POLK COUNTY BOARD

MEETING LOCATION: GOVERNMENT CENTER, CROOKSTON, MN

COMMISSIONERS ROOM

AGENDA

MAY 7, 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 the March 19, March 26, April 2, April 16, and April 23, 2019 Board minutes.
3. Approve payment to GHA Technologies, Inc., in the amount of $1,814.40 for Mobile Iron Maintenance Renewal for the IT Department.
4. Approve payment to Hewlett Packard Inc. in the amount of $433.54 for HP INV for PCAT for the IT Department.
5. Approve payment to Hewlett Packard Inc. in the amount of $731.96 for HP INV in the TPSC for the IT Department.
6. Approve payment to CDW-G in the amount of $499.44 for 4 Polycom Phones for the IT Department.

COUNTY BOARD MEMBERS ISSUE FORUM

8:30

JACOB SNYDER – PLANNING AND ZONING
1. Resolution (2019-28) Conditional Use Permit For Fosston Area Sportsman's Club To Amend Their Current CUP, Document No. A000696366 To Expand The Days Open From 3 To 5 And To Increase The Maximum Number Of People Allowed From 100 To 150
2. Resolution (2019-29) Conditional Use Permit For John & Marion Beger To Hook A New Septic System To A New Accessory Structure

9:45

SARAH REESE – PUBLIC HEALTH
1. Out of State Travel Request Reese
2. Opioid Task Force Community Action

10:10

BREAK

10:20

DARIN CARLSTROM - HIGHWAY
1. Award SAP 060-624-004, SAP 060-115-001 and 513C0124
2. Resolution (2019-23) Bridge Replacement Priority List
10:40  
**JIM TADMAN SHERIFF**  
1. Out of State Travel Request  
2. Old Boat Motor Trade with Bemidji Marine To Go Towards Trailer for Polaris & Rescue Boggan  
3. Marshall & Kittson County Sheriff’s Office Request for Onboard with Zuercher Server  

11:00  
**HIGHWAY AND WATERSHED PROJECTS BOND SALE AWARD – MYRON KNUTSON, PUBLIC FINANCE MANAGEMENT**  

11:20  
**MARK LANDSYVERK - ASSESSOR**  
1. Homestead & Local Option Abatement Requests  

11:25  
**MICHELLE COTE – PROPERTY RECORDS**  
1. Annual Aggregate Report  
2. Compliance Fund Expenditure  
3. Liquor Licenses  
4. Polk County Abatement Policy  

11:45  
**CHUCK WHITING - ADMINISTRATION**  
1. Resolution (2019-24) Reappointing Richard Sanders County Highway Engineer  

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.
# April 2019 Auditor Warrants for Approval and Publication

**Vendor Name** | **Amount**  
---|---  
**Beltrami County Solid Waste** | 119,774.50  
Fosston Municipal Utilities | 56,341.33  
Halstad Telephone Co | 9,498.57  
Mid-Central Equipment Inc | 66,334.00  
Norman County Public Health | 2,088.04  
Ottertail Power Co | 3,950.93  
Polk County Environmental Services | 2,307.10  
Polk County Public Health | 9,635.96  
Powerplan OIB | 5,610.00  
Regents Of The Univ Of Mn | 31,966.65  
Total Lawn Care & Landscaping | 3,980.00  
University Of North Dakota | 6,250.28  
12 Payments less than 2000 | 5,094.32  
**Final Total:** | **322,831.68**

**Vendor Name** | **Amount**  
---|---  
Crookston City | 6,905.38  
Godfrey Township Treasurer | 3,644.43  
Grove Park Tilden Township | 14,067.96  
Onstad Township Treasurer | 2,255.89  
Red Lake Watershed District | 8,390.50  
School District 593 Treas | 6,060.07  
School District 599 Treas | 12,233.93  
4 Payments less than 2000 | 3,084.15  
**Final Total:** | **56,642.41**

**Vendor Name** | **Amount**  
---|---  
H & S Row Crop Equipment | 43,177.50  
ICS Inc | 397,309.00  
Norman County Public Health | 19,123.00  
Polk County Public Health | 30,463.00  
RDO Equipment Company | 209,710.00  
Tri County Community Corr | 1,272,971.00  
Voyant | 10,020.76  
33 Payments less than 2000 | 10,366.52  
**Final Total:** | **1,993,140.78**
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<td>Cardmember Service</td>
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<td>Fosston Municipal Utilities</td>
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<td>Garden Valley Telephone Co</td>
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<td>GreatAmerica Financial Services</td>
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<td>Hubbard Cty Solid Waste Mgmt</td>
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<td>JT’s Station</td>
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<td>Lenes Sand &amp; Gravel Inc</td>
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<td>Ottertail Power Co</td>
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<td>Verizon Wireless</td>
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**AUDITOR WARRANTS 04/19/2019**

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**AUDITOR WARRANTS 04/23/2019**

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<td>Crookston Driftbusters</td>
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<td>Crookston Water Department</td>
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<td>East Grand Forks City</td>
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<td>Great Plains Natural Gas Co</td>
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<td>HP INC</td>
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<td>Kronos SaaSr Inc</td>
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<td>Lake Agassiz Regional Library</td>
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<td>Marshall County Coop</td>
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<td>Mn State Treasury</td>
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<td>Norby’s Work Perks</td>
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**AUDITOR WARRANTS 04/30/2019**
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<td>Polk County</td>
<td>63,663.43</td>
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AUDITOR Warrants 04/30/2019

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# MANUAL WARRANTS 04/01/2019

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**FINAL TOTAL**

$2,504.83

# MANUAL WARRANTS 04/05/2019

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**FINAL TOTAL**

$183,556.05

# MANUAL WARRANTS 04/08/2019

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**FINAL TOTAL**

$2,254.17

# MANUAL WARRANTS 04/15/2019

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**FINAL TOTAL**

$6,030.89

# MANUAL WARRANTS 04/17/2019

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<td>Northwest Service Cooperative</td>
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**FINAL TOTAL**

$251,769.50

# MANUAL WARRANTS 04/19/2019

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<td>Internal Revenue</td>
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<td>MN Revenue</td>
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**FINAL TOTAL**

$187,343.01

# MANUAL WARRANTS 04/19/2019

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<td>Mn Revenue</td>
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<td>MN Dept of Revenue Tax Division</td>
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**FINAL TOTAL**

$43,198.42

# MANUAL WARRANTS 04/22/2019

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**FINAL TOTAL**

$4,140.08

# MANUAL WARRANTS 04/29/2019

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<tr>
<td>Further</td>
<td>2,134.09</td>
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**FINAL TOTAL**

$2,134.09
MARCH 19, 2019
BOARD MINUTES

Pursuant to motion of adjournment the Polk County Board of Commissioners met in regular session at 10:00 o’clock a.m., March 19, 2019 in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Warren Strandell, Commissioner Gary Willhite, Commissioner Joan Lee and Commissioner Don Diedrich and Charles S. Whiting, County Administrator, Clerk of the Board. Others present: Michelle Cote, Deputy Clerk of the Board. Commissioner Gerald Jacobson was absent.

REVISED AGENDA
A motion was made by Commissioner Lee seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the revised agenda for March 19, 2019 adding No. 3 under Highway Department and Extension to the forum.

CONSENT AGENDA
A motion was made by Commissioner Diedrich seconded by Commissioner Willhite and adopted by unanimous vote of the Board to approve the Consent Agenda for February 19, 2019:

1. Approve Commissioner Warrants: General Revenue Fund, $62,414.11; Public Works Fund, $122,726.30; Public Safety Fund, $51,803.15; Public Health Fund, $10,623.46; CAP Grant Project, $28,496.53; Special Assessments (Ditch) Fund, $300.00; Environmental Services Fund, $22,661.42; Resource Recovery Fund, $135,815.40; Landfill Fund, $39,018.79; Agency Fund, $8,697.96; Per Diems, $1,575.00; Meal Reimbursements (without overnight lodging), $40.82 and Sign Audit List.
2. Approve the February 26 and March 5, 2019 Board minutes.
3. Approve payment to Card Member Services, St. Louis, MO in the amount of $11,644.70 for credit card purchases.
4. Approve payment to Batteries + Bulbs, Duluth, MN in the amount of $352.81 for battery supplies for the Facilities Department.

COUNTY BOARD MEMBER ISSUE FORUM
2. Extension 4-H Program Coordinator and Ag Educator - New Extension employees Katie Becker, 4-H Program Coordinator and Heather Dufault, Extension Ag Educator introduced themselves to the Board.
3. Commissioner Strandell brought forth that he participated in the Tri-County Corrections meeting the average monthly jail population is 195 inmates for February. He also attended the Pine to Prairie Drug Task Force in addition to the Radio Board. The spring newsletter is underway.
4. Commissioner Willhite brought forth that he attended no meetings since the prior meeting.
5. Commissioner Lee brought forth that she attended the Wild Rice Marsh River/One Watershed One Plan Advisory Committee meeting where she was elected Chairperson. She also participated in the Pine to Prairie Drug Task force where Marshall County was voted to be a member. Also attended was the AIS meeting where a decontamination unit was the focus. In addition she attended the Water Resource Advisory Committee.
Also brought forth was information regarding a call from Dan Larson with information that the MN Touring Route would no longer be routed through the Gully area. She also had a phone call from a Hill River Township supervisor regarding County Road 202 turn back concerns. In addition she attended the Solid Waste Advisory meeting.

6. Commissioner Diedrich brought forth that he participated in an MCIT meeting where the focus was replacing member Scott Sanders who resigned. He also attended a Tri-County Corrections meeting. In addition he attended a Tri-Valley Opportunity Council meeting where developer Jeff Evers attended and provided an update on the Fournet Building.

SHERIFF
Jim Tadman, Polk County Sheriff came before the Board with matters pertaining to his department:

1. Out of State Travel Request
A motion was made by Commissioner Lee seconded by Commissioner Willhite and adopted by unanimous vote of the Board to approve the out of state travel request for Sarah Reese, Public Health Director and Jim Tadman, Sheriff to attend the Opioid Workshop in Columbus, Ohio April 1 – 3, 2019.

HIGHWAY
Richard Sanders Polk County Highway Engineer came before the Board with matters pertaining to his department:

1. Detour Agreement No. 1030737
   a. Approve and Sign Detour Agreement No. 1030737 Between MNDOT and Polk County For Trunk Highway No. 2 Detour
      A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve and sign the State of Minnesota Department of Transportation and Polk County Detour Agreement No. 1030737 for Trunk Highway No. 2 Detour as presented. (Agreement on file in the Administrator’s Office)

   b. Approve Resolution (2019-16) Entering Into Detour Agreement 1030737 Between MNDOT and Polk County For Trunk Highway No. 2 Detour

      **Entering Into Detour Agreement No. 1030737 Between MNDOT and Polk County For Trunk Highway No. 2 Detour RESOLUTION (2019-16)**

      The following resolution (2019-16) was offered by Commissioner Willhite:

      IT IS RESOLVED, That Polk County enter into MnDOT Agreement No. 1030737 with the State of Minnesota, Department of Transportation for the following purposes:

      To provide for payment by the State to the County for the use of County State Aid Highway (C.S.A.H.) No. 41, No. 8 and No. 35 as the primary detour route and
C.S.A.H. No. 41 and No. 34 as an alternate detour route during the contract construction to be performed upon, along and adjacent to Trunk Highway No. 2 from 0.7 miles west of Erskine to 0.7 miles east of T.H. No. 59 under State Project No. 6004-24 (T.H. 2=008).

IT IS FURTHER RESOLVED, That the Polk County Administrator and the Polk County Chair are authorized to execute the Agreement and any amendments to the Agreement.

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

2. Resolution (2019-17) 60 MPH Speed Limits

60 MPH Speed Limits
RESOLUTION (2019-17)

The following resolution (2019-17) was offered by Commissioner Diedrich:

WHEREAS, The following Polk County roads were posted at 55 mph due to Statute:

CSAH 09 from Red River Bridge to TH 75
CSAH 11 from East Limits of Crookston to CSAH 46
CSAH 21 from TH 220 to Polk/Pennington County Line
CSAH 46 from TH 2 to CSAH 11

WHEREAS, State Statutes and the Minnesota Department of Transportation regulation govern speed zoning on local roads.

WHEREAS, Polk County believes the speed limits on these roadways should be increased to 60 mph.

NOW THEREFORE BE IT RESOLVED, By the Board of County Commissioners of Polk County that the Minnesota Department of Transportation restudy the posted limits on the above roadways.

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

3. *Resolution (2019-18) Funding To Minnesota's Statewide Transportation System

Funding To Minnesota’s Statewide Transportation System
RESOLUTION (2019-18)

The following resolution (2019-18) was offered by Commissioner Diedrich:
WHEREAS, Minnesota Counties maintain 30,742 miles of County State Aid Highway (CSAH) roads and 14,141 miles of county roads, totaling over 30% of the state’s roadways; and

WHEREAS, The total annual need is $1.084 billion over the next 25 years just to maintain the current CSAH and county road system, not including expansion; and

WHEREAS, The annual funding gap for counties has resulted in deferring basic maintenance, delaying expansion projects with resulting safety concerns, mounting congestion, and missed economic growth for businesses and commuters; and

WHEREAS, A comprehensive and sustainable transportation solution should include robust funding for roads, bridges, and transit, and address the varying needs in different parts of the state; and

WHEREAS, Increased funding for Minnesota’s Highway User Tax Distribution Fund would provide additional, stable funds for MnDOT, all 87 counties, all cities with a population of 5,000 or more, and townships across the state;

NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners encourages the Minnesota Legislature to pass and the Governor to sign a bill that brings adequate funding to Minnesota’s statewide transportation system.

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

SMALL BUSINESS DEVELOPMENT CENTER
Christine Anderson, Small Business Development Center came before the Board with matters pertaining to the Center:

1. **Update On Small Business Development Center**
An update was given to the Board regarding Small Business Development Center.

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

1. **Northwest Mental Health Center Lease for East Grand Forks Office Space**
The Office Space Lease/Polk County Human Service Center (EGF) between Polk County & the Northwest Mental Health Center, Inc., was discussed and presented to the Board. A motion was made by Commissioner Willhite seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the Office Space Lease as presented. The term of the Lease shall start on April 1, 2019 and expire on December 31, 2025, with an additional year in 2026 subject to negotiable agreement. (Lease on file in the Administrator’s Office)

Approving Additional Positions in 2019 Budget –
Two Sort Line Operators in Solid Waste
RESOLUTION (2019-15)

The following resolution (2019-15) was offered by Commissioner Lee:

WHEREAS, The upgrade in the Fosston MRF allows the County to process more solid waste through the facility, and

WHEREAS, As planned upon completion of the facility upgrade additional positions would be needed; and

WHEREAS, Polk County normally adds additional positions at the beginning of the year as part of the budget process.

BE IT HEREBY RESOLVED, That the Polk County Board of Commissioners approves the addition of two Sort Line Operator positions for the Fosston MRF, in Pay Grade 4 in accordance with the 49er’s Collective Bargaining Agreement.

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

3. Department of Revenue Notice Re: Enbridge Southern Lights Valuation Appeal
A letter from the Department of Revenue was presented and discussed with the Board regarding the Enbridge Southern Lights Valuation Appeal. (Letter on file in the Administrator’s Office)

4. Department of Revenue Notice Re: Great Lakes Gas Valuation Appeal
A letter from the Department of Revenue was presented and discussed with the Board regarding the Great Lakes Gas Valuation Appeal. (Letter on file in the Administrator’s Office)

MNDOT
Lou Tasa, MNDOT District State Aid Engineer along with Holly Kostrzewski, MNDOT District TZD Director came before the Board with matters pertaining to MNDOT:

1. Toward Zero Death Presentation
A presentation was given to the Board regarding Toward Zero Death.

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

COMMISSIONER WARRANTS
DATED 03/22/2019
APPROVED 03/19/2019
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<td>Crookston Fuel Company</td>
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With no further business the Board adjourned to reconvene at 8:00 o'clock a.m., March 26, 2019.

Warren Strandell, Chair

ATTEST:

Charles S. Whiting, County Administrator
Clerk of the Board

March 19, 2019
MARCH 26, 2019
BOARD MINUTES

Pursuant to motion of adjournment the Polk County Board of Commissioners met in regular session at 8:00 o’clock a.m., March 26, 2019 in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Warren Strandell, Commissioner Joan Lee and Commissioner Don Diedrich and Charles S. Whiting, County Administrator, Clerk of the Board. Others present: Michelle Cote, Deputy Clerk of the Board. Commissioner Gary Willhite and Commissioner Jerry Jacobson were absent.

REVISED AGENDA
A motion was made by Commissioner Lee seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the revised March 26, 2019 agenda adding Environmental Services.

CONSENT AGENDA
A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the Consent Agenda:
1. Approve Auditor Warrants
2. Approve payment to Rebecca Schueller Training & Consulting, Bemidji, MN in the amount of $650.00 for Supervision & Performance Appraisal Skills training in the TPSC.
3. Approve payment to Minnesota BCA in the amount of $33.25 for backgrounding fees for enhanced driver’s license for the Driver’s License Department.

COUNTY BOARD MEMBERS ISSUE FORUM
1. Commissioner Strandell brought forth that he participated in the EGF Human Services Construction meeting in addition to an MPO meeting.
2. Commissioner Lee brought forth that she participated in AMC Round Table meeting. She also brought forth that she will be attending a special Hill River Township meeting regarding County Road 202 on April 15, 2019. In addition she spoke at the Minnesota Ag Leadership meeting. She also attended the ICCC - Inter-County Community Council meeting where the focus was grants.
3. Commissioner Diedrich brought forth that he attended no meetings since the prior Board meeting.

SHERIFF
Jim Tadman, Polk County Sheriff came before the Board with matters pertaining to his department:

1. Monthly Sheriff Reports/February 2019
   The February 2019 monthly Sheriff reports were discussed and presented to the Board. (Monthly reports on file in the Administrator’s Office)

2. Flood Preparation Update
   Jody Beauchane, Polk County Emergency Manager provided the 2019 flood preparations and updated the Board.
3. Resource Sharing with Norman County
Discussion was brought forth regarding the potential of sharing dispatch resources with Norman County. At this time Norman County has signed a 5 year agreement with IES and is not interested in sharing resources.

*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 March 26, 2019 agenda adding No. 2 under Environmental Services.

ENVIRONMENTAL SERVICES
Jon Steiner, Environmental Services Director came before the Board with matters pertaining to Environmental Services:

1. Landfill Fees – Problem Material Special Fees
Discussion was brought forth regarding a request for Polk County to accept debris from a large chicken building collapse outside of the 6 County area. It is estimated that the debris will amount to 100-300 semi-loads of debris which will contain 230,000-240,000 deceased chickens, cages and building debris.
A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the out-of-area tip fee for the Baer Egg Farm Project at $75.00 per ton plus Solid Waste Management Tax and a special problem materials handling fee of $1,500.00 per truckload delivered.

2. Transfer Station – Office Concrete Work
Discussion was brought forth regarding the concrete work for the Transfer Station office, to expedite the correction of the issue of floor pitting and popping. Weneck Association has placed Nor-Son and their concrete subcontractor Bruce’s Contracting Inc. of Backus, MN on notice of its intention to proceed with the only identified solution and withhold the amount of the work performed from the contract payment. All-Finish Concrete has provided a proposal for grinding the 6,790 square foot area of concrete in the office and applying the primer and coatings to address the pitting and popping of the concrete.
A motion was made by Commissioner Lee seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the quote for All-Finish Concrete, West Fargo, ND for the concrete grinding and coating application in the amount of $33,271.00.
A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the quote for Sterling Carpet One, Grand Forks, ND for removal and subsequent re-installation of the rubber cove molding in the office area in the amount of $6,051.70.

PLANNING AND ZONING
Jacob Snyder, Environmental Specialist/Planning and Zoning Administrator came before the Board with matters pertaining to Planning and Zoning:

1. Resolution (2019-19) Large Gathering Permit – Maple Lake Pavilion
Resolution (2019-19)
Large Gathering Permit For Duaine Sanden, Maple Lake Pavilion, For An
Event On May 26, 2019 In The Shoreland Zoning District – Parcel 32.00234.00
Resolution (2019-19) was offered by Commissioner Diedrich seconded by
Commissioner Lee and adopted upon the following vote: YEAS: Lee, Diedrich and
Strandell. NAYS: None. (See Resolution (2019-19) on file in the Administrator’s
Office.)

HIGHWAY
Darin Carlstrom, Polk County Construction Engineer came before the Board with matters
pertaining to his department:
1. Equipment Rental Rate Bid
A motion was made by Commissioner Diedrich seconded by Commissioner Lee and
adopted by unanimous vote of the Board to award the Equipment Rental Rate bid to
all those that submitted a bid.

2. Base Stabilization Contract – CP 119-44-1293, CP11-45-1294 and CP 119-248-
1295.
A motion was made by Commissioner Diedrich seconded by Commissioner Lee and
adopted by unanimous vote of the Board to award CP 119-44-1293, CP11-45-1294 and
CP 119-248-1295 to Thygeson Construction, Thief River Falls, MN for the total base
bid amount of $485,539.00 and have the Chair of the Board and the Polk County
Administrator sign the contracts.

