund payment at that time. Waiting until the new Line 3 is operating will give Minnesota more tax revenues, which will in turn provide us greater flexibility to address the issue.

Again, throughout this entire process, Enbridge has been working to find an equitable solution to the tax dispute with the Minnesota Department of Revenue. We value our relationships with the counties we operate in and are committed to working with you as well. Should you have any questions or if you would like to discuss this further, please don’t hesitate to contact Jennifer Smits, Manager, Community Engagement at (218) 522-4704.

Sincerely,

ENBRIDGE ENERGY, LIMITED PARTNERSHIP
By Enbridge Pipelines (Lakehead) L.L.C
Its Managing General Partner

[Signature]

Bradley F. Shamla
Vice President, U.S. Operations
Dear Commissioners and Staff,

We’d like to make you aware of two recent tax lawsuit updates:

- Please find an attached letter describing a recent Minnesota tax court decision on a smaller appeal regarding pollution control equipment exemptions on our Southern Lights pipeline. While the tax court overturned Department of Revenue’s denial of this exemption, Enbridge will not be seeking repayment at this time.

- On Feb. 13, 2019, the Minnesota Supreme Court decided application of a specific rule, Minn. R. 8100, should be followed in the valuation of pipelines for property tax purposes in our tax lawsuit for 2012-2014. This decision is not unexpected; the Minnesota Supreme Court adopted the process advocated by both Enbridge and the Minnesota Department of Revenue. The Tax Court will now apply Minn. R. 8100 as part of its process and finalize its valuations for Enbridge’s pipeline system in Minnesota.

As you know, Enbridge remains focused on finding an equitable solution to the tax dispute with the Minnesota Department of Revenue. We recognize that counties have been caught in the middle. We remain committed to working with counties to ensure undue hardship does not result from these proceedings. Given these recent decisions, we would like to meet with you this spring to discuss the ongoing tax lawsuit situation, as well as provide an update on the Line 3 Replacement Project. I will follow-up to seek dates that will best accommodate your schedules for meetings to be set in Erskine and Floodwood.

Thank you for your continued understanding of this complicated issue. I hope you are all doing well and surviving this winter. Please do not hesitate to contact me with questions!

Christine

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Christine Davis
T 612.337.3361  I  M 612.819.4091
christine.davis@erm.com

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