58-1287, CP 119-59-1288, CP 119-70-1289, CP 119214-1292, CP119-233-1290 and
CP 119-826-1291.
A motion was made by Commissioner Lee seconded by Commissioner Diedrich and
adopted by unanimous vote of the Board to award CP 119-15-1284, CP 119-45-1285,
CP119-55-1286, CP 119-58-1287, CP 119-59-1288, CP 119-70-1289, CP 119214-1292,
CP119-233-1290 and CP 119-826-1291 to NW Asphalt & Maintenance, Thief River
Falls, MN for the total Crack Fill Contract in the amount of $138,600.00 and have the
Chair of the Board and the Polk County Administrator sign the contracts.

PROPERTY RECORDS
Michelle Cote, Property Records Director came before the Board with matters pertaining to
her department:
1. Forfeit Mowing Quote
A motion was made by Commissioner Diedrich seconded by Commissioner Lee and
adopted by unanimous vote of the Board to approve the quote for the mowing of forfeited
properties by Bob’s Lawn Care, Crookston, MN in the amount of $20.00 flat rate for 1 –
2,500 square feet, $.273 per square foot for square footage in excess of 2,500 and an
hourly rate of $30.00 plus mileage for miscellaneous law maintenance services.

2. The Nature Conservancy 2018 Annual Report
Discussion along with The Nature Conservancy 2018 Annual Report from Peggy Ladner,
Minnesota Director of The Nature Conservancy was presented to the Board. (Annual
Report on file in the Administrator’s Office)
3. **Purchase of (8) Desktops utilizing Recorder Compliance Funds and Technology Funds.**

A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to authorize the Recorder’s Compliance Fund Expenditure for the purchase of (3) desktops to be utilized in the Assessment Division and the Auditor-Treasurer Division of the Taxpayer Service Center the amount of $2,195.88. A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to authorize the Recorder’s Technology Fund Expenditure for the purchase of (5) desktops to be utilized in the Recorder Division of the Taxpayer Service Center the amount of $3,659.80.

**FACILITIES**

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

1. **East Grand Forks Building Project Change Order No. 1 (NWMHC)**

A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve Change Order No. 1 for the East Grand Forks Building Project (NWMHC) in the amount of $6,196.00.

2. **Data Cabling for the East Grand Forks Building Project – NWMH**

A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the quote from Reliance Telephone & Security, East Grand Forks, MN to install the infrastructural data cabling for the East Grand Forks Human Services Building in the amount of $11,500.00 and $1,150.00 to locate the Polk County data equipment to an alternate location for a total of $12,650.00.

With no further business the Board adjourned to reconvene at 8:00 o’clock a.m., April 2, 2019.

________________________________________
Warren Strandell, Chair

**ATTEST:**

________________________________________
Charles S. Whiting, Polk County Administrator
Clerk of the Board
Pursuant to motion of adjournment the Polk County Board of Commissioners met in regular session at 8:00 o’clock a.m., April 2, 2019 in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Gerald Jacobson, Commissioner Warren Strandell, Commissioner Joan Lee and Commissioner Don Diedrich and Charles S. Whiting, County Administrator, Clerk of the Board. Others present: Michelle Cote, Deputy Clerk of the Board. Commissioner Gary Willhite was absent.

REVISED AGENDA
A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the April 2, 2019 revised agenda removing No. 2 under the consent agenda for a lost warrant payment and removing No. 3 under the consent agenda for payment to Card Member Services

REVISED CONSENT AGENDA
A motion was made by Commissioner Jacobson seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the Consent Agenda:
1. Approve Auditor Warrants.

COUNTY BOARD MEMBERS ISSUE FORUM
1. Commissioner Jacobson brought forth that he attended a National Council for Behavioral Health Conference in Nashville, TN where the focus was Mental Health. In addition he attended the Northwestern Mental Health Center meeting.
2. Commissioner Strandell brought forth that he attended a Building Committee meeting for the EGF Human Services Building. In addition he attended the BTAG – Border Township Associative Group meeting. He also attended the Polk County Township Association spring meeting.
3. Commissioner Lee brought forth that she attended the Polk County Township Association spring meeting. She also attended the AIS – Aquatic Invasive Species meeting where the discussion focused on a mobile cleaning unit. Also brought forth was she and her husband were the recipient of the Red River Valley Development Association for Outstanding Farm Leadership. Also attended was a SWCD Water Planning Workshop.
4. Commissioner Diedrich brought forth that he attended the Polk County Township Association spring meeting. He also attended the Northwestern Mental Health Center meeting. In addition he attended the BTAG - Border Township Associative Group meeting which focuses on flood control in the Oslo area.

HIGHWAY
Richard Sanders, Polk County Highway Engineer came before the Board with matters pertaining to his department:
1. Award Sign Quote
A motion was made by Commissioner Lee seconded by Commissioner Jacobson and adopted by unanimous vote of the Board to award the sign quote to MR Signs Fergus Falls, MN in the amount of $8,724.40.
2. **Award SAP 060-661-013 and SAP 060-111-001**
   A motion was made by Commissioner Diedrich seconded by Commissioner Jacobson and adopted by unanimous vote of the Board to award SAP 060-661-013 and SAP 060-111-001 to Agassiz Asphalt LLC, New Folden, MN and have the Polk County Chair and the Polk County Administrator sign the contracts in the amount $281,078.00.

3. **Award SAP 060-636-008, SAP 060-641-029 and SAP 060-642-003**
   A motion was made by Commissioner Lee seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to award SAP 060-636-008, SAP 060-641-029 and SAP 060-642-003 to Knife River Materials, Bemidji, MN and have the Polk County Chair and the Polk County Administrator sign the contracts in the amount of $1,837,371.00.

4. **Sweeper Quotes**
   A motion was made by Commissioner Lee seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to contract with Twedt’s Sweeper’s Inc., Grand Forks ND in the amount of $104.00 per hour for street sweeping services.

5. **Resolution (2019-20) Variance on CSAH 10 East Shore Project**

   **Variance On CSAH 10 East Shore Project**

   **RESOLUTION (2019-20)**

   The following resolution (2019-20) was offered by Commissioner Diedrich:

   WHEREAS, Polk County is preparing plans for the reconstruction and improvement of CSAH 10 between CSAH 37 and CR 231 near the East Shore of Maple Lake.

   WHEREAS, The improvement consists of reconstructing said roadway as herein determined necessary to provide for back-in diagonal parking to allow for the safety of the traveling public and those using the public access and beach area; and

   WHEREAS, Minnesota Rules for State Aid Operation 8820.9961 require minimum dimensions for pull-in diagonal parking; and

   WHEREAS, The reasons for this variance requests is to allow back-in diagonal parking using that same dimensions and standards based on traffic volume as pull-in diagonal parking.

   NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners does hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9961 Minimum Design Standards for 45-Degree and 60 Degree Pull-in Diagonal Parking to all back-in diagonal parking in lieu of pull-in diagonal parking;

   BE IT FURTHER RESOLVED, That Polk County Board of Commissioners hereby indemnifies, saves and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of back-in diagonal parking in accordance with Minnesota Rules 8820.9961
and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

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

SHERIFF
Michael Norland, Chief Deputy along with Jody Beauchane, Emergency Management came before the Board with matters pertaining to the Sheriff’s Department:

1. Clerk Typist Cashier III Vacancy
   Due to an upcoming retirement a motion was made by Commissioner Jacobson seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve advertising and filling the Clerk Typist Cashier III vacancy and start the hiring process.

2. Federal Boating Safety Equipment Grant Award
   The State of Minnesota Federal Boating Safety Supplemental Equipment Grant Agreement was discussed and presented to the Board. A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve and accept Federal Boating Safety Equipment Grant Award for a 2019 Suzuki boat motor from Bemidji Marine Inc., Bemidji, MN in the amount of $15,595.00.


   Resolution Declaring A State Of Emergency
   RESOLUTION (2019-21)

   The following resolution (2019-21) was offered by Commissioner Lee:

   WHEREAS, The potential for Spring flooding will impact the population of Polk County and its cities and;

   WHEREAS, The potential for Spring flooding will cause a significant amount of public property damage and;

   WHEREAS, The Polk County Department of Emergency Management requests the Polk County Board of Commissioners to declare Polk County in a STATE OF EMERGENCY for the potential Spring flooding event of 2019.

   NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners declares Polk County in a STATE OF EMERGENCY for conditions resulting from the Spring flooding event of April 2019.

   Commissioner Diedrich seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: Lee, Diedrich, Strandell and Jacobson. NAYS: None.
PROPERTY RECORDS
Michelle Cote, Property Records Director came before the Board with matters pertaining to her department:

1. Temporary Liquor License
A motion was made by Commissioner Diedrich seconded by Commissioner Jacobson and adopted by unanimous vote of the Board to approve the Temporary Liquor License for the Knights of Columbus #5341 for May 26, 2019 at the Maple Lake Pavilion, Mentor, MN for the Johnny Holms Concert.

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

1. Proposed 2019 Debt Issuance – Review and Schedule
Discussion along with a handout pertaining to the Proposed 2019 Debt Issuance was presented to the Board. A motion was made by Commissioner Jacobson seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the 2019 Debt Issuance as presented. (Handout on file in the Administrator’s Office)

2. 2020 Budget Calendar
Discussion along with a handout pertaining the 2020 budget calendar was presented to the Board. A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the 2020 budget calendar schedule as presented. (Schedule on file in the Administrator’s Office)

AUDITOR WARRANTS
A motion was made by Commissioner Jacobson seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the following Auditor Warrants for payment:

AUDITOR WARRANTS 03/05/2019

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<td>H &amp; S Row Crop Equipment</td>
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<td>3,161.06</td>
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<td>Lenes Sand &amp; Gravel Inc</td>
<td>21,593.60</td>
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<td>Norris Electronics Inc</td>
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<td>Powerplan OIB</td>
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17 Payments less than 2000: 11,981.53

Final Total: 143,521.20

AUDITOR WARRANTS 03/12/2019
Vendor Name | Amount
---|---
Abdo Eick & Meyers LLP | 67,500.00
BELTRAMI COUNTY SOLID WASTE | 2,689.74
Fertile Oil Company | 16,960.00
GOVOFFICE LLC | 2,000.00
Great Plains Natural Gas Co | 17,972.22
Halstad Telephone Co | 9,544.52
Marshall County Coop | 3,500.00
Nor-Son Inc | 276,173.58
Ottertail Power Co | 6,575.80
Voyant | 10,068.14
25 Payments less than 2000 | 10,763.17
**Final Total:** 423,767.17

AUDITOR WARRANTS 03/19/2019

Vendor Name | Amount
---|---
Altru Health System | 2,653.00
Cardmember Service | 11,405.87
Cole Papers Inc | 2,483.01
Crockston City | 30,463.51
Davidson Construction | 121,246.00
Fertile Oil Company | 6,150.00
Fosston Municipal Utilities | 2,956.44
Garden Valley Telephone Co | 2,701.96
Great Plains Natural Gas Co | 2,693.03
GreatAmerica Financial Services | 9,537.56
Mn State Auditor | 14,712.59
Ottertail Power Co | 19,223.63
Piney Bowes Global | 2,784.98
Sandhill Snowcruisers | 42,364.62
Thomson Reuters - West | 2,345.69
24 Payments less than 2000 | 12,095.87
**Final Total:** 285,607.76

Vendor Name | Amount
---|---
2 Payments less than 2000 | 1,612.04
**Final Total:** 1,612.04

With no further business the Board adjourned to reconvene at 10:00 o’clock a.m., April 16, 2019.

Warren Strandell, Chair

ATTEST:

Charles S. Whiting, Polk County Administrator
Clerk of the Board
APRIL 16, 2019
BOARD MINUTES

Pursuant to motion of adjournment the Polk County Board of Commissioners met in session at 10:00 o’clock a.m., April 16, 2019 in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Gerald Jacobson, Commissioner Warren Strandell, Commissioner Gary Willhite, Commissioner Joan Lee and Commissioner Don Diedrich and Charles S. Whiting, County Administrator, Clerk of the Board. Others present: Valerie Bjerk, Deputy Clerk of the Board.

*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 agenda for April 16, 2019 adding Keystone Township.

CONSENT AGENDA
A motion was made by Commissioner Jacobson seconded by Commissioner Willhite and adopted by unanimous vote of the Board to approve the Consent Agenda for April 16, 2019:

1. Approve Commissioner Warrants: General Revenue Fund, $55,927.11; Public Works Fund, $125,994.78; Public Safety Fund, $34,491.23; Public Health Fund, $9,594.19; Forfeited Tax Sale Fund, $760.72; CAP Grant Project, $36,218.42; Special Assessments (Ditch) Fund, $981.31; Environmental Services Fund, $15,824.16; Resource Recovery Fund, $160,632.23; Landfill Fund, $13,175.00. Per Diems, $1,575.00; Meal Reimbursements (without overnight lodging), $103.25 and Sign Audit List.
2. Approve payment to Card Member Services, St. Louis, MO for credit card purchases in the amount of $17,252.34.
3. Approve payment for Lost Warrant No. 523208 issued to Bydal Signs on March 22, 2019 in the amount of $155.00.
4. Approve payment to Johnson Controls, Dallas, TX in the amount of $1,171.08 for control room PC setup labor/mileage fees and roof top unit service/labor, mileage fees and material for the Facilities Department.
5. Approve payment to Troy Schill, Thompson, ND in the amount of $5,070.00 for labor and material in the jail kitchen area/labor and materials for the Facilities Department.
6. Approve payment to Hewlette Packard, Inc., in the amount of $1,839.88 for PC purchases for the IT Department.
7. Approve payment to Hewlette Packard, Inc., in the amount of $64.00 for 2 wireless mouse for the IT Department.
8. Approve payment to SHI, Dallas TX in the amount of $9,360.00 for a web filter for the IT Department.
9. Approve payment to Service Pro Parts, Crookston, MN in the amount of $198.24 for vehicle maintenance for the Sheriff’s Office.

COUNTY BOARD MEMBER ISSUE FORUM
1. Commissioner Jacobson brought forth that he attended the MRC meeting where the main focus was the gas tax, Enbridge was also discussed along with county ditches.
2. Commissioner Strandell brought forth that he attended a Tri-County Community Corrections meeting. He also shared flood pictures in Polk County.

3. Commissioner Willhite brought forth an update pertaining to the City Council meeting. He also attended a Lake Agassiz Regional Library meeting.

4. Commissioner Diedrich brought forth that he attended the Tri-Valley Opportunity Council meeting. He also attended the MCIT meeting and the Team Building Session that was offered through Polk County.

5. Commissioner Lee brought forth that she attended the Leadership meeting in Nisswa. Also attended was the MN US Region 1 Snowmobile meeting where legislative issues were discussed. Also attended was the Team Building Session that was offered through Polk County. She also attended the East Polk Soil & Water Conservation District meeting where buffers were discussed. She also attended a Town Hall meeting in Fosston where county and transportation funding was discussed. She also attended a Hill River Township meeting where the maintenance on County Road No. 202 was discussed.

SOCIAL SERVICES

Peter Sedgeeman, Social Services Director came before the Board with matters pertaining to his department:

1. Contract Approvals
   a. Career Force/SNAP Amendment
      The Career Force/SNAP Amendment was presented to the Board. A motion was made by Commissioner Jacobson seconded by Commissioner Willhite and adopted by unanimous vote of the Board to approve and sign The Career Force/SNAP Amendment Contract as presented. (Contract on file in the Administrator’s Office)

   b. Sanford AMHI Contract
      The Sanford AMHI Contract was presented to the Board. A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve and sign the Sanford AMHI Contract as presented. (Contract on file in the Administrator’s Office)

PUBLIC HEALTH

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

1. Nurse Practitioner Advertisement and Replacement
   Due to a resignation a motion was made by Commissioner Lee seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve advertising and replacing a .8 FTE Nurse Practitioner position in Public Health.

2. Altru Clinic Crookston Contract
   A motion was made by Commissioner Jacobson seconded by Commissioner Willhite and adopted by unanimous vote of the Board to approve the Medical Provider Family Planning/Sexual Health Contract between Polk County Public Health and Altru Clinic, Crookston as presented to the Board. (Contract on file in the Administrator’s Office)

3. Resolution (2019-22) Accepting Financial Donation to Polk County Public Health
Resolution Accepting Financial Donations On Behalf Of
Polk County Public Health
RESOLUTION (2019-22)

The following resolution (2019-22) was offered by Commissioner Diedrich:

WHEREAS, Crookston Matrons Club, located in Crookston, Minnesota, has made a financial donation of $200.00 to support the services and programming of PCH’s SHIP and WIC programs; 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 donation from the Crookston Matrons Club, 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 Lee seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: Lee, Diedrich, Strandell, Willhite and Jacobson. NAYS: None.

PLANNING AND ZONING
Jacob Snyder, Environmental Specialist/Planning & Zoning Administrator came before the Board with matter pertaining to Planning & Zoning:

1. Final Plat Approval – Simon Second Addition
Discussion along with a handouts pertaining to Simon Second Addition Final Plat on Parcel No’s 74.00301.00, 74.00301.02, 74.01176.01, 74.01177.00, 74.00300.01, 74.00300.02, 27.00002.00, 27.00258.00, 27.00257.00 and 27.00256.01 were presented to the Board. A motion was made by Commissioner Jacobson seconded by Commissioner Willhite and adopted by unanimous vote of the Board to approve the Final Plat of Simon Second Addition with staff recommendations. (Handouts and recommendations are on file in the Administrator’s Office)

2. J&S Gravel Mining Operations Parcel No. 29.00164.00
Discussion along with handouts pertaining to J&S Gravel that operates an active gravel mining operation on Parcel No. 29.00164, this Parcel is approximately 144 acres and is owned by J&S Gravel with the name of Vandrin Pit. Formally J&S Gravel had an active mining operation on Parcel No. 29.00163.00, this Parcel is approximately 151 acres and is owned by Madeline Dufault with the name Dufault Pit. These pits are very different stages in existence as the Dufault Pit has no active mining and has been prepped for abandonment. It is recommended by the Planning and Zoning Administrator that these pits be treated as separate entities. (Handouts on file in the Administrator’s Office)
ENVIRONMENTAL SERVICES
Jon Steiner, Environmental Services Director came before the Board with matters pertaining to his department:

1. **Resource Recovery Facility – Stack Test Proposal**
   A motion was made by Commissioner Lee seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the proposal for the required performance stack test from Elemental Air, Medina, MN in the amount of $41,488.00.

2. **Transfer Station – Roll-Out Bucket Attachment**
   A motion was made by Commissioner Willhite seconded by Commissioner Jacobson and adopted by unanimous vote of the Board to approve the quote from Ziegler CAT, Crookston, MN for the JRB 5.5 cubic yard roll-out bucket for the pay loader in the amount of $27,650.00.

3. **Vercon Inc. – Release of Retainage for Resource Recovery Facility Project**
   The Polk County Resource Recovery Facility in Fosston, MN constructed an addition to the east of the existing building in 2017 and 2018. A motion was made by Commissioner Diedrich seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the release of the maximum 5% retainage for Vercon Inc., Menahga, MN upon notification of compliance with the Department of Labor & Industry requirements.

4. **Nor-Son Inc. – Reduction of Retainage for Transfer Station Project**
   The Polk County Transfer Station in Crookston constructed a new facility on the location of the former Transfer Station building in the spring of 2018 and continuing to present. A motion was made by Commissioner Jacobson seconded by Commissioner Willhite and adopted by unanimous vote of the Board to approve the reduction of the retainage for Nor-Son Inc., Baxter, MN on the Transfer Station Project from $238,441.41 to $150,000.00.

5. **Transfer Station Project – Updates**
   An update along with discussion pertaining to the outstanding elements of the Transfer Station Project was given to the Board.

KEYSTONE TOWNSHIP
Dan Driscoll and Mark Holy from Keystone Township came before the Board with matters pertaining to Ditch No. 39:

1. **Review of Ditch 39 Issues**
   Citizens from Keystone and Sullivan Township were present and discussed their concerns with the County Board pertaining to Ditch No. 39. Concerns were addressed with the Board regarding the Engineer’s Report and why property owners were not notified regarding County Ditch No. 39. Outlet concerns regarding this ditch were also discussed. Tom Barrett, Sullivan Township stated the ditch does no good. A copy of a petition relating to County Ditch No. 39 was shown to the Board along with preliminary paperwork. Concerns were also discussed that the petition did not reach all the property owners.

COMMISSIONER WARRANTS
A motion was made by Commissioner Jacobson seconded by Commissioner Willhite and adopted by unanimous vote of the Board that the following Commissioner Warrants were approved:

April 16, 2019

Page 4
# COMMISSIONER WARRANTS
**DATED 04/19/2019**
**APPROVED 04/16/2019**

<table>
<thead>
<tr>
<th>Vendor Name</th>
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**275 Payments less than 2000**

**Final Total:** 453,599.15
With no further business the Board adjourned to reconvene at 8:00 o’clock a.m. April 23, 2019.

Warren Strandell, Chair

ATTEST:

Charles S. Whiting, County Administrator
Clerk of the Board
APRIL 23, 2019
BOARD MINUTES

Pursuant to motion of adjournment the Polk County Board of Commissioners met in regular session at 8:00 o’clock a.m., April 23, 2019 in the Commissioners Room, Government Center, Crookston, MN. Members present: Commissioner Gerald Jacobson, Commissioner Warren Strandell, Commissioner Gary Willhite, Commissioner Joan Lee and Commissioner Don Diedrich and Charles S. Whiting, County Administrator, Clerk of the Board. Others present: Michelle Cote, Deputy Clerk of the Board.

REVISED AGENDA
A motion was made by Commissioner Lee seconded by Commissioner Jacobson and adopted by unanimous vote of the Board to approve April 23, 2019 revised agenda adding Maintenance II to No. 1 and No. 5 Government Center Elevator under Chuck’s business.

CONSENT AGENDA
A motion was made by Commissioner Willhite seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve the Consent Agenda:
1. Approve Auditor Warrants.
2. Approve payments to Hewlette Packard Inc., in the amount of $4,391.76 and $74.94 for an HP Inv. for the IT Department.
3. Approve payment to SHI, Dallas TX in the amount of $2,710.00 for umbrella technical support for the IT Department.
4. Approve payment to Protection System Inc., Fargo, ND in the amount of $325.00 for telephone charges/fire panels/Transfer Station for the Facilities Department.
5. Approve payment to the Grand Forks Herald, Grand Forks, ND in the amount of $227.00 for a one year subscription for the Incinerator.
6. Approve payment to Johnson Controls Fire Protection LP, Palatine, IL in the amount of $892.47 for fire panel repair and fire panel monitoring agreement for the Facilities Department.
7. Approve payment to GHA Technologies, Inc., Phoenix, AZ in the amount of $1,404.00 for backup tapes for the IT Department.

COUNTY BOARD MEMBERS ISSUE FORUM
1. Commissioner Jacobson brought forth that he attended the Northwestern Mental Health Center meeting where they had a presentation on suicide prevention. He also attended a RTCC (Regional Transportation Coordinating Council) meeting.
2. Commissioner Strandell brought forth that he attended an Emergency Preparedness meeting in addition to a MPO meeting.
3. Commissioner Willhite brought forth that he attended the LARL meeting where the focus was the 2020 budget.
4. Commissioner Lee brought forth that she had no meetings since the prior Board meeting.
5. Commissioner Diedrich brought forth that he attended the Northwestern Mental Health Center meeting.
SHERIFF
Jim Tadman, Polk County Sheriff came before the Board with matters pertaining to his department:

1. Monthly Sheriff Reports/March 2019
   The March 2019 monthly Sheriff Reports were discussed and presented to the Board. (Monthly reports on file in the Administrator’s Office)

2. Update on 2019 Spring Flooding and Damage
   An update by Jody Beauchane Emergency Manager was given to the Board regarding the 2019 Spring flooding and the damage it caused.

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

1. *Approval to Advertise & Fill the Clerk Typist Cashier III and Maintenance II Positions
   A motion was made by Commissioner Jacobson seconded by Commissioner Diedrich and adopted by unanimous vote of the Board to approve filling and advertising for the open positions of Clerk Typist Cashier III due to a resignation and a Maintenance II due to an upcoming retirement.

2. Out of State Travel Request – ICMA Conference in Nashville, TN – October 20 – October 23, 2019
   A motion was made by Commissioner Willhite seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve out of state travel for Chuck Whiting, Administrator to attend the annual ICMA Conference, Nashville, TN from October 20 – October 23, 2019.

3. East Grand Forks Building Construction Project Status
   Discussion along with photos of the East Grand Forks building construction project was presented to the Board. This project is nearing completion with the Northwest Mental Health Center expecting to be open and operating May 1, 2019. Work will begin with the Building Committee on the next phase of the building’s rehab and remodeling. (Pictures on file in the Administrator’s Office)

4. **Government Center Elevator
   Discussion was held with the Board regarding the problems that have been occurring regarding the elevator at the Polk County Government Center.

5. Preliminary Official Statement for May 7th Bond Sale
   Discussion along with the $3,965,000 General Obligation Watershed Bonds Series 2019A and the $5,780,000 General Obligation State Aid Highway Bonds Series 2019B handout was presented to the Board. (Handout on file in the Administrator’s Office)

With no further business the Board adjourned to reconvene at 8:00 o’clock a.m., May 7, 2019.

ATTEST:
Warren Strandell, Chair
Charles S. Whiting, Polk County Administrator
Clerk of the Board

April 23, 2019
TO: POLK COUNTY BOARD OF COMMISSIONERS
CHUCK WHITING, POLK COUNTY ADMIN.

FROM: JACOB SNYDER PLANNING & ZONING ADMIN.

MEETING DATE: May 7, 2019

AGENDA ITEM: Fosston Area Sportsman’s Club – CUP Amendment (#61.00112.00)

SUMMARY:

Applicant is requesting to amend a current Conditional Use Permit (CUP) to expand the days open for their trap shooting range from 3 days to 5 days a week of operation and to increase the maximum number of people allowed on site from 100 to 150 people to operate a trap shooting range on a 22.4 acre parcel of land located in the Agricultural Zoning District of Rosebud Township which was allowed by CUP in 2015.

PCZO 13.7000 states: CONDITIONAL USES. Land in the agricultural district shall be used for any of the following purposes only upon the issuance of a Conditional Use Permit. PCZO 13.7015 states: Recreational activities. Activities conducted on a permanent, seasonal or scheduled basis subject to the following criteria:

1) The applicant is leasing a portion of a 22.4 acre parcel in the Agricultural Zoning District in Section 13 of Rosebud Township from the Knight Riders Snowmobile Club to operate a shooting range for the area and School sporting team.
2) The applicant was granted funding from the Minnesota Department of Natural Resources to build the trap range for the school sporting team.
3) The range was laid out with the main use being for student shooting competitions. The range allows Fosston Public School to offer students the opportunity to take part in the Minnesota State High School Clay Target League. The range would also be available for the public on a limited basis.
4) The trap shooting in Fosston Public School has grown and been very successful so this request is to expand upon the days that the kids can get their shooting scores submitted on a timely manner for the Clay Target League.
5) The applicant has liability insurance to operate the shooting range.
6) The range will be used for Trap shooting only. The trap range will be fenced with a gate from the parking lot.
7) The plan is to have around 75 students and 75 adults maximum using the range at any given time.
8) Ross Jackson, Neighboring property owner to the north of this site attended the public hearing to voice his displeasure with the gun range. In general he just doesn’t like the shooting activity that occurs but has complained to DNR and they reply that gun ranges are exempt through state statues from noise control. It was determined by the Planning Commission to try to buffer the noise by planting a row of trees to the north of the range to try and deaden some of the noise from the range.

The Planning Commission/Staff recommends approval of the CUP with several conditions.
1) All of the requirements of PCZO 13.7015 will apply to the CUP.
2) All of the conditions in the approved Operational Plan must be followed. Any minor changes to the Operational Plan must be reviewed and approved by Polk County Planning and Zoning.
3) The trap range may be used for trap shooting only. Any additional shooting activities or shooting ranges on site must be authorized by a new CUP.
4) The certificate of insurance must be maintained on the property at all times.
5) No more than 150 people may use the trap shooting range at any given time unless approved by the Polk County Board.
6) The trap shooting range must not be located over the existing septic drain field onsite and the drain field shall be staked and property identified.
7) The trap shooting range may only be operated maximum of five days per week and may only be used between the hours of 3 p.m. and 1/2 hour before sunset on those days. Sunday shooting is NOT allowed under any circumstances.
8) The trap shooting range must follow all Minnesota State Statutes and Rules that are required for shooting ranges.
9) That a row of at least 6 tress gets planted north of the shooting area at the range. The desired trees must be of a variety that can grow to 15 feet in height to lessen the sound traveling to the north of the site.
10) The CUP will be subject to annual Administrative Review to ensure compliance with all conditions of this permit.

**ACTION REQUESTED:** (INFORMATION ONLY/MOTION/RESOLUTION)

1) Resolution to approve/deny the CUP Amendment request of Fosston Area Sportsman’s Club to amend a current Conditional Use Permit (CUP) to expand the days open for their trap shooting range from 3 days to 5 days a week of operation and to increase the maximum number of people allowed on site from 100 to 150 people.
BOARD OF COUNTY COMMISSIONERS

Fosston Area Sportsman’s Club – CUP Amendment
#61.00112.00

May 7, 2019

APPLICANT REQUEST:

Applicant is requesting to amend a current Conditional Use Permit (CUP) to expand the days open for their trap shooting range from 3 days to 5 days a week of operation and to increase the maximum number of people allowed on site from 100 to 150 people to operate a trap shooting range on a 22.4 acre parcel of land located in the Agricultural Zoning District of Rosebud Township which was allowed by CUP in 2015.

ZONING ORDINANCE REQUIREMENTS:

1) PCZO 13.7000 states: CONDITIONAL USES. Land in the agricultural district shall be used for any of the following purposes only upon the issuance of a Conditional Use Permit.

2) PCZO 13.7015 states: Recreational activities. Activities conducted on a permanent, seasonal or scheduled basis subject to the following criteria:

a. A certificate of insurance and/or a performance surety may be required.

b. If sanitary facilities are necessary, a conforming on-site system can be installed.

c. An operational plan is established and all activities are conducted in accordance with the operational plan.

d. A stipulation is made in the permit as to the number of persons to be using the facility at any one time.

e. Any type of special event that will attract or involve more than the number of people stipulated in d. above shall require approval of the County Board.

f. The permit shall be subject to annual Administrative Review.

g. Construction of a new sports or entertainment facility designed for or expected to accommodate a peak attendance of 5,000 or more persons, or the expansion of an existing sports or entertainment facility to this amount requires an environmental assessment worksheet (EAW). See Section 4.3900 of the Polk County Zoning Ordinance for the EAW criteria.
h. If the number of people at any one event shall exceed 1,000 persons, the applicant shall be required to follow those requirements of Section 20.0000.

PERTINENT FACTS:

1) The applicant is leasing a portion of a 22.4 acre parcel in the Agricultural Zoning District in Section 13 of Rosebud Township from the Knight Riders Snowmobile Club to operate a shooting range for the area and School sporting team.

2) The property currently contains a 50' x 72' storage shed that is used by the Knight Riders Snowmobile Club that was permitted in 2008. There is also a septic system on the property that was installed in 2008.

3) The applicant was granted funding from the Minnesota Department of Natural Resources to build the trap range for the school sporting team.

4) The range was laid out with the main use being for student shooting competitions. The range allows Fosston Public School to offer students the opportunity to take part in the Minnesota State High School Clay Target League. The range would also be available for the public on a limited basis.

5) The trap shooting in Fosston Public School has grown and been very successful so this request is to expand upon the days that the kids can get their shooting scores submitted on a timely manner for the Clay Target League.

6) The East Polk SWCD viewed the location in 2015 for possible wetlands and noted that the proposed location will not impact any wetlands. There will be no buildings or further expansions to the site layout with this request.

7) The applicant has liability insurance to operate the shooting range.

8) The range will be used for Trap shooting only. The trap range will be fenced with a gate from the parking lot.

9) There will be 2 handicap accessible port a potties used and maintained on the property and a dumpster will be provided.

10) The plan is to have around 75 students and 75 adults maximum using the range at any given time.

11) There is a trap house, scorer bench and a storage container that was placed on site and incorporated in with the CUP permit in 2015.

COMMENTS RECEIVED:
Ross Jackson, Neighboring property owner to the north of this site attended the public hearing to voice his displeasure with the gun range. In general he just doesn’t like the shooting activity that occurs but has complained to DNR and they reply that gun ranges are exempt through state statutes from noise control. It was determined by the Planning Commission to try to buffer the noise by planting a row of trees to the north of the range to try and deaden some of the noise from the range.

**PLANNING COMMISSION & STAFF RECOMMENDATION:**

PC & Staff recommends approval of the Conditional Use Permit with the following conditions:

1) All of the requirements of PCZO 13.7015 will apply to the CUP.
2) All of the conditions in the approved Operational Plan must be followed. Any minor changes to the Operational Plan must be reviewed and approved by Polk County Planning and Zoning.
3) The trap range may be used for trap shooting only. Any additional shooting activities or shooting ranges on site must be authorized by a new CUP.
4) The certificate of insurance must be maintained on the property at all times.
5) No more than 150 people may use the trap shooting range at any given time unless approved by the Polk County Board.
6) The trap shooting range must not be located over the existing septic drain field onsite and the drain field shall be staked and property identified.
7) The trap shooting range may only be operated maximum of five days per week and may only be used between the hours of 3 p.m. and 1/2 hour before sunset on those days. Sunday shooting is NOT allowed under any circumstances.
8) The trap shooting range must follow all Minnesota State Statutes and Rules that are required for shooting ranges.
9) That a row of at least 6 trees gets planted north of the shooting area at the range. The desired trees must be of a variety that can grow to 15 feet in height to lessen the sound traveling to the north of the site.
10) The CUP will be subject to annual Administrative Review to ensure compliance with all conditions of this permit.
Legend
- Polk_GIS.DBO.Parcels
- PolkMN_Address_Points

Zoning Districts

District
- Agricultural District

Indicates Property Location

Property boundary

Proposed: Conditional Use Permit Amendment for 5 days of operations & 150 max people on the property at one time. Parcel # 61.00112.00

Map Created 4/3/2019
By: Jacob J. Snyder Planning & Zoning
FOSSTON AREA SPORTSMAN'S CLUB TRAPP SHOOTING RANGE

1). The Club's primary objective is to provide the area high schools a place to compete in a MN High School League sanctioned competition and events.

2). The Club also wants to provide a place for the public to come and use in a league or practice events.

Operation Plans:

1). All High School Sectioned events will be Supervised, Coached and Trained by their Area School. Operations with High School events would be conducted maximum 5 days a week. No Sunday activity.

2). The Club will make the Range available to the public 1 day a week for league and private practice, a Club Representative will be present for this day.

3). We will charge $4.00 per student and $6.00 per adult to use the range.

4). Everyone would bring their own shells.

5). The range will be for trap shooting only.

6). We will have 2 handicap accessible port a potties to be used and maintained on the property.

7). Dumpster will be proved.

8). The trap range will be fenced with a gate, from the parking lot.

9). We are looking to have maximum at any one time 75 students and 75 adults from the public.

10). The trap house will be 7.5' x 8.5' x 5' tall, there will also be a scorer bench with a cover. We will also have a storage container on pea rock, this is not a permanent structure.
RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

Conditional Use Permit For Fosston Area Sportsman’s Club
To Amend Their Current CUP, Document No. A000696366
To Expand The Days Open From 3 To 5 And
To Increase The Maximum Number Of People Allowed From 100 To 150

RESOLUTION (2019-28)

The following resolution (2019-28) was offered by Commissioner:

WHEREAS, Polk County Zoning Ordinance, Section 13.7000 requires a Conditional Use Permit for hooking a septic system to an accessory structure in the Agricultural District and;

WHEREAS, Fosston Area Sportsman’s Club leases a portion of land owned by the Knight Riders Snowmobile Club and is described as That part of the West Half of the Southwest Quarter (W½SW¼) of Section Thirteen (13), Township One Hundred Forty-seven (147) North, Range Forty (40) West of the Fifth Principal Meridian, described as follows: Commencing at the southwest corner of said W½SW¼, then North along the West Boundary line of said W½SW¼ a distance of 1,683 feet to a point, which point is the point of beginning of the tract herein described, then East to a point on the East boundary line of said W½SW¼ which point is 1,683 feet North of the southeast corner of said W½SW¼, then North along the East boundary line of said W½SW¼ to the northeast corner of said W½SW¼, then West along the north boundary line of said W½SW¼ to the northwest corner of said W½SW¼, then South along the West boundary line of said W½SW¼ to the point of beginning, EXCEPTING THEREFROM that strip of land lying North of U.S. Highway 2 (f/k/a Highway 2) and subject to all railroad and highway right of ways, parcel #61.00112.00 and;

WHEREAS, Fosston Area Sportsman’s Club plan meets all requirements of the Polk County Zoning Ordinance; and

WHEREAS, The Polk County Board of Commissioners find:

1. The applicant is leasing a portion of a 22.4 acre parcel in the Agricultural Zoning District in Section 13 of Rosebud Township from the Knight Riders Snowmobile Club to operate a shooting range for the area and School sporting team.

2. The property currently contains a 50’ x 72’ storage shed that is used by the Knight Riders Snowmobile Club that was permitted in 2008. There is also a septic system on the property that was installed in 2008.
3. The applicant was granted funding from the Minnesota Department of Natural Resources to build the trap range for the school sporting team.

4. The range was laid out with the main use being for student shooting competitions. The range allows Fosston Public School to offer students the opportunity to take part in the Minnesota State High School Clay Target League. The range would also be available for the public on a limited basis.

5. The trap shooting in Fosston Public School has grown and been very successful so this request is to expand upon the days that the kids can get their shooting scores submitted on a timely manner for the Clay Target League.

6. The East Polk SWCD viewed the location in 2015 for possible wetlands and noted that the proposed location will not impact any wetlands. There will be no buildings or further expansions to the site layout with this request.

7. The applicant has liability insurance to operate the shooting range.

8. The range will be used for Trap shooting only. The trap range will be fenced with a gate from the parking lot.

9. There will be 2 handicap accessible port a potties used and maintained on the property and a dumpster will be provided.

10. The plan is to have around 75 students and 75 adults maximum using the range at any given time.

11. There is a trap house, scorer bench and a storage container that was placed on site and incorporated in with the CUP permit in 2015.

12. Ross Jackson, Nonboring property owner to the north of this site attended the public hearing to voice his displeasure with the gun range. In general he just doesn’t like the shooting activity that occurs but has complained to the DNR and they reply that gun ranges are exempt through state statutes from noise control. It was determined by the Planning Commission to try to buffer the noise by planting a row of trees to the north of the range to try and deaden some of the noise from the range.

13. The proposed use is a conditional use expressly designated in the ordinance.

14. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.
15. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

16. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

17. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

18. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners grant a conditional use permit to Fosston Area Sportsman’s Club to amend their current CUP, Document No. A000696366 with the following conditions:

1. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

2. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

6. That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.

7. All of the requirements of PCZO 13.7015 will apply to the CUP.

8. All of the conditions in the approved Operational Plan must be followed. Any
minor changes to the Operational Plan must be reviewed and approved by Polk County Planning and Zoning.

9. The trap range may be used for trap shooting only. Any additional shooting activities or shooting ranges on site must be authorized by a new CUP.

10. The certificate of insurance must be maintained on the property at all times.

11. No more than 150 people may use the trap shooting range at any given time unless approved by the Polk County Board.

12. The trap shooting range must not be located over the existing septic drain field onsite and the drain field shall be staked and property identified.

13. The trap shooting range may only be operated maximum of five days per week and may only be used between the hours of 3 p.m. and 1/2 hour before sunset on those days. Sunday shooting is NOT allowed under any circumstances.

14. The trap shooting range must follow all Minnesota State Statutes and Rules that are required for shooting ranges.

15. That a row of at least 6 trees get planted north of the shooting area at the range. The desired trees must be of a variety that can grow to 15 feet in height to lessen the sound traveling to the north of the site.

16. The CUP will be subject to annual Administrative Review to ensure compliance with all conditions of this permit.

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 7th day of May, 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 7th day of May, 2019.

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

FROM: JACOB SNYDER PLANNING & ZONING ADMIN.

MEETING DATE: May 7, 2019

AGENDA ITEM: Conditional Use Permit – John & Marion Beger (#45.00548.00)

SUMMARY:
1) Applicant is requesting a Conditional Use Permit (CUP) to hook a new septic system to a new accessory structure on a riparian lot on Union Lake.

2) PCZO 18.2225 E states: No septic systems installed for use in an accessory structure without a CUP.

3) Applicant owns a riparian lot on Union Lake specifically located in Hideaway cove (first addition) Lot 7.

The Planning Commission/Staff recommends approval of the CUP with several conditions.

1) No guest house uses – applicant shall have furnished evidence of having recorded the signed guest house waiver with the property deed before the building permit is issued.

2) No future development shall be allowed on the lot that would exceed the 25% impervious surface requirement. (This shall include sidewalks, patios, pavers, etc.)

3) Applicant shall submit an approved septic design prior to issuance of the building/septic - land use permit.

4) Applicant shall remove all fill soils which have been placed in the delineated wetland for base prep for the new accessory structure based on its location from the Final Plat: Hideaway Cove first addition. The fill removal shall be to the satisfaction of the Zoning Administrator prior to the land use zoning application approval.

5) No future development shall negatively impact wetlands, specifically filling or grading work for the new accessory structure or septic system that would be within the delineated wetlands on the final plat map.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

1) Resolution to approve/deny the CUP request of John & Marion Beger to tie a new accessory building to a new septic system on a riparian lot on Union Lake.
BOARD OF COUNTY COMMISSIONERS

John & Marion Beger
#45.00548.00

May 7, 2019

APPLICANT REQUEST:

Applicant is requesting a Conditional Use Permit (CUP) to hook a new septic system to a new accessory structure on a riparian lot on Union Lake.

ZONING ORDINANCE REQUIREMENTS:

PCZO 18.2225 E states: No septic systems installed for use in an accessory structure without a CUP.

PERTINENT FACTS:

1) Applicant owns a riparian lot on Union Lake specifically located in Hideaway cove (first addition) Lot 7.

2) The total riparian lot (frontlot) size is 70,650 square feet in size. The lakeshore has a lot of fringe wetland located in front of the developable area. Also, there is a delineated wetland close to the desired building location for the proposed accessory structure.

3) The applicant’s riparian lot is fairly deep so the applicant is able to locate the accessory structure 300 feet plus away from the OHWM of Union Lake. This is the distance needed to build an accessory structure larger than 800 sq. ft. without a Conditional Use permit.

4) The applicant plans to tie the plumbing from a proposed shed (30’x 52’ w 10’x36’ covered porch or 1596 sq.ft. shed) to a new septic system. No design has currently been received on the proposed septic system.

5) The new shed was flagged to meet all applicable setbacks in spring of this year but fill appears to have been brought in a delineated wetland area designated on the final plat of Hideaway Cove first addition. This will be addressed conditionally during staff recommendations.

6) The applicant will be required to complete and record a no guesthouse waiver before the building permit is issued for this request.
COMMENTS RECEIVED:

Stephanie Klamm DNR Area Hydrologist stated that the primary reason for shore land controls is to protect water quality by retaining vegetation and riparian habitat. Shore land regulations seek to minimize erosion and sedimentation into public waters by limiting density and impervious surfaces. She adds if the County approves this application, the DNR would recommend the following conditions:

1.) No living/sleeping quarters or kitchen facilities shall be added to the accessory structure in the future.
2.) The accessory structure meets all the setback requirements of the Polk County Shore land Ordinance.
3.) The accessory structure meets the height restrictions for riparian parcels.
4.) Future buildings on the parcel meet all setbacks, height restrictions and impervious surface coverage of 25%, this may mean that future projects only allow pervious pavers.
5.) Vegetative screening between the structure and the OHWL is established satisfactory of the Polk County Planning and Zoning Office.
6.) Any bare ground be planted with perennial vegetation, preferably natural vegetation.

PLANNING COMMISSION & STAFF RECOMMENDATION:

PC & Staff recommends approval of the CUP with the following conditions:

1) No guest house uses – applicant shall have furnished evidence of having recorded the signed guest house waiver with the property deed before the building permit is issued.

2) No future development shall be allowed on the lot that would exceed the 25% impervious surface requirement. (This shall include sidewalks, patios, pavers, etc.)

3) Applicant shall submit an approved septic design prior to issuance of the building/septic - land use permit.

4) Applicant shall remove all fill soils which have been placed in the delineated wetland for base prep for the new accessory structure based on its location from the Final Plat: Hideaway Cove first addition. The fill removal shall be to the satisfaction of the Zoning Administrator prior to the land use zoning application approval.
5) No future development shall negatively impact wetlands, specifically filling or grading work for the new accessory structure or septic system that would be within the delineated wetlands on the final plat map.

6) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

7) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

8) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

9) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

10) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

11) That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.
RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

Conditional Use Permit For John & Marion Beger
To Hook A New Septic System To A New Accessory Structure

RESOLUTION (2019-29)

The following resolution (2019-29) was offered by Commissioner:

WHEREAS, Polk County Zoning Ordinance, Section 18.2225E requires a Conditional Use Permit for hooking a septic system to an accessory structure in the Shoreland District and;

WHEREAS, John & Marion Beger own a parcel of land described as Lot Seven (7), Block One (1), Hideaway Cove First Addition to Polk County, Minnesota, parcel #45.00548.00 and;

WHEREAS, John & Marion Beger’s plan meets all requirements of the Polk County Zoning Ordinance; and

WHEREAS, The Polk County Board of Commissioners find:

1. The applicant owns a riparian lot on Union Lake specifically located in Hideway Cove (first addition) Lot 7.

2. The total riparian lot (front lot) size is 70,650 square feet. The lakeshore has a lot of fringe wetland located in front of the developable area. Also, there is a delineated wetland close to the desired building location for the proposed accessory structure.

3. The applicant’s riparian lot is fairly deep so the applicant is able to located the accessory structure 300 feet plus away from the OHWM of Union Lake. This is the distance needed to build an accessory structure larger than 800 sq. ft. without a Conditional Use Permit.

4. The applicant plans to tie the plumbing from the proposed shed (30 x 52 w/10 x 36 cover porch or 1596 sq.ft.) to a new septic system. No design has currently been received on the proposed septic system.

5. The new shed was flagged to meet all applicable setbacks in the spring of this year.
but fill appears to have been brought into a delineated wetland area designated on
the final plat of Hideaway Cove First Addition. This will be addressed
conditionally during staff recommendations.

6. The applicant will be required to complete and record a no guesthouse waiver
before the building permit is issued for this request.

7. Stephanie Klamm, DNR Area Hydrologist commented to follow all PCZO
requirements.

8. The proposed use is a conditional use expressly designated in the ordinance.

9. The conditional use will not be injurious to the use and enjoyment of other
property in the immediate vicinity for the purposes already permitted, nor
substantially diminish or impair property values within the immediate vicinity.

10. The establishment of the conditional use will not impede the normal and orderly
development and improvement of surrounding vacant property for uses
predominant in the area.

11. Adequate utilities, access roads, drainage and other necessary facilities have been
or are being provided.

12. Adequate measures have been or will be taken to provide sufficient off-street
parking and loading space to serve the proposed use.

13. Adequate measures have been or will be taken to prevent or control offensive
odor, fumes, dust, noise and vibration, so that none of these will constitute a
nuisance, and to control lighted signs and other lights in such a manner that no
disturbance to neighboring properties will result.

NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners
grant a conditional use permit to John & Marion Beger to hook a new septic system to a
new accessory structure with the following conditions:

1. That the conditional use will not be injurious to the use and enjoyment of other
property in the immediate vicinity for the purposes already permitted, nor
substantially diminish or impair property values within the immediate vicinity.

2. That the establishment of the conditional use will not impede the normal and
orderly development and improvement of surrounding vacant property for uses
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6. That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.

7. No guest house uses – applicant shall have furnished evidence of having recorded the signed guest house waiver with the property deed before the building permit is issued.

8. No future development shall be allowed on the lot that would exceed the 25% impervious surface requirement. (this shall include sidewalks, patios, pavers, etc.).

9. Applicant shall remove all fill soils which have been placed in the Delineated wetland for base prep for the new accessory structure based on its location form the Final Plat: Hideaway Cove First Addition. The fill removal shall be to the satisfaction of the Zoning administrator prior to the land use zoning application approval.

10. No future development shall negatively impact wetlands, specifically filling or grading work for the new accessory structure or septic system that would be within the delineated wetlands on the final plat map.

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 7th day of May, 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 7th day of May, 2019.

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

FROM: JACOB SNYDER PLANNING & ZONING ADMIN.

MEETING DATE: May 7, 2019

AGENDA ITEM: Oak Cove Resort - David & Cynthia Tyler- CUP (# 32.00176.02)

SUMMARY:

Oak Cove Resort is applying for a Conditional Use Permit to construct a 50’ x 108’ boat storage building on a non-riparian parcel for Oak Cove Resort on Cable Lake.

PCZO 18.1220 Land Use District Descriptions. The land use districts provided below, and the allowable land uses therein for the given classifications of water bodies, shall be properly delineated on the Official Zoning Map for the shorelands of this community. These land use districts are in conformance with the criteria specified in Minnesota Regulation, Part 6120.3200, Subp.3:

<table>
<thead>
<tr>
<th>A. Land Use Districts For Lakes</th>
<th>I. Residential District - Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>C Conditionally Use</td>
</tr>
<tr>
<td>Recreational</td>
<td>C</td>
</tr>
<tr>
<td>Natural</td>
<td>C</td>
</tr>
</tbody>
</table>

1) Commercial retail and personal service establishments

1) Oak Cove Resort is located on Maple Lake. This parcel where the boat storage building is proposed is a non-riparian parcel and is located in the shoreland district from Cable Lake.
2) The proposed location of the storage shed is located over 500 feet from the OHWM of Cable Lake and is in tier 3 of the shoreland district.
3) The parcel is approx. 7.92 acres in size and currently does not have any structures or amenities located on it.
4) The Plan of Operations submitted has the Oak Cove staff bringing the boats to the building and no shop activity or water will be used in the shed. This will significantly reduce traffic concerns and other conflicts with the use of the building.
5) The desired color would be galvanized steel finish without color.
6) The desired building location has existing trees along the lakeshore of Cable Lake. Also the site has a row of pine trees located to the south of the proposed building to aid in screening from CO Hwy 12. After visiting the site staff has little concern over screening this structure from Cable Lake as long as existing vegetation is maintained between the structure and the Lake.
7) Oak Cove Resort located on Maple Lake had a storage building collapse with snow load during the winter months. This CUP request would be to replace the storage lost with the prior building which was permitted through a CUP in 2014.

8) PCZO Section 4.3030 states that NO permit may be issued for property that is in violation of any provision of this ordinance until the violation is removed, corrected or ceased. A prior variance on the Oak Cove Resort site located on Maple Lake was passed in 2017 with the condition that a vegetative buffer be completed to the satisfaction of the Zoning Administrator. This has not been completed to our offices satisfaction and should be addressed prior to permitting the proposed structure.

9) Stephanie Klamm, DNR Area Hydrologist, stated that the DNR doesn’t have any comment on the proposed request.

10) Barb Jannsen, Neighbor contacted our office to state that she didn’t have any objections to the request but that she felt it was important to mention that she hopes the site will not have a lot of things like boats, lifts, or docking parked outside the building. Just wanted things to be tidy and cleaned up on outdoor storage of things.

The Planning Commission/Staff recommends approval of the CUP with several conditions.

1) The Building permit for the construction of the shed will not be issued until the conditions of vegetative buffer area on Oak Cove Marina are satisfied to the Zoning Administrators discretion.

2) The structure shall have no habitable space as defined by the Polk County Zoning Ordinance.

3) The structure shall maintain vegetative screening via pine trees to the south of the proposed building and limited lakeshore tree clearing to those standards in PCZO sect. 18.2312 to limit the structures visibility from Cable Lake.

4) The operations of the boat storage facility shall follow the established plan of operations and any changes to the operational plan must approved by the Zoning Administrator.

5) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

6) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

7) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

8) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

9) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

10) That the property will be kept tidy with regard to trailer parking and items left outside the proposed structure and shall not create a visual nuisance to neighboring property owners.

11) That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.

**ACTION REQUESTED:** (INFORMATION ONLY/MOTION/RESOLUTION)

1) Resolution to approve/deny the CUP request of Oak Cove Resort is applying for a Conditional Use Permit to construct a 50’ x 108’ boat storage building on a non-riparian parcel for Oak Cove Resort on Cable Lake.
APPLICANT REQUEST:

Oak Cove Resort is applying for a Conditional Use Permit to construct a 50’ x 108’ boat storage building on a non-riparian parcel for Oak Cove Resort on Cable Lake.

ZONING ORDINANCE REQUIREMENTS:

1) 18.1220 Land Use District Descriptions. The land use districts provided below, and the allowable land uses therein for the given classifications of water bodies, shall be properly delineated on the Official Zoning Map for the shorelands of this community. These land use districts are in conformance with the criteria specified in Minnesota Regulation, Part 6120.3200, Subp.3:

<table>
<thead>
<tr>
<th>A= Allowed Use</th>
<th>P = Permitted Use</th>
<th>N = Not Permitted</th>
<th>C = Conditional Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>Recreational</td>
<td>Natural</td>
<td></td>
</tr>
<tr>
<td>Single residential</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Agricultural: cropland and pasture</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Agricultural feedlots</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Semipublic</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Parks &amp; historic sites</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Extractive Use</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Duplex, triplex, quad residential</td>
<td>P</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Forest management</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Mining of metallic minerals and peat</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Backyard Composting</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Commercial retail and personal service establishments</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Gas stations and convenience stores</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Hotels, motels, Campgrounds and trailer courts</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Surface Water Orientated Commercial</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Restaurants, dinner clubs, Private clubs</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Residential Planned Unit Development</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Commercial planned unit development**</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
</tbody>
</table>
PERTINENT FACTS:

1) Oak Cove Resort is located on Maple Lake. This parcel where the boat storage building is proposed is a non-riparian parcel and is located in the shoreland district from Cable Lake.

2) The proposed location of the storage shed is located over 500 feet from the OHWM of Cable Lake and is in tier 3 of the shoreland district.

3) The parcel is approx. 7.92 acres in size and currently does not have any structures or amenities located on it.

4) The Plan of Operations submitted has the Oak Cove staff bringing the boats to the building and no shop activity or water will be used in the shed. This will significantly reduce traffic concerns and other conflicts with the use of the building.

5) The desired color would be galvanized steel finish without color.

6) The desired building location has existing trees along the lakeshore of Cable Lake. Also the site has a row of pine trees located to the south of the proposed building to aid in screening from CO Hwy 12. After visiting the site staff has little concern over screening this structure from Cable Lake as long as existing vegetation is maintained between the structure and the Lake.

7) Oak Cove Resort located on Maple Lake had a storage building collapse with snow load during the winter months. This CUP request would be to replace the storage lost with the prior building which was permitted through a CUP in 2014.

8) PCZO Section 4.3030 states that NO permit may be issued for property that is in violation of any provision of this ordinance until the violation is removed, corrected or ceased. A prior variance on the Oak Cove Resort site located on Maple Lake was passed in 2017 with the condition that a vegetative buffer be completed to the satisfaction of the Zoning Administrator. This has not been completed to our offices satisfaction and should be addressed prior to permitting the proposed structure.

COMMENTS RECEIVED:

1) Stephanie Klamm, DNR Area Hydrologist, stated that the DNR doesn’t have any comment on the proposed request.

2) Barb Janssen, Neighbor contacted our office to state that she didn’t have any objections to the request but that she felt it was important to mention that she hopes the site will not have a lot of things like boats, lifts, or docking parked outside the building. Just wanted things to be tidy and cleaned up on outdoor storage of things.
PLANNING COMMISSION & STAFF RECOMMENDATION:

PC & Staff recommends approval of the request to construct a 50’ x 103’ boat storage building with the following conditions:

1) The Building permit for the construction of the shed will not be issued until the conditions of vegetative buffer area on Oak Cove Marina are satisfied to the Zoning Administrators discretion.

2) The structure shall have no habitable space as defined by the Polk County Zoning Ordinance.

3) The structure shall maintain vegetative screening via pine trees to the south of the proposed building and limited lakeshore tree clearing to those standards in PCZO sect. 18.2312 to limit the structures visibility from Cable Lake.

4) The operations of the boat storage facility shall follow the established plan of operations and any changes to the operational plan must approved by the Zoning Administrator.

5) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

6) That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

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8) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

9) That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

10) That the property will be kept tidy with regard to trailer parking and items left outside the proposed structure and shall not create a visual nuisance to neighboring property owners.

11) That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.
Legend
- Polk_GIR.DBO_Parcel
- PolkMN_Address_Points
- Shoreland District
- Indicates Property Location

Proposed: Conditional Use Permit: 50' x 106' Boat Storage Building for Oak Cove Resort Parcel # 32.00176.02

Map Created 4/3/2019
By: Jacob J. Snyder
Planning & Zoning
Legend
- Polk_GIS,DBO,Parcels
- PolkMN_Address_Points
- Shoreland District
- Indicates Property Location
- Current Boat Storage Building
- Proposed Boat Haul Route

Proposed: Conditional Use Permit: 50' x 108' Boat Storage Building for Oak Cove Resort Parcel # 32.00176.02

Map Created 4/3/2019
By: Jacob J. Snyder Planning & Zoning
Operational Plan for Oak Cove Resort Expansion

1. This building will be used for cold storage of pontoon/boats/jet ski. No water, no electric, no sewer, no cement.

2. Only Oak Cove Resort & Marine personal only. Traffic will be Oak Cove Resort staff only not individual boat owners.

3. Used normally 2 times a year, Spring for removal of items, Fall to put items away for the winter.

4. This property was purchased for the express purpose so as not to overload resort property and expand our business.

*Future plans may include additional buildings only as needed/request arises.
Neighbors concerns about trailer and vehicles parked outside.
Existing Trees to be left/maintained via CUP Conditions
Resolution Condition # 7: Buffer on Maple Lake

- Overflow at Lake
- Excavate and restore buffer/wetland area
- Vegetation
- Beach: Dirt + Vegetation
- Grasses, not gravel

- Boat launch
- 30'
RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

Conditional Use Permit for David & Cynthia Tyler, Oak Cove Resort
To Establish A Commercial Retail And Personal Service Establishment
For A Boat Storage Business

RESOLUTION (2019-30)

The following resolution (2019-30) was offered by Commissioner:

WHEREAS, Polk County Zoning Ordinance, Section 18.1220 requires a Conditional Use Permit for an accessory structure used for commercial purposes in the Shoreland District and;

WHEREAS, David & Cynthia Tyler own a parcel of land described as That part of the Southeast Quarter of the Southeast Quarter of Section 33, Township 149 North, Range 43 West of the Fifth Principal Meridian, lying northerly of Cable Lake Road as platted in Boyum Subdivision according to the Official Plat of Record in the Office of the County Recorder in and for the County of Polk and the State of Minnesota, and lying southerly and easterly of the following described line: Commencing at the Southeast corner of the Southeast Quarter, thence North 00 degrees 44 minutes 55 seconds East, assumed bearing, along the east line of said Southeast Quarter of the Southeast Quarter, a distance of 464.88 feet to the point of beginning; thence South 89 degrees 18 minutes 47 seconds West 912.20 feet; thence South 00 degrees 44 minutes 55 seconds West 273.85 feet more or less to the intersection with the northerly line of said Cable Lake Road and said line there terminating. Containing 7.92 acres, more or less and is subject to easement, restrictions or reservations of record, if any, parcel 32.00176.02, and;

WHEREAS, David & Cynthia Tyler’s, Oak Cove Resort, plan meets all requirements of the Polk County Zoning Ordinance; and

WHEREAS, The Polk County Board of Commissioners find:
1. Oak Cove Resort is located on Maple Lake. This parcel where the boat storage building is proposed is a non-riparian parcel and is located in the shoreland district from Cable Lake.

2. The proposed location of the storage shed is located over 500 feet from the OHWM of Cable Lake and is in tier 3 of the shoreland district.

3. The parcel is approx. 7.92 acres in size and currently does not have any structures or amenities located on it.
4. The Plan of Operations submitted has the Oak Cove staff bringing the boats to the building and no shop activity or water will be used in the shed. This will significantly reduce traffic concerns and other conflicts with the use of the building.

5. The desired color would be galvanized steel finish without color.

6. The desired building location has existing trees along the lakeshore of Cable Lake. Also the site has a row of pine trees located to the south of the proposed building to aid in screening from CO Hwy 12. After visiting the site staff has little concern over screening this structure from Cable Lake as long as existing vegetation is maintained between the structure and the Lake.

7. Oak Cove Resort located on Maple Lake had a storage building collapse with snow load during the winter months. This CUP request would be to replace the storage lost with the prior building which was permitted through a CUP in 2014.

8. PCZO Section 4.3030 states that NO permit may be issued for property that is in violation of any provision of this ordinance until the violation is removed, corrected or ceased. A prior variance on the Oak Cove Resort site located on Maple Lake was passed in 2017 with the condition that a vegetative buffer be completed to the satisfaction of the Zoning Administrator. This has not been completed to our offices satisfaction and should be addressed prior to permitting the proposed structure.

9. Neighbor, Barb Jannsen has no objections to the request but that she felt is was important to mention that she hopes the site will not have a lot of b things like boats, lifts, or docking parked outside of the building. Just wanted things to be tidy and cleaned up outdoor storage of things.

10. The proposed use is a conditional use expressly designated in the ordinance.

11. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

12. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

13. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
14. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

15. Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners grant a conditional use permit to David & Cynthia Tyler, Oak Cove Resort, with the following conditions:

1. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

2. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

3. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

4. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

5. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

6. That the use of the property shall at all times be in compliance with all Federal, State of Minnesota, and County of Polk rules and regulations.

7. The Building permit for the construction of the shed will not be issued until the conditions of vegetative buffer area on Oak Cove Marina are satisfied to the Zoning Administrators discretion.

8. The structure shall have no habitable space as defined by the Polk County Zoning Ordinance.

9. The structure shall maintain vegetative screening via pine trees to the south of the proposed building and limited lakeshore tree clearing to those standards in PCZO sect. 18.2312 to limit the structures visibility from Cable Lake.
10. The operations of the boat storage facility shall follow the established plan of operations and any changes to the operational plan must approved by the Zoning Administrator.

11. That the property will be kept tidy with regard to trailer parking and items left outside the proposed structure and shall not create a visual nuisance to neighboring property owners.

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

STATE OF MINNESOTA

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 7th day of May, 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 7th day of May, 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: May 7, 2019
AGENDA ITEM: Out of State Travel Request Reese

SUMMARY:

The Public Health National Center for Innovation is holding a Learning Community meeting. The Minnesota Department of Health has invited me to represent MN Local Public Health at this meeting. All expenses paid.

Learning Community meeting is Tuesday, June 11 through Wednesday, June 12, 2019. The meeting will be held at the Residence Inn, Alexandria, VA 22314. Travel to location on Monday, June 10.

ACTION REQUESTED: Approval for out of state travel for Sarah Reese to attend the PHNCI Learning Community meeting in Alexandria, VA from June 10-12, 2019.
TO: POLK COUNTY BOARD OF COMMISSIONERS  
CC: CHUCK WHITING, POLK COUNTY ADMINISTRATOR  
FROM: SARAH REESE, PUBLIC HEALTH DIRECTOR  
MEETING DATE: May 7, 2019  
AGENDA ITEM: Opioid Taskforce Community Action  

SUMMARY:  
Polk County Wellness Coalition – Opioid Taskforce  
Update and Call to Action  

This report contains:  
✓ Polk County Wellness Coalition Opioid Taskforce Community Action Plan  
✓ Reported, currently available data  
✓ Changes implemented and reported by stakeholder to reduce opioid misuse and death  
✓ Polk County Rate of opioid prescriptions per 1,000 residents 2015-2017 in relation to Heroin/Meth use in Polk County during same time period.  
✓ Polk County Wellness Coalition Opioid Taskforce Infographic  
✓ Polk County Wellness Coalition Opioid Taskforce current known partners  
✓ Recommendations for best practice strategies that will most effectively combat this crisis  

ACTION REQUESTED: Information only.
POLK COUNTY WELLNESS COALITION
OPIOID TASKFORCE
Update and Call to Action
2017-2018

While prescription opioids serve an invaluable role for the treatment of cancer and chronic pain, their overuse for acute and chronic non-cancer pain as well as the increasing availability of heroin and illicit fentanyl, have contributed to the highest rates of overdose and opioid addiction not only in Polk County but also in U.S. history. Evidenced-based strategies must be included in the solutions to address these issues and to promote high-quality care for those with pain. This report is a response to that need. This report offers information and a path forward for Polk County stakeholders and residents who are committed to addressing injuries and deaths associated with opioids and other substance abuse in Polk County.

The creation of the Polk County Opioid Taskforce, (2016) a sub-group of the Polk County Wellness Committee (PCWC), resulted from several local factors, however, perhaps the most salient factor was upon learning that, for the first time in history, deaths from drug overdoses surpassed deaths from traffic crashes. The opioid crisis affects all of us, not just those caught in its grip. It has destroyed lives, ripped families apart, weakened our communities, and prevented us from taking full advantage of our greatest resource—our people. We can’t afford to lose a single person. There is no single solution to this grave public health threat, but we know where to start. “This isn’t just a law enforcement issue, a public health issue, a courts issue, treatment provider issue or just a community issue. This is all of our issue and we need everyone’s help to combat it” (Sherriff James Tadman, 2019). Thus, using best practice strategies, The Polk County Wellness Coalition Opioid Taskforce is engaging the whole Polk County community to find and implement local solutions.

- We must acknowledge that opioid addiction is a disease that requires comprehensive treatment. Closing the path to addiction means addressing the over-prescription of legal opioids and the proliferation of illegal opioids such as heroin and drugs laced with fentanyl.
- We must build a comprehensive public health response so that families, first responders, and community groups have the support necessary to turn the tide on the epidemic, and in the meantime, they do not have to single-handedly bear the impossible economic and emotional burdens.
- We must work collaboratively across all community sectors to create a community of resilience to equip the population with tools and experiences to handle life’s stressors with positive coping mechanisms, preventing chronic diseases before they begin.

This report contains:

- Polk County Wellness Coalition Opioid Taskforce Community Action Plan
- Reported, currently available data from Local, State and Federal sources
- Changes implemented and reported by stakeholder to reduce opioid misuse and death
- Polk County Rate of opioid prescriptions per 1,000 residents 2015-2017 in relation to Heroin Meth use in Polk County during same time period.
- Polk County Wellness Coalition Opioid Taskforce Infographic
- Polk County Wellness Coalition Opioid Taskforce current known partners
- Recommendations for best practice strategies that will most effectively combat this crisis
Polk County Wellness Coalition Opioid Taskforce Partners

- Polk County Public Health
- Polk County Environmental Services
- Polk County Social Services
- Polk County Sheriff's Office
- Polk County Attorney's Office
- Polk County District Court
- Healthier Fosston
- UND School of Medicine and Health Sciences
- EGF PD
- Crookston PD
- Minnesota State Highway Patrol
- Pine to Prairie Drug Task Force
- Tri-County Community Corrections
- Riverview Health/Recovery
- Essentia Health Fosston
- Altru Clinic – Crookston
- Northwestern Mental Health Center
- Climax School District
- Fertile School District
- WEM School District
- Crookston School District
- EGF School District
- Fisher School District
- Fosston School District
- Tri Valley Opportunity Council
- Crookston National Guard
- Minnesota Prevention Resource—Region 1
- City of Crookston
- City of Fertile
- City of Fosston
- University of Minnesota Crookston
- University of Minnesota Extension Service
- Wonderful Life Foods
- Contact Level 5 Services
- Ultima Bank-Fosston
- Fosston Chiropractic Center
- Biermaier Chiropractic Center
- Nord's Pharmacy
- Trinity Lutheran Church
- Northwest Regional Development Center
- Dean Vikan
- Carol Greg

*This report is not intended to be all inclusive of the work in Polk County, but rather a summary of the ongoing efforts made aware to Polk County Public Health.
CALL TO ACTION/Next Steps

➢ Continue the work of the PCWC Opioid Taskforce as per community action plan.

➢ In addition:
  o Reduce barriers as identified by justice system and other partners.
    ▪ Lack of Quality Treatment Centers—in close proximity to provide care for individuals with dual diagnosis (mental and chemical), i.e. during court-person may agree to treatment-opportunity, but w/2-week delay-something happens, reoffend or missed opportunity
    ▪ Lack of Housing-to stabilize and support community members in their recovery process
    ▪ Lack of Employment Opportunities—that will hire convicted felons
    ▪ Lack of Transportation—and ability to obtain a driver’s license to get to work, treatment, support meetings and for daily living needs
  o Harm Reduction
    ▪ Community access to Naloxone
    ▪ Safe syringe services (Needle Exchange)
  o Decrease Infectious Diseases resulting from substance use
  o Collect and use local data as per Community Action Plan, etc. in further planning including Results Based Accountability (RBA)
  o Increase Resilience of Community Members to deal with stressors of life and mitigate toxic childhood stress. As the table below indicates, our current opioid crisis is now being overshadowed by a new crisis. We must position our policies, systems and the environment of our communities and individuals to respond to stressors.

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Table above details the number of opioid prescriptions written per 1,000 residents for Polk County in 2015-2017. It should be noted that there was a decrease of 23% in the number of prescriptions written in Polk County from 2015-2017. This represents a significant reduction in the number of prescriptions written (MN Prescription Monitoring Program). Unfortunately, as noted in the table, the use of meth has increased significantly and represents a serious public health concern that must be addressed as we move forward with our work.
The Polk County Wellness Coalition Opioid Task Force

"For the first time ever, overdose deaths outnumber deaths from car crashes in our region"
~Dr. Maryann Sosa, UND School of Medicine and Health Sciences/Regional Medical Examiner

23.3% # of PC opioid prescriptions written per 1,000 from 2015-2017 (MN PMP, 2017)

25.2% # cases investigated by the Pine to Prairie Drug Task Force—2015-2017

142% # of arrests by the Pine to Prairie Drug Task Force—2015-2017

OPIOID USE IS JUST ONE PART OF SUBSTANCE ABUSE
People who are addicted to...

ALCOHOL are 2x

MARIJUANA are 3x

...more likely to be addicted to an opioid.

Polk County Prevention:
- Prescription Take Back Campaigns/Drop Boxes
- Changing Prescribing Practices
- Narcan Availability
- Prevention Education and Community Forums
- Reducing Addiction and Mental Health Stigma
- DWI/Drug Courts
- Utilizing Pain Management Alternatives
- Increasing Social Media
- Patient Pain Contracts
- Increasing Awareness of Treatment and Mental Health Resources

Polk County Prevention: Future Landscape
- Improve access to treatment and recovery services
- Advance better practices for pain management
- Reduce childhood toxic stress
- Increase the number of Worksites Wellness Initiatives
- Implement Harm Reduction and Needle Exchange programs

CPD Chief Biemarker and PC Attorney Widseth November 2018

Polk County Wellness Coalition
"Creating a Culture of Wellness"
<table>
<thead>
<tr>
<th>Strategy</th>
<th>Goals</th>
<th>Agencies Involved</th>
<th>Taking Action</th>
<th>Measuring Success</th>
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<td><strong>Engaging the Medical Community</strong></td>
<td>Reduce Opioid Prescriptions</td>
<td>Public Health, Healthcare Agencies, Physicians</td>
<td>Safer Opioid Prescribing Training</td>
<td>Reducing opioid prescriptions</td>
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<td>Improve Pain Management and Treatment</td>
<td>Chiropractic, Acupuncturist</td>
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<td><strong>Safe Medication/Prescription Disposal Guide</strong></td>
<td>Reduce the amount of leftover drugs in the community</td>
<td>Law Enforcement, Pharmacies, Healthcare Agencies, Environmental Service, Public Health, Behavioral Health</td>
<td>Start an Expanded Collection Opportunities</td>
<td>Reducing the amount of unused/unnecessary prescription drugs in Polk County</td>
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<td>Preventing Overdose</td>
<td>Law Enforcement/First Responders</td>
<td>Change Policy/Advocate Summit on Opioids</td>
<td>Increase access to opioid antidotes</td>
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<td>Pharmacies, Healthcare Agencies</td>
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<td>Public Health, Behavioral Health</td>
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<td>Recovery Community Schools</td>
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<td><strong>Public Education and Media</strong></td>
<td>Public Health, Parent/Community</td>
<td>Awareness Events/School Prevention w/Media</td>
<td>Increase awareness of treatment resources, expand access to treatment, recovery resources</td>
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<td>Law Enforcement, Healthcare Companies</td>
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<td>Mental Health, Behavioral Health, Community</td>
<td>Change Policy/Advocate Summit on Opioids</td>
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<td>School District/Parent/Community</td>
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<td><strong>Early Intervention Treatment and Recovery</strong></td>
<td>Substance Abuse Professionals</td>
<td>Build Access/Resource/Referral Network/Systems</td>
<td>Increase awareness of treatment resources, expand access to availability, treatment, recovery resources</td>
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<td>Recovery Community</td>
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<td><strong>Advocating for Change</strong></td>
<td>Change laws, policies, or how systems address the issue</td>
<td>Parents, Community Members</td>
<td>Engage Community Members in Advocacy Efforts</td>
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TO: POLK COUNTY BOARD OF COMMISSIONERS
FROM: Richard Sanders, County Engineer
MEETING DATE: 05-07-2019
AGENDA ITEM: Award - SAP 060-624-004, SAP 060-115-001, and 513C0124

LOCATION:
On CSAH 24 from TH 2 to CSAH 27
On CSAH 115 in Fosston, MN
On Fosston City Streets (Eaton and Newton Avenue)

SUMMARY:
1. Bids to be received Friday May 3, 2019 at 2pm
2. Bids will be abstracted.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

1. A motion was made by _______________ seconded by _______________ to award SAP 060-624-004 etc. to _______________ and have the Chair and Administrator sign the contracts.
TO: POLK COUNTY BOARD OF COMMISSIONERS

FROM: Richard Sanders – County Engineer

MEETING DATE: 05-07-2019

AGENDA ITEM: Bridge Replacement Priority List Resolution

SUMMARY:

1. In order to get funding to replace bridges in Polk County, the attached resolution needs to be approved and sent to MNDOT

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

1. Approve Resolution (2019-23) Bridge Replacement Priority List
RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

Bridge Replacement Priority List

RESOLUTION (2019-23)

The following resolution (2019-23) was offered by Commissioner:

WHEREAS, Polk County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government; and

WHEREAS, Polk County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years;

WHEREAS, Polk County has determined that the following deficient bridges on the County State Aid Highway, County Road and Township systems are a high priority and require replacement or rehabilitation and

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WHEREAS, Local roads play an essential role in the overall state transportation network
and local bridges are the critical component of the local road systems, and

WHEREAS, The State's support for the replacement or rehabilitation of local bridges continues to be crucial to maintaining the integrity of the local road systems and is necessary for the county and townships to proceed with the replacement or rehabilitation of the high priority deficient bridges described above; and

WHEREAS, Polk County intends to proceed with replacement or rehabilitation of these bridges as soon as possible when Funds are available.

FURTHERMORE, Polk County does hereby request authorization to replace, rehabilitate, or remove such bridges; and

FURTHERMORE, Polk County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

NOW THEREFORE BE IT RESOLVED, That Polk County commits that it will proceed with the design and contract documents for these bridges immediately after being notified that funds are available in order to permit construction to take place within one year of notification.

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

STATE OF MINNESOTA

COUNTY OF POLK

I, Charles S. Whiting, County Administrator, do hereby certify that I have compared the foregoing resolution with the original resolution filed in my office on the 7th day of May 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 7th day of May, 2019.

Charles S. Whiting
County Administrator
Clerk of the Board
TO: POLK COUNTY BOARD OF COMMISSIONERS
FROM: Richard Sanders – County Engineer

MEETING DATE: 05-07-2019


SUMMARY:
Approval of attached resolution.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

Retirement of James Goldsmith – Highway Department

RESOLUTION (2019-25)

The following resolution (2019-25) was offered by Commissioner:

WHEREAS, James Goldsmith will officially retire as Maintenance Man of the Polk County Highway Department, effective June 1, 2019, and

WHEREAS, James has faithfully and diligently served the residents of Polk County for the past 39 years.

NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners does hereby accept the retirement of James Goldsmith from the Polk County Highway Department with regret, and

BE IT FURTHER RESOLVED, That the Polk County Board of Commissioners wishes to extend a hearty thank you for a job well done, and

BE FURTHER RESOLVED, That the Polk County Board of Commissioners want to extend to you best wishes for a long, active and enjoyable retirement.

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 7th day of May 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 7th day of May, 2019.

__________________________
Charles S. Whiting
County Administrator
Clerk of the Board
TO: POLK COUNTY BOARD OF COMMISSIONERS
FROM: Sheriff James Tadman

MEETING DATE: 05/07/2019

AGENDA ITEM:

1. Out of State Travel Request
2. Old boat motor trade with Bemidji Marine to go towards trailer for Polaris and rescue boggan.
3. Marshal and Kittson County Sheriff’s Office request for onboard with Zuercher server.

SUMMARY:

1. Request for out of state travel for Sheriff Tadman to go to Washington DC May 15 & 16, 2019 for a Fly-In Advocacy Event in support of North West Mental Health Center in continuation of their new services they are providing. Cost of the trip is paid for through their National Association.

2. Permission to look into a possible trade with Bemidji Marine. Old Boat motor for an aluminum trailer to haul our Polaris side by side and rescue boggan.

3. Marshall County and Kittson County Sheriff’s Office have requested to onboard with our Zuercher records management server. This would be done at no additional cost to Polk County. We have done extensive research with our IT and surrounding agencies for issues and concerns. The only thing we would share is our name cards.

ACTION REQUESTED:

1. Approval for Out of State Travel
2. Permission to look at trade opportunity with Bemidji Marine for trailer
3. Permission to allow Marshall and Kittson County to look at opportunity to onboard Zuercher server.
Moody's INVESTORS SERVICE

Rating Action: Moody's assigns Aa2 to Polk County, MN's GO Bonds

02 May 2019

New York, May 02, 2019 -- Moody's Investors Service has assigned an underlying Aa2 rating to Polk County, MN's $4 million General Obligation Watershed Bonds, Series 2019A and $5.8 million General Obligation State Aid Highway Bonds, Series 2019B. Moody's maintains an Aa2 rating on the county's outstanding general obligation unlimited tax (GOULT) debt. Following the sale, the county will have $31 million in rated outstanding debt.

RATINGS RATIONALE

The Aa2 rating reflects a large and growing tax base within the city of Grand Forks (Aa2 Stable), North Dakota metro area, healthy reserves despite recent declines and a modest degree of leverage related to long-term debt and pension burdens.

RATING OUTLOOK

Outlooks are generally not assigned to issuers with this amount of debt.

FACTORS THAT COULD LEAD TO AN UPGRADE

- Substantial expansion and diversification of the local economy and tax base
- Improved resident income levels

FACTORS THAT COULD LEAD TO A DOWNGRADE

- Significant further decline in reserves
- Substantial increase in the debt or pension burden

LEGAL SECURITY

The county's GO bonds are secured by the county's full faith and credit pledge and the authority to levy a dedicated property tax unlimited as to rate and amount. The security benefits from a statutory lien.

The county has additionally pledged special assessments to be levied on property benefiting from the improvements financed by the Series 2019A bonds and annual state-aid allotments from the Minnesota Department of Transportation for the repayment of the Series 2019B bonds.

USE OF PROCEEDS

The Series 2019A bonds will finance improvements in the Middle Snake Watershed District, Red Lake Watershed District and Sand Hill Watershed District.

The Series 2019B bonds will finance various road improvement projects within the county.

PROFILE

The county is located in the northwestern portion of Minnesota (Aa1 Stable), just across the border from Grand Forks, North Dakota and 290 miles from the Twin Cities (Minneapolis, Aa1 negative; St. Paul, Aa1 negative) metropolitan area. The county encompasses more than 2,000 square miles and its population currently exceeds 31,500 residents.

METHODOLOGY

The principal methodology used in these ratings was US Local Government General Obligation Debt published in December 2016. Please see the Rating Methodologies page on www.moodys.com for a copy of this methodology.
REGULATORY DISCLOSURES

For ratings issued on a program, series or category/class of debt, this announcement provides certain regulatory disclosures in relation to each rating of a subsequently issued bond or note of the same series or category/class of debt or pursuant to a program for which the ratings are derived exclusively from existing ratings in accordance with Moody's rating practices. For ratings issued on a support provider, this announcement provides certain regulatory disclosures in relation to the credit rating action on the support provider and in relation to each particular credit rating action for securities that derive their credit ratings from the support provider's credit rating. For provisional ratings, this announcement provides certain regulatory disclosures in relation to the provisional rating assigned, and in relation to a definitive rating that may be assigned subsequent to the final issuance of the debt, in each case where the transaction structure and terms have not changed prior to the assignment of the definitive rating in a manner that would have affected the rating. For further information please see the ratings tab on the issuer/entity page for the respective issuer on www.moodys.com.

Regulatory disclosures contained in this press release apply to the credit rating and, if applicable, the related rating outlook or rating review.

Please see www.moodys.com for any updates on changes to the lead rating analyst and to the Moody's legal entity that has issued the rating.

Please see the ratings tab on the issuer/entity page on www.moodys.com for additional regulatory disclosures for each credit rating.

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RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING ISSUANCE, AWARDING SALE,
PREScribing THE FORM AND DETAILS AND PROVIDING FOR THE
PAYMENT OF [$3,965,000] GENERAL OBLIGATION WATERSHED BONDS,
SERIES 2019A

RESOLUTION (2019-26)

The following resolution (2019-26) was offered by Commissioner:

CERTIFICATION OF MINUTES RELATING TO
[$3,965,000] GENERAL OBLIGATION WATERSHED BONDS,
SERIES 2019A

County: Polk County, Minnesota

Governing Body: Board of Commissioners

Kind, date, time and place of meeting: A regular meeting held on May 7, 2019, at 8:00
a.m., at the Polk County Government Center, Crookston, Minnesota.

Members present:
Members absent:

Documents Attached:
Minutes of said meeting (including):

RESOLUTION NO. (2019-26)

RESOLUTION AUTHORIZING ISSUANCE, AWARDING SALE,
PREScribing THE FORM AND DETAILS AND PROVIDING FOR
THE PAYMENT OF [$3,965,000] GENERAL OBLIGATION
WATERSHED BONDS, SERIES 2019A

I, the undersigned, being the duly qualified and acting recording officer of the public
corporation issuing the bonds referred to in the title of this certificate, certify that the
documents attached hereto, as described above, have been carefully compared with the
original records of said corporation in my legal custody, from which they have been
transcribed; that said documents are a correct and complete transcript of the minutes of a
meeting of the governing body of said corporation, and correct and complete copies of all
resolutions and other actions taken and of all documents approved by the governing body
at said meeting, so far as they relate to said bonds; and that said meeting was duly held by
the governing body at the time and place and was attended throughout by the members
indicated above, pursuant to call and notice of such meeting given as required by law.
WITNESS my hand officially as such recording officer on May 7, 2019.

Charles S. Whiting  
Polk County Administrator  
Clerk of the Board
It was reported that [ ] ( ) sealed proposal(s) for the purchase of the [$3,965,000] General Obligation Watershed Bonds, Series 2019A, were received prior to 10:00 AM., on Tuesday, May 7, 2019, pursuant to the Official Statement distributed to potential purchasers of the Bonds by PFM Financial Advisors LLC, municipal advisor to the County. The proposals have been publicly opened, read and tabulated and were found to be as follows:

(See Attached)
Commissioner introduced the following resolution and moved its adoption, which motion was seconded by Commissioner:

RESOLUTION AUTHORIZING ISSUANCE, AWARDING SALE, PRESCRIBING THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF $[3,965,000] GENERAL OBLIGATION WATERSHED BONDS, SERIES 2019A

BE IT RESOLVED by the Board of Commissioners (the “Board”) of Polk County, Minnesota (the “County”), as follows:

SECTION 1. AUTHORIZATION, FINDINGS AND SALE.

1.01. Authority. The managers of the Middle Snake Watershed District, Red Lake Watershed District, and Sand Hill Watershed District (collectively, the “Districts”) have undertaken to make improvements in the Districts (the “Project”), pursuant to Minnesota Statutes, Chapter 103D, and have advised this Board that all proceedings necessary to the undertaking and construction of the Project and the levy of special assessments against the property benefited thereby have been duly and lawfully conducted pursuant to and in accordance with the provisions of Minnesota Statutes, Chapter 103D.

1.02. Findings. The Board has determined it to be in the best interests of the County to authorize the issuance and sale of its General Obligation Watershed Bonds, Series 2019A (the “Bonds”), in the aggregate principal amount of $[3,965,000], pursuant to Minnesota Statutes, Chapters 475 and 103D, to finance certain costs of the Project.

1.03. Sale. The County has retained PFM Financial Advisors LLC (the “Municipal Advisor”), as independent municipal advisors, in connection with the sale of the Bonds. Pursuant to Minnesota Statutes, Section 475.60, subdivision 2, paragraph (9), the requirements as to public sale do not apply to the issuance of the Bonds. Pursuant to the Official Proposal and the Preliminary Official Statement prepared on behalf of the County by the Municipal Advisor, sealed or electronic proposals for the purchase of the Bonds were received at or before the time specified for receipt of proposals. The proposals have been opened and publicly read and considered and the purchase price, interest rates and net interest cost under the terms of each proposal have been determined. The most favorable proposal received is that of [____________________], in [____________________], [____________________] (the “Purchaser”), to purchase the Bonds at a price of $[_________] plus accrued interest, if any, on all Bonds to the day of delivery and payment, on the further terms and conditions hereinafter set forth.

1.04. Award. The sale of the Bonds is hereby awarded to the Purchaser, and the Chairperson and County Administrator are hereby authorized and directed to execute a contract on behalf of the County for the sale of the Bonds in accordance with the Official Proposal. The good faith deposit of the Purchaser shall be retained and deposited by the County until the Bonds have been delivered, and shall be deducted from the purchase price paid at settlement.
SECTION 2. BOND TERMS; REGISTRATION; EXECUTION AND DELIVERY.

2.01. Issuance of Bonds. All acts, conditions and things which are required by the provisions of the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapters 103D and 475, as amended, to be done, to exist, to happen, and to be performed precedent to and in valid issuance of the Bonds having been done, now existing, having happened and having been performed, it is necessary for the Board to establish the form and terms of the Bonds, to provide security therefore, and to issue the Bonds forthwith.

2.02. Maturities; Interest Rates; Denominations and Payment. The Bonds shall be originally dated as of May 29, 2019, shall be in the denomination of $5,000 each, or any integral multiple thereof, shall mature on February 1 in the years and amounts stated below, and shall bear interest from the date of original issue until paid or duly called for redemption at the annual rates set forth opposite such years and amounts, as follows:

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[REVISE MATURITY SCHEDULE FOR TERM BONDS]

The Board hereby finds and determines that such maturities are warranted by the anticipated collection of the special assessments levied with respect to the Project.

The Bonds shall be issuable only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof shall be payable by check or draft issued by the Registrar described herein, provided that, so long as the Bonds are registered in the name of a securities depository, or a nominee thereof, in accordance with Section 2.08 hereof, principal and interest shall be payable in accordance with the operational arrangements of the securities depository.

2.03. Dates and Interest Payment Dates. Upon initial delivery of the Bonds pursuant to Section 2.07 and upon any subsequent transfer or exchange pursuant to Section 2.06, the date of authentication shall be noted on each Bond so delivered, exchanged or transferred. Interest on the Bonds shall be payable on February 1 and August 1, commencing February 1, 2020, each such date being referred to herein as an Interest Payment Date, to the person in whose names the Bonds are registered on the Bond Register, as hereinafter defined, at the Registrar’s close of
business on the fifteenth day of the calendar month next preceding such Interest Payment Date, whether or not such day is a business day. Interest shall be computed on the basis of a 360-day year composed of twelve 30-day months.

2.04. Redemption. Bonds maturing on or after February 1, 2028, shall be subject to redemption and prepayment at the option of the County, in whole or in part, in such order of maturity dates as the County may select and, within a maturity, by lot as selected by the Registrar (or, if applicable, by the bond depository in accordance with its customary procedures) in multiples of $5,000, on February 1, 2027, and on any date thereafter, at a price equal to the principal amount thereof and accrued interest to the date of redemption. The County Administrator shall cause notice of the call for redemption thereof to be published if and as required by law, and, at least thirty (30) and not more than sixty (60) days prior to the designated redemption date, shall cause notice of call for redemption to be mailed, by first class mail, to the Registrar and registered holders of any Bonds to be redeemed at their addresses as they appear on the register described in Section 2.06 hereof, provided that notice shall be given to any securities depository in accordance with its operational arrangements. No defect in or failure to give such mailed notice of redemption shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified and from and after such date (unless the County shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon partial redemption of any Bond, a new Bond or Bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.

[COMPLETE THE FOLLOWING PROVISIONS IF THERE ARE TERM BONDS–ADD ADDITIONAL PROVISIONS IF THERE ARE MORE THAN TWO TERM BONDS]

[Bonds maturing on February 1, 20__ and 20__ (the "Term Bonds") shall be subject to mandatory redemption prior to maturity pursuant to the sinking fund requirements of this Section 2.04 at a redemption price equal to the stated principal amount thereof plus interest accrued thereon to the redemption date, without premium. The Registrar shall select for redemption, by lot or other manner deemed fair, on February 1 in each of the following years the following stated principal amounts of such Bonds:

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The remaining $__________ stated principal amount of such Bonds shall be paid at maturity on February 1, 20___.

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<th>Year</th>
<th>Principal Amount</th>
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</table>
The remaining $__________ stated principal amount of such Bonds shall be paid at maturity on February 1, 20_____.]

[Notice of redemption shall be given as provided in the preceding paragraph.]

2.05. Appointment of Initial Registrar. The County hereby appoints U.S. Bank National Association, St. Paul, Minnesota, as the initial bond registrar, transfer agent and paying agent (the "Registrar"). The Chairperson and County Administrator are authorized to execute and deliver, on behalf of the County, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The County agrees to pay the reasonable and customary charges of the Registrar for the services performed. The County reserves the right to remove the Registrar upon not fewer than thirty days’ written notice and upon the appointment of and acceptance by a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar.

2.06. Registration. The effect of registration and the rights and duties of the County and the Registrar with respect thereto shall be as follows:

(a) Register. The Registrar shall keep at its principal corporate trust office a Bond Register in which the Registrar shall provide for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged. The term Holder or Bondholder as used herein shall mean the person (whether a natural person, corporation, association, partnership, trust, governmental unit, or other legal entity) in whose name a bond is registered in the Bond Register.

(b) Transfer of Bonds. Upon surrender for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

(c) Exchange of Bonds. Whenever any Bonds are surrendered by the registered owner for exchange the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity, as requested by the registered owner or the owner’s attorney in writing.

(d) Cancellation. All Bonds surrendered for payment, transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the
County. The Registrar shall furnish the County at least once each year a certificate setting forth the principal amounts and numbers of Bonds canceled or destroyed.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The County and the Registrar may treat the person in whose name any Bond is at any time registered in the Bond Register as the absolute owner of the Bond, whether the Bond shall be overdue or not, for the purpose of receiving payment of or on account of, the principal of and interest on the Bond and for all other purposes; and all payments made to any registered owner or upon the owner’s order shall be valid and effectual to satisfy and discharge the liability upon Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Bonds (except for an exchange upon a partial redemption of a Bond), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the County and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the County. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it shall not be necessary to issue a new Bond prior to payment.

(i) Authenticating Agent. The Registrar is hereby designated authenticating agent for the Bonds, within the meaning of Minnesota Statutes, Section 475.55, Subdivision 1, as amended.

(j) Valid Obligations. All Bonds issued upon any transfer or exchange of Bonds shall be the valid obligations of the County, evidencing the same debt, and entitled to the same benefits under this Resolution as the Bonds surrendered upon such transfer or exchange.
2.07. **Execution, Authentication and Delivery.** The Bonds shall be prepared under the direction of the County Administrator and shall be executed on behalf of the County by the signatures of the Chairperson and County Administrator, provided that the signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been prepared, executed and authenticated, the County Administrator shall deliver them to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore executed, and the Purchaser shall not be obligated to see to the application of the purchase price.

2.08. **Securities Depository.** The following provisions shall apply, unless otherwise designated by the Purchaser:

(a) For purposes of this section the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person’s subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participant” shall mean any broker-dealer, bank or other financial institution for which DTC holds Bonds as securities depository.

“Representation Letter” shall mean the Representation Letter pursuant to which the sender agrees to comply with DTC’s Operational Arrangements.

(b) The Bonds shall be initially issued as separately authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. The Registrar and the County may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of Bonds under this resolution, registering the transfer of Bonds, and for all other purposes
whatsoever, and neither the Registrar nor the County shall be affected by any notice to the contrary. Neither the Registrar nor the County shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the bond register as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. So long as any Bond is registered in the name of Cede & Co., as nominee of DTC, the Registrar shall pay all principal of and interest on such Bond, and shall give all notices with respect to such Bond, only to Cede & Co. in accordance with DTC’s Operational Arrangements, and all such payments shall be valid and effective to fully satisfy and discharge the County’s obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the County to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) In the event the County determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds in the form of bond certificates, the County may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Bonds in the form of certificates. In such event, the Bonds will be transferable in accordance with paragraph (e) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (e) hereof.

(d) The execution and delivery of the Representation Letter to DTC, if not previously filed with DTC, by the Chairperson or County Administrator is hereby authorized and directed.

(e) In the event that any transfer or exchange of Bonds is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this resolution. In the event Bonds in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Bonds, or another securities depository as owner of all the Bonds, the provisions of this resolution shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds in the form of bond certificates and the method of payment of principal of and interest on such Bonds in the form of bond certificates.

2.09. Form of Bonds. The Bonds shall be prepared in substantially in the form attached hereto as Exhibit A.
SECTION 3. USE OF PROCEEDS. Upon payment for the Bonds by the Purchaser, the County Administrator shall apply the proceeds of the Bonds as follows: (a) $[________], representing the estimated cost of the Project ($[________]), and costs of issuance of the Bonds ($[________]) and shall be deposited in the Construction Fund created pursuant to Section 4 hereof and (b) $[________], representing capitalized interest, shall be deposited in the Bond Fund created pursuant Section 5 hereof.

SECTION 4. CONSTRUCTION FUND. There is hereby established on the official books and records of the County a General Obligation Watershed Bonds, Series 2019A Construction Fund (the “Construction Fund”). The County Administrator shall continue to maintain the Construction Fund until payment of all costs and expenses incurred in connection with the construction of the Project have been paid. To the Construction Fund there shall be credited from the proceeds of the Bonds the amount described in Section 3 hereof, and from the Construction Fund there shall be paid all construction costs and expenses. There shall also be credited to the Construction Fund all special assessments collected with respect to the Project until all costs of the Project have been fully paid. All special assessments on hand in the Construction Fund when terminated or thereafter received, and any Bond proceeds remaining, shall be credited to the General Obligation Watershed Bonds, Series 2019A Bond Fund. All proceeds of the Bonds deposited in the Construction Fund will be expended solely for the payment of the costs of the Project.

SECTION 5. BOND FUND. So long as any of the Bonds are outstanding and any principal of or interest thereon unpaid, the County Administrator shall maintain a separate debt service fund on the official books and records of the County to be known as the General Obligation Watershed Bonds, Series 2019A Bond Fund (the “Bond Fund”), and the principal of and interest on the Bonds shall be payable from the Bond Fund. The County irrevocably appropriates to the Bond Fund (i) the amount set forth in Section 3 hereof; (ii) all special assessments and ad valorem taxes levied and collected in accordance with this Resolution, except as otherwise provided in Section 4 hereof and (iii) all other moneys as shall be appropriated by the Board to the Bond Fund from time to time. If the aggregate balance in the Bond Fund is at any time insufficient to pay all interest and principal then due on all Bonds payable therefrom, the payment shall be made from any fund of the County which is available for that purpose, subject to reimbursement from the Bond Fund when the balance therein is sufficient, and the Board covenants and agrees that it will each year levy a sufficient amount of ad valorem taxes to pay any accumulated or anticipated deficiency, which levy is not subject to any constitutional or statutory limitation.

There are hereby established two accounts in the Bond Fund, designated as the “Debt Service Account” and the “Surplus Account.” There shall initially be deposited into the Debt Service Account upon the issuance of the Bonds the amount set forth in (a) above. Thereafter, during each Bond Year (i.e., each twelve month period commencing on February 2 and ending on the following February 1), as monies are received into the Bond Fund, the County Administrator shall first deposit such monies into the Debt Service Account until an amount has been appropriated thereto sufficient to pay all principal and interest due on the Bonds through the end of the Bond Year. All subsequent monies received in the Bond Fund during the Bond Year shall be appropriated to the Surplus Account. If at any time the amount on hand in the Debt
Service Account is insufficient for the payment of principal and interest then due, the County Administrator shall transfer to the Debt Service Account amounts on hand in the Surplus Account to the extent necessary to cure such deficiency. Investment earnings (and losses) on amounts from time to time held in the Debt Service Account and Surplus Account shall be credited or charged to said accounts.

SECTION 6. SPECIAL ASSESSMENTS. The Board and managers of the Districts have heretofore done all acts and things necessary to be done prior to the construction of the Project and have determined the benefits and damages resulting from the Project to all property affected thereby, and have filed the statement required by Minnesota Statutes, Section 103D.901. The County Administrator has prepared and filed a lien statement in the office of the County Recorder, whereupon the special assessments levied with respect to the Project have become a lien on the properties on which they are levied. The County hereby covenants and agrees that, for the payment of the cost of the Project, the County has done or will do and perform all acts and things necessary for the final and valid levy of special assessments in an amount not less than $[REDACTED]. The principal of the special assessments shall be made payable in annual installments, with interest as established by this Board in accordance with law on unpaid installments thereof from time to time remaining unpaid, such that the collections of special assessments and interest thereon will be sufficient to pay the principal of and interest on the Bonds when due. In the event any special assessment shall at any time be held invalid with respect to any lot or tract of land, due to any error, defect or irregularity in any action or proceeding taken or to be taken by the County or by this Board or by any of the officers or employees of the County, either in the making of such special assessment or in the performance of any condition precedent thereto, the County hereby covenants and agrees that it will forthwith do all such further things and take all such further proceedings as shall be required by law to make such special assessment a valid and binding lien upon said property.

SECTION 7. PLEDGE OF TAXING POWERS. For the prompt and full payment of the principal of and interest on the Bonds as such payments respectively become due, the full faith, credit and unlimited taxing powers of the County shall be and are hereby irrevocably pledged. It is, however, presently estimated that the special assessments appropriated to the Bond Fund pursuant to Section 6 will provide sums not less than 5% in excess of principal and interest on the Bonds when due, and therefore no tax levy is presently required.

SECTION 8. DEFEASANCE. When all of the Bonds have been discharged as provided in this section, all pledges, covenants and other rights granted by this Resolution to the registered owners of the Bonds shall cease. The County may discharge its obligations with respect to any Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full; or, if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued from the due date to the date of such deposit. The County may also discharge its obligations with respect to prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Registrar on or before that date an amount equal to the principal, interest and redemption premium, if any, which are then due, provided that notice of such redemption has been duly given as provided herein. The County may also at any time discharge its obligations with respect to any Bonds, subject to
the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank or trust company qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such time and at such rates and maturing or callable at the holder’s option on such dates as shall be required to pay all principal, interest and redemption premiums to become due thereon to maturity or earlier designated redemption date.

SECTION 9. TAX COVENANTS; ARBITRAGE MATTERS; REIMBURSEMENT AND CONTINUING DISCLOSURE.

9.01. General Tax Covenant. The County covenants and agrees with the owners from time to time of the Bonds, that it will not take, or permit to be taken by any of its officers, employees or agents, any action which would cause the interest on the Bonds to become includable in gross income of the recipient under the Internal Revenue Code of 1986 (the "Code") and applicable Treasury Regulations (the "Regulations"), and covenants to take any and all affirmative actions within its powers to ensure that the interest on the Bonds will not become includable in gross income of the recipient under the Code and the Regulations. The County represents and covenants that the Project will be owned and maintained as part of a publicly available system of drainage ditches. The County has not and will not enter into any lease, management contract, operating agreement, flow agreement, use agreement or other contract relating to the use, operation or maintenance of the Project which would cause the Bonds to be considered "private activity bonds" or "private loan bonds" pursuant to Section 141 of the Code.

9.02. Arbitrage Certification. The Chairperson and County Administrator being the officers of the County charged with the responsibility for issuing the Bonds pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code and applicable Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds, it is reasonably expected that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be "arbitrage bonds" within the meaning of the Code and the applicable Regulations.

9.03 Arbitrage Rebate. The County acknowledges that the Bonds are subject to the rebate requirements of Section 148(f) of the Code. The County covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Regulations unless the Bonds qualify for an exception from the rebate requirement pursuant to one of the spending exceptions set forth in Section 1.148-7 of the Regulations and no "gross proceeds" of the Bonds (other than amounts constituting a "bona fide debt service fund") arise during or after the expenditure of the original proceeds thereof.

9.04. Reimbursement. The County certifies that the proceeds of the Bonds will not be used by the County to reimburse itself for any expenditure with respect to the Project which the County paid or will have paid more than 60 days prior to the issuance of the Bonds unless, with respect to such prior expenditures, the County shall have made a declaration of official intent which complies with the provisions of Section 1.150-2 of the Regulations, provided that a
declaration of official intent shall not be required (i) with respect to certain de minimis expenditures, if any, with respect to the Project meeting the requirements of Section 1.150-2(f)(1) of the Regulations, or (ii) with respect to "preliminary expenditures" for the Project as defined in Section 1.150-2(f)(2) of the Regulations, including engineering or architectural expenses and similar preparatory expenses, which in the aggregate do not exceed 20% of the "issue price" of the Bonds.

9.05. Qualified Tax-Exempt Obligations. The Board hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code relating to the disallowance of interest expense for financial institutions, and hereby finds that the reasonably anticipated amount of tax-exempt obligations which are not private activity bonds (not treating qualified 501(c)(3) bonds under Section 145 of the Code as private activity bonds for the purpose of this representation) and are not excluded from this calculation by Section 265(b)(3)(C)(ii) of the Code which will be issued by the County and all subordinate entities during calendar year 2019 does not exceed $10,000,000.

9.06. Continuing Disclosure. (a) Purpose and Beneficiaries. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit the Purchaser and other participating underwriters in the primary offering of the Bonds to comply with amendments to Rule 15c2-12 promulgated by the SEC under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12), relating to continuing disclosure (as in effect and interpreted from time to time, the Rule), which will enhance the marketability of the Bonds, the County hereby makes the following covenants and agreements for the benefit of the Owners (as hereinafter defined) from time to time of the outstanding Bonds. The County is the only obligated person in respect of the Bonds within the meaning of the Rule for purposes of identifying the entities in respect of which continuing disclosure must be made. If the County fails to comply with any provisions of this section, any person aggrieved thereby, including the Owners of any outstanding Bonds, may take whatever action at law or in equity may appear necessary or appropriate to enforce performance and observance of any agreement or covenant contained in this section, including an action for a writ of mandamus or specific performance. Direct, indirect, consequential and punitive damages shall not be recoverable for any default hereunder to the extent permitted by law. Notwithstanding anything to the contrary contained herein, in no event shall a default under this section constitute a default under the Bonds or under any other provision of this resolution. As used in this section, Owner or Bondowner means, in respect of a Bond, the registered owner or owners thereof appearing in the bond register maintained by the Registrar or any Beneficial Owner (as hereinafter defined) thereof, if such Beneficial Owner provides to the Registrar evidence of such beneficial ownership in form and substance reasonably satisfactory to the Registrar. As used herein, Beneficial Owner means, in respect of a Bond, any person or entity which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, such Bond (including persons or entities holding Bonds through nominees, depositaries or other intermediaries), or (b) is treated as the owner of the Bond for federal income tax purposes.

(b) Information To Be Disclosed. The County will provide, in the manner set forth in subsection (c) hereof, either directly or indirectly through an agent designated by the County, the following information at the following times:
(1) on or before twelve (12) months after the end of each fiscal year of the County, commencing with the fiscal year ending December 31, 2018, the following financial information and operating data in respect of the County (the Disclosure Information):

(A) the audited financial statements of the County for such fiscal year, prepared in accordance with the governmental accounting standards promulgated by the Governmental Accounting Standards Board or as otherwise provided under Minnesota law, as in effect from time to time, or, if and to the extent such financial statements have not been prepared in accordance with such generally accepted accounting principles for reasons beyond the reasonable control of the County, noting the discrepancies therefrom and the effect thereof, and certified as to accuracy and completeness in all material respects by the fiscal officer of the County; and

(B) to the extent not included in the financial statements referred to in paragraph (A) hereof, the information for such fiscal year or for the period most recently available of the type contained in the Official Statement under the headings: "Property Valuations and Taxes" and "Indebtedness," which information may be unaudited.

Notwithstanding the foregoing paragraph, if the audited financial statements are not available by the date specified, the County shall provide on or before such date unaudited financial statements and, within 10 days after the receipt thereof, the County shall provide the audited financial statements. Any or all of the Disclosure Information may be incorporated by reference, if it is updated as required hereby, from other documents, including official statements, which have been submitted to the Municipal Securities Rulemaking Board (the MSRB) through its Electronic Municipal Market Access System (EMMA) or the SEC. The County shall clearly identify in the Disclosure Information each document so incorporated by reference. If any part of the Disclosure Information can no longer be generated because the operations of the County have materially changed or been discontinued, such Disclosure Information need no longer be provided if the County includes in the Disclosure Information a statement to such effect; provided, however, if such operations have been replaced by other County operations in respect of which data is not included in the Disclosure Information and the County determines that certain specified data regarding such replacement operations would be a Material Fact (as defined in paragraph (2) hereof), then, from and after such determination, the Disclosure Information shall include such additional specified data regarding the replacement operations. If the Disclosure Information is changed or this section is amended as permitted by this paragraph (b)(1) or subsection (d), then the County shall include in the next Disclosure Information to be delivered hereunder, to the extent necessary, an explanation of the reasons for the amendment and the effect of any change in the type of financial information or operating data provided.
(2) In a timely manner, not in excess of 10 business days after the occurrence of the event, to the MSRB through EMMA, notice of the occurrence of any of the following events (each a "Material Fact," as hereinafter defined):

(A) principal and interest payment delinquencies;
(B) non-payment related defaults, if material;
(C) unscheduled draws on debt service reserves reflecting financial difficulties;
(D) unscheduled draws on credit enhancements reflecting financial difficulties;
(E) substitution of credit or liquidity providers, or their failure to perform;
(F) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
(G) modifications to rights of Bond holders, if material;
(H) Bond calls, if material and tender offers;
(I) defeasances;
(J) release, substitution, or sale of property securing repayment of the Bonds if material;
(K) rating changes;
(L) bankruptcy, insolvency, receivership, or similar event of the obligated person;
(M) the consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
(N) appointment of a successor or additional trustee or the change of name of a trustee, if material;
(O) incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material; and
(P) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the obligated person, any of which reflect financial difficulties.

As used herein, for those events that must be reported if material, an event is material if a substantial likelihood exists that a reasonably prudent investor would attach importance thereto in deciding to buy, hold or sell a Bond or, if not disclosed, would significantly alter the total information otherwise available to an investor from the Official Statement, information disclosed hereunder or information generally available to the public. Notwithstanding the foregoing sentence, an event is also material if it would be deemed material for purposes of the purchase,
holding or sale of a Bond within the meaning of applicable federal securities laws, as interpreted at the time of discovery of the occurrence of the event.

For the purposes of the event identified in (L) hereinabove, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(3) In a timely manner, to the MSRB through EMMA, notice of the occurrence of any of the following events or conditions:

(A) the failure of the County to provide the Disclosure Information required under paragraph (b)(1) at the time specified thereunder;
(B) the amendment or supplementing of this section pursuant to subsection (d), together with a copy of such amendment or supplement and any explanation provided by the County under subsection (d)(2);
(C) the termination of the obligations of the County under this section pursuant to subsection (d);
(D) any change in the accounting principles pursuant to which the financial statements constituting a portion of the Disclosure Information are prepared; and
(E) any change in the fiscal year of the County.

(c) Manner of Disclosure.

(1) The County agrees to make available to the MSRB through EMMA, in an electronic format as prescribed by the MSRB, the information described in subsection (b).

(2) All documents provided to the MSRB pursuant to this subsection (c) shall be accompanied by identifying information as prescribed by the MSRB from time to time.

(d) Term; Amendments; Interpretation.

(1) The covenants of the County in this section shall remain in effect so long as any Bonds are outstanding. Notwithstanding the preceding sentence, however, the obligations of the County under this section shall terminate and be without further effect as of any date on which the County delivers to the Registrar an opinion of Bond Counsel to the effect that, because of legislative action or final judicial or
administrative actions or proceedings, the failure of the County to comply with the requirements of this section will not cause participating underwriters in the primary offering of the Bonds to be in violation of the Rule or other applicable requirements of the Securities Exchange Act of 1934, as amended, or any statutes or laws successor to or amendatory thereof.

(2) This section (and the form and requirements of the Disclosure Information) may be amended or supplemented by the County from time to time, without notice to (except as provided in paragraph (c)(2) hereof) or the consent of the Owners of any Bonds, by a resolution of this Board filed in the office of the recording officer of the County accompanied by an opinion of Bond Counsel, who may rely on certificates of the County and others and the opinion may be subject to customary qualifications, to the effect that: (i) such amendment or supplement (a) is made in connection with a change in circumstances that arises from a change in law or regulation or a change in the identity, nature or status of the County or the type of operations conducted by the County, or (b) is required by, or better complies with, the provisions of paragraph (b)(5) of the Rule; (ii) this section as so amended or supplemented would have complied with the requirements of paragraph (b)(5) of the Rule at the time of the primary offering of the Bonds, giving effect to any change in circumstances applicable under clause (i)(a) and assuming that the Rule as in effect and interpreted at the time of the amendment or supplement was in effect at the time of the primary offering; and (iii) such amendment or supplement does not materially impair the interests of the Bondowners under the Rule.

If the Disclosure Information is so amended, the County agrees to provide, contemporaneously with the effectiveness of such amendment, an explanation of the reasons for the amendment and the effect, if any, of the change in the type of financial information or operating data being provided hereunder.

(3) This section is entered into to comply with the continuing disclosure provisions of the Rule and should be construed so as to satisfy the requirements of paragraph (b)(5) of the Rule.

SECTION 10. CERTIFICATION OF PROCEEDINGS.

10.01. Registration. The County Auditor is hereby authorized and directed to file a certified copy of this Resolution in the records of the County Auditor and obtain a certificate that the Bonds have been duly entered upon the Auditor's Bond Register.

10.02. Certification of Records. The officers of the County are hereby authorized and directed to prepare and furnish to the Purchaser and to Dorsey & Whitney LLP, Bond Counsel, certified copies of all proceedings and records relating to the Bonds and such other affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Bonds, as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and
affidavits, including any heretofore furnished, shall be deemed representations of the County to the correctness of all statements contained therein.

10.03. **Official Statement.** The Preliminary Official Statement relating to the Bonds, dated [________], 2019, prepared and distributed by the Municipal Advisor, is hereby approved. The Municipal Advisor is hereby authorized on behalf of the County to prepare and deliver to the Purchaser within seven business days from the date hereof a supplement to the Official Statement listing the offering price, the interest rates, selling compensation, delivery date, the underwriters and such other information relating to the Bonds required to be included in the Official Statement by Rule 15c2-12 adopted by the SEC under the Securities Exchange Act of 1934. The officers of the County are hereby authorized and directed to execute such certificates as may be appropriate concerning the accuracy, completeness and sufficiency of the Official Statement.
Upon vote being taken thereon the following voted in favor thereof:

and the following voted against the same:

whereupon the resolution was declared duly passed and adopted.
UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
POLK COUNTY  
GENERAL OBLIGATION WATERSHED BOND, SERIES 2019A

R-___ $_____

<table>
<thead>
<tr>
<th>Interest Rate</th>
<th>Maturity Date</th>
<th>Date of Original Issue</th>
<th>CUSIP No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>___%</td>
<td>February 1, 20___</td>
<td>May 29, 2019</td>
<td></td>
</tr>
</tbody>
</table>

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: THOUSAND DOLLARS

POLK COUNTY, MINNESOTA (the “County”), acknowledges itself to be indebted and for value received hereby promises to pay to the registered owner named above, or registered assigns, the principal amount specified above on the maturity date specified above, and promises to pay interest thereon from the date of original issue specified above or from the most recent Interest Payment Date (as hereinafter defined) to which interest has been paid or duly provided for, at the annual interest rate specified above, payable on February 1 and August 1 in each year, commencing February 1, 2020 (each such date, an “Interest Payment Date”), to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding calendar month, all subject to the provisions referred to herein with respect to the redemption of the principal of this Bond before maturity. Interest hereon shall be computed on the basis of a 360-day year composed of twelve 30-day months. The interest hereon and, upon presentation and surrender hereof at the principal office of the agent of the Registrar described below, the principal hereof are payable in lawful money of the United States of America by check or draft drawn on U.S. Bank National Association, St. Paul, Minnesota, as bond registrar, transfer agent and paying agent, or its successor designated under the Resolution described herein (the “Registrar”) or other agreed-upon means of payment by the Registrar. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the County have been and are hereby irrevocably pledged.

This Bond is one of an issue in the aggregate principal amount of $[3,955,000] issued pursuant to a resolution adopted by the Board of Commissioners on May 7, 2019 (the “Resolution”), to finance the costs of improvements to the County watershed system (the “Project”) and is issued by authority of and in strict accordance with the provisions of the Constitution and laws of the State of Minnesota thereunto enabling, including Minnesota Statutes, Chapters 103D and 475. The Bonds are issuable only in fully registered form, in denominations of $5,000 or any multiple thereof.

Bonds maturing on or after February 1, 2028 shall be subject to redemption and prepayment at the option of the County, in whole or in part, in such order of maturity dates as the County may select and, within a maturity, by lot as selected by the Registrar (or, if applicable, by the bond depository in accordance with its customary procedures) in multiples of $5,000, on February 1, 2027, and on any date thereafter, at a price equal to the principal amount thereof and accrued interest to the date of redemption.
The County Auditor shall cause notice of the call for redemption thereof to be published if and as required by law, and, at least thirty (30) and not more than sixty (60) days prior to the designated redemption date, shall cause notice of call for redemption to be mailed, by first class mail, to the Registrar and registered holders of any Bonds to be redeemed at their addresses as they appear on the register, provided that notice shall be given to any securities depository in accordance with its operational arrangements. No defect in or failure to give such mailed notice of redemption shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified and from and after such date (unless the County shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon partial redemption of any Bond, a new Bond or Bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.

[COMPLETE THE FOLLOWING PROVISIONS IF THERE ARE TERM BONDS]

[Bonds maturing in the years 20___ and 20___ shall be subject to mandatory redemption, at a redemption price equal to their principal amount plus interest accrued thereon to the redemption date, without premium, on February 1 in each of the years shown below, in an amount equal to the following principal amounts:

<table>
<thead>
<tr>
<th>Term Bonds Maturing in 20__</th>
<th>Term Bonds Maturing in 20__</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sinking Fund Payment Date</td>
<td>Aggregate Principal Amount</td>
</tr>
<tr>
<td></td>
<td>Sinking Fund Payment Date</td>
</tr>
<tr>
<td></td>
<td>Aggregate Principal Amount</td>
</tr>
</tbody>
</table>

Notice of redemption shall be given as provided in the preceding paragraph.]

The Bonds have been designated as "qualified tax-exempt obligations" pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the County at the principal office of the Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the County will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The County and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the County nor the Registrar shall be affected by any notice to the contrary.

Error! Unknown document property name.
Notwithstanding any other provisions of this Bond, so long as this Bond is registered in the name of Cede & Co., as nominee of The Depository Trust Company, or in the name of any other nominee of The Depository Trust Company or other securities depository, the Registrar shall pay all principal of and interest on this Bond, and shall give all notices with respect to this Bond, only to Cede & Co. or other nominee in accordance with the operational arrangements of The Depository Trust Company or other securities depository as agreed to by the County.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done, do exist, have happened and have been performed as so required; that, prior to the issuance hereof, the Board of Commissioners has by the Resolution covenanted and agreed to levy special assessments upon property specially benefited by the Project in an amount not less than the total amount of Bonds issued with respect thereto, which assessments are estimated to be collectible in years and amounts sufficient to produce sums not less than 5% in excess of the principal of and interest on the Bonds when due, and has appropriated such special assessments to its General Obligation Watershed Bonds, Series 2019A Bond Fund for the payment of such principal and interest, ad valorem taxes are required to be levied upon all taxable property in the County, without limitation as to rate or amount; that all proceedings relative to the construction, improvement or repair of the ditches financed by this Bond have been or will be taken according to law; and that the issuance of this Bond, together with all other indebtedness of the County outstanding on the date hereof and on the date of its actual issuance and delivery, does not cause the indebtedness of the County to exceed any constitutional or statutory limitation of indebtedness.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Registrar by manual signature of one of its authorized representatives.
IN WITNESS WHEREOF, Polk County, Minnesota, by its Board of Commissioners, has caused this Bond to be executed on its behalf by the facsimile signatures of the Chairperson and County Administrator.

POLK COUNTY, MINNESOTA

(Facsimile Signature-County Administrator) (Facsimile Signature-Chairperson)

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

U.S. BANK NATIONAL ASSOCIATION, as Registrar

By ____________________________________
Authorized Representative
The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to the applicable laws or regulations:

TEN COM --as tenants in common

UTMA .................. as Custodian for ..................
                   (Cust)                     (Minor)

TEN ENT --as tenants by the entireties under Uniform Transfers to Minors Act ..................
                   (State)

JT TEN --as joint tenants with right of survivorship and not as tenants in common

Additional abbreviations may also be used.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto ________________ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint ________________ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: ________________

NOTICE: The assignor’s signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed: ________________
Signature(s) must be guaranteed by an “eligible guarantor institution” meeting the requirements of the Registrar, which requirements include membership or participation in STAMP or such other “signature guaranty program” as may be determined by the Registrar in addition to or in substitution for STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

Please insert social security or other identifying number of assignee: ______________________
CERTIFICATE OF POLK COUNTY AUDITOR
AS TO REGISTRATION

The undersigned, being the duly qualified and acting Polk County Auditor, hereby certifies that there has been filed in my office a certified copy of a resolution duly adopted on May 7, 2019, by the Board of Commissioners of Polk County, Minnesota, setting forth the form and details of an issue of $3,965,000 General Obligation Watershed Bonds, Series 2019A, dated as of May 29, 2019.

I further certify that the issue has been entered on my Bond Register as required by Minnesota Statutes, Sections 475.62 and 475.63.

WITNESS my hand and official seal on May 7, 2019.

________________________________________
County Auditor

(SEAL)
RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING ISSUANCE, AWARDING
SALE, PRESCRIBING THE FORM AND DETAILS AND
PROVIDING FOR THE PAYMENT OF [$5,780,000]
GENERAL OBLIGATION STATE AID HIGHWAY BONDS,
SERIES 2019B

RESOLUTION (2019-27)

The following Resolution (2019-27) was offered by Commissioner:

CERTIFICATION OF MINUTES RELATING TO
[$5,780,000] GENERAL OBLIGATION STATE AID HIGHWAY BONDS, SERIES 2019B

Issuer: Polk County, Minnesota

Governing Body: Board of Commissioners

Kind, date, time and place of meeting: A regular meeting held May 7, 2019, at 8:00 a.m. at the County offices in Crookston, Minnesota.

Commissioners present:

Commissioners absent:

Documents Attached:
Minutes of said meeting (including):

RESOLUTION NO. (2019-27)

RESOLUTION AUTHORIZING ISSUANCE, AWARDING
SALE, PRESCRIBING THE FORM AND DETAILS AND
PROVIDING FOR THE PAYMENT OF [$5,780,000] GENERAL
OBLIGATION STATE AID HIGHWAY BONDS, SERIES 2019B

I, the undersigned, being the duly qualified and acting recording officer of the public corporation issuing the bonds referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of said corporation in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the governing body of said corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at said meeting, so far as they relate to said bonds; and that said meeting was duly held by the governing body at the time and place and was
attended throughout by the members indicated above, pursuant to call and notice of such meeting
given as required by law.

WITNESS my hand officially as such recording officer on May 7, 2019.

______________________________
Charles S. Whiting
Polk County Administrator
Clerk of the Board
It was reported that [_____] ( ) sealed proposal(s) for the purchase of the $[5,780,000] General Obligation State Aid Highway Bonds, Series 2019B, were received prior to 10:00 o’clock A.M., on Tuesday, May 7, 2019, pursuant to the Official Statement distributed to potential purchasers of the Bonds by PFM Financial Advisors LLC, municipal advisors to the County. The proposals have been publicly opened, read and tabulated and were found to be as follows:

(See Attached)
Commissioner ______________ introduced the following resolution and moved its adoption, which motion was seconded by Commissioner ______________:

RESOLUTION NO. (2019-27)

RESOLUTION AUTHORIZING ISSUANCE, AWARDING SALE, PRESCRIBING THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF $[5,780,000] GENERAL OBLIGATION STATE AID HIGHWAY BONDS, SERIES 2019B

BE IT RESOLVED by the Board of Commissioners (the “Board”) of Polk County, Minnesota (the County), as follows:

SECTION 1. AUTHORIZATION AND SALE.

1.01. Authorization. The Board of Commissioners hereby determines that it is in the best interests of the County to issue its $[5,780,000] aggregate principal amount of General Obligation State Aid Highway Bonds, Series 2019B (the “Bonds”), to finance the cost of state aid highway improvement projects within the County (the “Projects”). Pursuant to Minnesota Statutes, Section 162.181, the principal amount of the Bonds and other obligations issued pursuant to said Section will not exceed the total of the County’s state aid allotments in the years 2017 and 2018 ($9,561,711). The Bonds shall be issued in the amounts and on terms such that the amount of principal and interest due in any calendar year on the Bonds, including any similar obligations of the County which are outstanding, shall not exceed 90 percent of the amount of the last annual allotment preceding the bond issue ($4,995,304), received by the County from the construction account in the county state aid highway fund.

1.02. Sale. The County has retained PFM Financial Advisors LLC (the “Municipal Advisor”), as independent municipal advisors, in connection with the sale of the Bonds. Pursuant to Minnesota Statutes, Section 475.60, subdivision 2, paragraph (9), the requirements as to public sale do not apply to the issuance of the Bonds. Pursuant to the Official Proposal and the Preliminary Official Statement prepared on behalf of the County by the Municipal Advisor, sealed or electronic proposals for the purchase of the Bonds were received at or before the time specified for receipt of proposals. The proposals have been opened and publicly read and considered and the purchase price, interest rates and net interest cost under the terms of each proposal have been determined. The most favorable proposal received is that of [_______________________], in [_________________], [_____________] (the “Purchaser”), to purchase the Bonds at a price of $[___________] plus accrued interest, if any, on all Bonds to the day of delivery and payment, on the further terms and conditions hereinafter set forth.

1.03. Award. The sale of the Bonds is hereby awarded to the Purchaser, and the Chairperson and County Administrator are hereby authorized and directed to execute a contract on the part of the County with the Purchaser for the sale of the Bonds in accordance with the Official Proposal. The good faith deposit of the Purchaser shall be retained and deposited by the
County until the Bonds have been delivered and shall be deducted from the purchase price paid at settlement.

SECTION 2. BOND TERMS; REGISTRATION; EXECUTION AND DELIVERY.

2.01. Maturities; Interest Rates; Denominations and Payment. The Bonds shall be originally dated as of May 29, 2019, shall be in the denomination of $5,000 each, or any integral multiple thereof, of single maturities, shall mature on February 1 in the years and amounts stated below, and shall bear interest from date of issue until paid or duly called for redemption at the annual rates set forth opposite such years and amounts, as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Rate</th>
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<tbody>
<tr>
<td>2020</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2021</td>
<td>$</td>
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<td>2024</td>
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</tbody>
</table>

[REVISE MATURITY SCHEDULE FOR ANY TERM BONDS]

The Bonds shall be issuable only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof shall be payable by check or draft issued by the Registrar described herein, provided that, so long as the Bonds are registered in the name of a securities depository, or a nominee thereof, in accordance with Section 2.06 hereof, principal and interest shall be payable in accordance with the operational arrangements of the securities depository.

2.02. Dates and Interest Payment Dates. Upon initial delivery of the Bonds pursuant to Section 2.07, and upon any subsequent transfer or exchange pursuant to Section 2.05, the date of authentication shall be noted on each Bond so delivered, exchanged or transferred. Interest on the Bonds shall be payable on each February 1 and August 1, commencing February 1, 2020, to the owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day. Interest shall be computed on the basis of a 360-day year composed of twelve 30-day months.

2.03. Redemption. The Bonds shall not be subject to optional redemption prior to their stated maturities.

[COMPLETE THE FOLLOWING PROVISIONS IF THERE ARE TERM BONDS—ADD ADDITIONAL PROVISIONS IF THERE ARE MORE THAN TWO TERM BONDS]

[Bonds maturing on February 1, 20__ and 20__ (the “Term Bonds”) shall be subject to mandatory redemption prior to maturity pursuant to the sinking fund requirements of this Section 2.03 at a redemption price equal to the stated principal amount thereof plus interest accrued thereon to the redemption date, without premium. The Registrar shall select for redemption, by
lot or other manner deemed fair, on February 1 in each of the following years the following stated principal amounts of such Bonds:

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<thead>
<tr>
<th>Year</th>
<th>Principal Amount</th>
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</table>

The remaining $________________ stated principal amount of such Bonds shall be paid at maturity on February 1, 20__.  

<table>
<thead>
<tr>
<th>Year</th>
<th>Principal Amount</th>
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</table>

The remaining $________________ stated principal amount of such Bonds shall be paid at maturity on February 1, 20__.

The County Administrator shall cause notice of the mandatory redemption of Term Bonds to be published if and as required by law, and at least thirty (30) and not more than sixty (60) days prior to the designated redemption date, shall cause notice of call for redemption to be mailed, by first class mail, to the registered holders of any Bonds to be redeemed at their addresses as they appear on the bond register described in Section 2.04 hereof, but no defect in or failure to give such mailed notice of redemption shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. Official notice of redemption having been given as aforesaid, the Bonds to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified and from and after such date (unless the County shall default in the payment of the redemption price) such Bonds shall cease to bear interest.]

2.04. Appointment of Initial Registrar. The County hereby appoints U.S. Bank National Association, in St. Paul, Minnesota as the initial bond registrar, transfer agent and paying agent (the Registrar). The Chairperson and County Administrator are authorized to execute and deliver, on behalf of the County, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The County agrees to pay the reasonable and customary charges of the Registrar for the services performed. The County reserves the right to remove the Registrar upon thirty days’ notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar.

2.05. Registration. The effect of registration and the rights and duties of the County and the Registrar with respect thereto shall be as follows:
(a) Register. The Registrar shall keep at its principal corporate trust office a bond register in which the Registrar shall provide for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

(c) Exchange of Bonds. Whenever any Bonds are surrendered by the registered owner for exchange the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity, as requested by the registered owner or the owner’s attorney in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the County.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The County and the Registrar may treat the person in whose name any Bond is at any time registered in the bond register as the absolute owner of the Bond, whether the Bond shall be overdue or not, for the purpose of receiving payment of or on account of, the principal of and interest on the Bond and for all other purposes; and all payments made to any registered owner or upon the owner’s order shall be valid and effectual to satisfy and discharge the liability upon Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Bonds (except for an exchange upon a partial redemption of a Bond), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any Bond
destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the County and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the County. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it shall not be necessary to issue a new Bond prior to payment.

(i) Authenticating Agent. The Registrar is hereby designated authenticating agent for the Bonds, within the meaning of Minnesota Statutes, Section 475.55, Subdivision 1, as amended.

(j) Valid Obligations. All Bonds issued upon any transfer or exchange of Bonds shall be the valid obligations of the County, evidencing the same debt, and entitled to the same benefits under this Resolution as the Bonds surrendered upon such transfer or exchange.

2.06. Securities Depository. The following provisions shall apply, unless otherwise designated by the Purchaser:

(a) For purposes of this section the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person’s subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participant” shall mean any broker-dealer, bank or other financial institution for which DTC holds Bonds as securities depository.

“Representation Letter” shall mean the Representation Letter pursuant to which the sender agrees to comply with DTC’s Operational Arrangements.

(b) The Bonds shall be initially issued as separately authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. The Registrar and the County may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of...
Bonds under this resolution, registering the transfer of Bonds, and for all other purposes whatsoever, and neither the Registrar nor the County shall be affected by any notice to the contrary. Neither the Registrar nor the County shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the bond register as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. So long as any Bond is registered in the name of Cede & Co., as nominee of DTC, the Registrar shall pay all principal of and interest on such Bond, and shall give all notices with respect to such Bond, only to Cede & Co. in accordance with DTC’s Operational Arrangements, and all such payments shall be valid and effective to fully satisfy and discharge the County’s obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the County to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) In the event the County determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds in the form of bond certificates, the County may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Bonds in the form of certificates. In such event, the Bonds will be transferable in accordance with paragraph (e) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (e) hereof.

(d) The execution and delivery of the Representation Letter to DTC by the Chairperson or County Administrator is hereby authorized and directed.

(e) In the event that any transfer or exchange of Bonds is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this resolution. In the event Bonds in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Bonds, or another securities depository as owner of all the Bonds, the provisions of this resolution shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds in the form of bond certificates and the method of payment of principal of and interest on such Bonds in the form of bond certificates.

2.07. Execution, Authentication and Delivery. The Bonds shall be prepared under the direction of the County Administrator and shall be executed on behalf of the County by the signatures of the Chairperson and the County Administrator, provided that the signatures may be
printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been prepared, executed and authenticated, the County Administrator shall deliver them to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore executed, and the Purchaser shall not be obligated to see to the application of the purchase price.

2.08. Form of Bonds. The Bonds shall be prepared in substantially in the form attached hereto as Exhibit A.

SECTION 3. USE OF PROCEEDS. There is hereby established on the official books and records of the County a General Obligation State Aid Highway Bonds, Series 2019B Construction Fund (the “Construction Fund”), which shall continue to be maintained until payment of all costs and expenses incurred in construction of the Projects to be financed by the Bonds. To the Construction Fund there shall be credited $[_____________] of the proceeds of the Bonds and from the Construction Fund there shall be paid capital costs incurred by the County in the construction of the Projects and costs of issuance of the Bonds. Any Bond proceeds not needed for the foregoing purpose shall be transferred to the General Obligation State Aid Highway Bonds, Series 2019B Debt Service Fund established in Section 4 hereof.

SECTION 4. GENERAL OBLIGATION STATE AID HIGHWAY BONDS, SERIES 2019B DEBT SERVICE FUND. There is hereby created and shall be maintained on the official books and records of the County a General Obligation State Aid Highway Bonds, Series 2019B Debt Service Fund (the “Debt Service Fund”), the moneys in which shall be used solely for the payment of the principal of and interest on the Bonds. From the proceeds of the Bonds, an amount equal to $[_____] shall be deposited in the Debt Service Fund. There is hereby irrevocably appropriated to the Debt Service Fund, out of moneys allotted and to be allotted to the County from its account in the county state aid highway fund of the State of Minnesota, such amount as shall be sufficient to pay the principal of and interest on the Bonds when due, on the dates and in the amounts as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Principal Amount</th>
<th>Interest payable on</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>February 1</td>
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<tr>
<td>2021</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>2022</td>
<td></td>
<td></td>
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<tr>
<td>2023</td>
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</tr>
<tr>
<td>2024</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Error! Unknown document property name.
The County Administrator shall follow the procedure set forth in Minnesota Statutes, Section 162.181, Subdivision 4, for obtaining such funds. If at any time the moneys in the Debt Service Fund should be insufficient to pay all principal and interest due on the Bonds, the Treasurer shall nevertheless pay the same from any moneys on hand in the general fund of the County, and the moneys so used shall be restored to the general fund from the moneys next received by the County from the construction or maintenance account in the county state aid highway fund of the State of Minnesota, which are not required for the payment of additional principal and interest, or from the proceeds of taxes levied pursuant to Section 5 hereof.

SECTION 5. PLEDGE OF TAXING POWERS. For the prompt and full payment of the principal of and interest on the Bonds as such payments respectively become due, the full faith, credit and unlimited taxing powers of the County shall be and are hereby irrevocably pledged. However, it is estimated that the state aid highway allotments appropriated for the payment of such principal and interest in Section 4 hereof will be sufficient to pay the principal and interest when due, and accordingly no tax is levied at this time. However, if an actual or anticipated deficiency should arise in the receipt of such allotments, the County shall levy an ad valorem tax upon all taxable property in the County in accordance with Minnesota Statutes, Section 475.61, in an amount sufficient to eliminate the actual or anticipated deficiency.

SECTION 6. DEFEASANCE. When all of the Bonds have been discharged as provided in this section, all pledges, covenants and other rights granted by this Resolution to the registered owners of the Bonds shall cease. The County may discharge its obligations with respect to any Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full; or, if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued from the due date to the date of such deposit. The County may also discharge its obligations with respect to any prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Registrar on or before that date an amount equal to the principal, interest and redemption premium, if any, which are then due, provided that notice of such redemption has been duly given as provided herein. The County may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank or trust company qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such time and at such rates and maturing or callable at the holder’s option on such dates as shall be required to pay all principal, interest and redemption premiums to become due thereon to maturity or earlier designated redemption date.

SECTION 7. TAX COVENANTS; ARBITRAGE MATTERS; REIMBURSEMENT AND CONTINUING DISCLOSURE.

7.01. Covenant. The County covenants and agrees with the owners from time to time of the Bonds, that it will not take, or permit to be taken by any of its officers, employees or agents, any action which would cause the interest on the Bonds to become includable in gross income of the recipient under the Internal Revenue Code of 1986 (the “Code”) and applicable Treasury Regulations (the “Regulations”), and covenants to take any and all affirmative actions within its
powers to ensure that the interest on the Bonds will not become includable in gross income of the recipient under the Code and the Regulations. The County has not and will not enter into any lease, management contract, operating agreement, use agreement or other contract relating to the use or operation of the Project, or any portion thereof, which would cause the Bonds to be considered "private activity bonds" or "private loan bonds" pursuant to Section 141 of the Code.

7.02. Arbitrage Certification. The Chairperson and County Administrator being the officers of the County charged with the responsibility for issuing the Bonds pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code and applicable Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds, it is reasonably expected that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be "arbitrage bonds" within the meaning of the Code and the applicable Regulations.

7.03. Arbitrage Rebate. The County acknowledges that the Bonds are subject to the rebate requirements of Section 148(f) of the Code. The County covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under said Section 148(f) and applicable Regulations unless the Bonds qualify for an exception from the rebate requirement pursuant to one of the spending exceptions set forth in Section 1.148-7 of the Regulations and no "gross proceeds" of the Bonds (other than amounts constituting a "bona fide debt service fund") arise during or after the expenditure of the original proceeds thereof.

7.04. Reimbursement. The County certifies that the proceeds of the Bonds will not be used by the County to reimburse itself for any expenditure with respect to the Project which the County paid or will have paid more than 60 days prior to the issuance of the Bonds unless, with respect to such prior expenditures, the County shall have made a declaration of official intent which complies with the provisions of Section 1.150-2 of the Regulations; provided that a declaration of official intent shall not be required (i) with respect to certain de minimis expenditures, if any, with respect to the Project meeting the requirements of Section 1.150-2(f)(1) of the Regulations, or (ii) with respect to "preliminary expenditures" for the Project as defined in Section 1.150-2(f)(2) of the Regulations, including engineering or architectural expenses and similar preparatory expenses, which in the aggregate do not exceed 20% of the "issue price" of the Bonds.

7.05. Qualified Tax-Exempt Obligations. The County Board hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code relating to the disallowance of interest expense for financial institutions, and hereby finds that the reasonably anticipated amount of tax-exempt obligations which are not private activity bonds (not treating qualified 501(c)(3) bonds under Section 145 of the Code as private activity bonds for the purpose of this representation) and are not excluded from this calculation by Section 265(b)(3)(C)(ii) of the Code which have been and will be issued by the County and all subordinate entities during calendar year 2019 does not exceed $10,000,000.

7.06. Continuing Disclosure. (a) Purpose and Beneficiaries. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit
the Purchaser and other participating underwriters in the primary offering of the Bonds to comply with amendments to Rule 15c2-12 promulgated by the SEC under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12), relating to continuing disclosure (as in effect and interpreted from time to time, the Rule), which will enhance the marketability of the Bonds, the County hereby makes the following covenants and agreements for the benefit of the Owners (as hereinafter defined) from time to time of the outstanding Bonds. The County is the only obligated person in respect of the Bonds within the meaning of the Rule for purposes of identifying the entities in respect of which continuing disclosure must be made. If the County fails to comply with any provisions of this section, any person aggrieved thereby, including the Owners of any outstanding Bonds, may take whatever action at law or in equity may appear necessary or appropriate to enforce performance and observance of any agreement or covenant contained in this section, including an action for a writ of mandamus or specific performance. Direct, indirect, consequential and punitive damages shall not be recoverable for any default hereunder to the extent permitted by law. Notwithstanding anything to the contrary contained herein, in no event shall a default under this section constitute a default under the Bonds or under any other provision of this resolution. As used in this section, Owner or Bondowner means, in respect of a Bond, the registered owner or owners thereof appearing in the bond register maintained by the Registrar or any Beneficial Owner (as hereinafter defined) thereof, if such Beneficial Owner provides to the Registrar evidence of such beneficial ownership in form and substance reasonably satisfactory to the Registrar. As used herein, Beneficial Owner means, in respect of a Bond, any person or entity which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, such Bond (including persons or entities holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of the Bond for federal income tax purposes.

(b) Information To Be Disclosed. The County will provide, in the manner set forth in subsection (c) hereof, either directly or indirectly through an agent designated by the County, the following information at the following times:

(2) on or before twelve (12) months after the end of each fiscal year of the County, commencing with the fiscal year ending December 31, 2018, the following financial information and operating data in respect of the County (the Disclosure Information):

(A) the audited financial statements of the County for such fiscal year, prepared in accordance with the governmental accounting standards promulgated by the Governmental Accounting Standards Board or as otherwise provided under Minnesota law, as in effect from time to time, or, if and to the extent such financial statements have not been prepared in accordance with such generally accepted accounting principles for reasons beyond the reasonable control of the County, noting the discrepancies therefrom and the effect thereof, and certified as to accuracy and completeness in all material respects by the fiscal officer of the County; and
to the extent not included in the financial statements referred to in paragraph (A) hereof, the information for such fiscal year or for the period most recently available of the type contained in the Official Statement under the headings: "Property Valuations and Taxes" and "Indebtedness," which information may be unaudited.

Notwithstanding the foregoing paragraph, if the audited financial statements are not available by the date specified, the County shall provide on or before such date unaudited financial statements and, within 10 days after the receipt thereof, the County shall provide the audited financial statements. Any or all of the Disclosure Information may be incorporated by reference, if it is updated as required hereby, from other documents, including official statements, which have been submitted to the Municipal Securities Rulemaking Board (the MSRB) through its Electronic Municipal Market Access System (EMMA) or the SEC. The County shall clearly identify in the Disclosure Information each document so incorporated by reference. If any part of the Disclosure Information can no longer be generated because the operations of the County have materially changed or been discontinued, such Disclosure Information need no longer be provided if the County includes in the Disclosure Information a statement to such effect; provided, however, if such operations have been replaced by other County operations in respect of which data is not included in the Disclosure Information and the County determines that certain specified data regarding such replacement operations would be a Material Fact (as defined in paragraph (2) hereof), then, from and after such determination, the Disclosure Information shall include such additional specified data regarding the replacement operations. If the Disclosure Information is changed or this section is amended as permitted by this paragraph (b)(1) or subsection (d), then the County shall include in the next Disclosure Information to be delivered hereunder, to the extent necessary, an explanation of the reasons for the amendment and the effect of any change in the type of financial information or operating data provided.

(2) In a timely manner, not in excess of 10 business days after the occurrence of the event, to the MSRB through EMMA, notice of the occurrence of any of the following events (each a "Material Fact," as hereinafter defined):

(A) principal and interest payment delinquencies;
(B) non-payment related defaults, if material;
(C) unscheduled draws on debt service reserves reflecting financial difficulties;
(D) unscheduled draws on credit enhancements reflecting financial difficulties;
(E) substitution of credit or liquidity providers, or their failure to perform;
(F) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax status of the Bonds;
(G) modifications to rights of Bond holders, if material;
(H) Bond calls, if material and tender offers;
(I) defeasances;
(J) release, substitution, or sale of property securing repayment of the Bonds if material;
(K) rating changes;
(L) bankruptcy, insolvency, receivership, or similar event of the obligated person;
(M) the consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
(N) appointment of a successor or additional trustee or the change of name of a trustee, if material;
(O) incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material; and
(P) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the obligated person, any of which reflect financial difficulties.

As used herein, for those events that must be reported if material, an event is material if a substantial likelihood exists that a reasonably prudent investor would attach importance thereto in deciding to buy, hold or sell a Bond or, if not disclosed, would significantly alter the total information otherwise available to an investor from the Official Statement, information disclosed hereunder or information generally available to the public. Notwithstanding the foregoing sentence, an event is also material if it would be deemed material for purposes of the purchase, holding or sale of a Bond within the meaning of applicable federal securities laws, as interpreted at the time of discovery of the occurrence of the event.

For the purposes of the event identified in (L) hereinabove, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(3) In a timely manner, to the MSRB through EMMA, notice of the occurrence of any of the following events or conditions:

(A) the failure of the County to provide the Disclosure Information required under paragraph (b)(1) at the time specified thereunder;
(B) the amendment or supplementing of this section pursuant to subsection (d), together with a copy of such amendment or supplement and any explanation provided by the County under subsection (d)(2);

(C) the termination of the obligations of the County under this section pursuant to subsection (d);

(D) any change in the accounting principles pursuant to which the financial statements constituting a portion of the Disclosure Information are prepared; and

(E) any change in the fiscal year of the County.

(c) Manner of Disclosure.

(1) The County agrees to make available to the MSRB through EMMA, in an electronic format as prescribed by the MSRB, the information described in subsection (b).

(2) All documents provided to the MSRB pursuant to this subsection (c) shall be accompanied by identifying information as prescribed by the MSRB from time to time.

(d) Term; Amendments; Interpretation.

(1) The covenants of the County in this section shall remain in effect so long as any Bonds are outstanding. Notwithstanding the preceding sentence, however, the obligations of the County under this section shall terminate and be without further effect as of any date on which the County delivers to the Registrar an opinion of Bond Counsel to the effect that, because of legislative action or final judicial or administrative actions or proceedings, the failure of the County to comply with the requirements of this section will not cause participating underwriters in the primary offering of the Bonds to be in violation of the Rule or other applicable requirements of the Securities Exchange Act of 1934, as amended, or any statutes or laws successor thereto or amendatory thereof.

(2) This section (and the form and requirements of the Disclosure Information) may be amended or supplemented by the County from time to time, without notice to (except as provided in paragraph (c)(2) hereof) or the consent of the Owners of any Bonds, by a resolution of this Board filed in the office of the recording officer of the County accompanied by an opinion of Bond Counsel, who may rely on certificates of the County and others and the opinion may be subject to customary qualifications, to the effect that: (i) such amendment or supplement (a) is made in connection with a change in circumstances that arises from a change in law or regulation or a change in the identity, nature or status of the County or the type of operations conducted by the County, or (b) is required by, or better complies with, the provisions of paragraph (b)(5) of the Rule; (ii) this section as so amended or supplemented would have complied with the requirements of paragraph (b)(5) of the Rule at the time of the primary offering of the Bonds, giving effect to any
change in circumstances applicable under clause (i)(a) and assuming that the Rule as in effect and interpreted at the time of the amendment or supplement was in effect at the time of the primary offering; and (iii) such amendment or supplement does not materially impair the interests of the Bondowners under the Rule.

If the Disclosure Information is so amended, the County agrees to provide, contemporaneously with the effectiveness of such amendment, an explanation of the reasons for the amendment and the effect, if any, of the change in the type of financial information or operating data being provided hereunder.

(3) This section is entered into to comply with the continuing disclosure provisions of the Rule and should be construed so as to satisfy the requirements of paragraph (b)(5) of the Rule.

SECTION 8. CERTIFICATION OF PROCEEDINGS.

8.01. Registration. The County Administrator is hereby authorized and directed to file a certified copy of this resolution in the records of the County, together with such additional information as required, and to issue a certificate that the Bonds have been duly entered upon the County Administrator’s bond register.

8.02. Certification of Records. The officers of the County are hereby authorized and directed to prepare and furnish to the Purchaser and to Dorsey & Whitney LLP, Bond Counsel, certified copies of all proceedings and records of the County relating to the Bonds and to the financial condition and affairs of the County, and such other affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Bonds as they appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the County to the facts recited herein.

8.03. Official Statement. The Preliminary Official Statement relating to the Bonds, dated [__________], 2019, prepared and distributed by the Municipal Advisor, is hereby approved. The Municipal Advisor is hereby authorized on behalf of the County to prepare and deliver to the Purchaser within seven business days from the date hereof a supplement to the Official Statement listing the offering price, the interest rates, selling compensation, delivery date, the underwriters and such other information relating to the Bonds required to be included in the Official Statement by Rule 15c2-12 adopted by the SEC under the Securities Exchange Act of 1934. The officers of the County are hereby authorized and directed to execute such certificates as may be appropriate concerning the accuracy, completeness and sufficiency of the Official Statement.
Upon vote being taken thereon the following voted in favor thereof: Commissioner ______________________, Commissioner _______________________.

and the following voted against the same:

whereupon the resolution was declared duly passed and adopted.
EXHIBIT A

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF MINNESOTA
POLK COUNTY

GENERAL OBLIGATION STATE AID HIGHWAY BONDS, SERIES 2019B

R- $

<table>
<thead>
<tr>
<th>Interest Rate</th>
<th>Maturity Date</th>
<th>Date of Original Issue</th>
<th>CUSIP No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>____%</td>
<td>February 1, 20</td>
<td>May 29, 2019</td>
<td></td>
</tr>
</tbody>
</table>

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: THOUSAND DOLLARS

POLK COUNTY, MINNESOTA (the County), acknowledges itself to be indebted and hereby promises to pay to the registered owner named above, or registered assigns, the principal sum specified above on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above, payable on February 1 and August 1 in each year, commencing February 1, 2020, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month, [all subject to the provisions referred to herein with respect to the redemption of the principal of this Bond before maturity]. Interest hereon shall be computed on the basis of a 360-day year composed of twelve 30-day months. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft drawn on U.S. Bank National Association, St. Paul, Minnesota, as bond registrar, transfer agent and paying agent (the Registrar), or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the County have been and are hereby irrevocably pledged.

This Bond is one of an issue in the aggregate principal amount of $[5,780,000] issued pursuant to a resolution adopted by the Board of Commissioners on May 7, 2019 (the “Resolution”), to finance state aid highway improvement projects within the County and is issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota thereunto enabling, including Minnesota Statutes, Chapter 475 and Section 162.181. The Bonds are issuable only in fully registered form, in denominations of $5,000 or any multiple thereof, of single maturities.

The Bonds are not subject to optional redemption prior to maturity.
[COMPLETE THE FOLLOWING PROVISIONS IF THERE ARE TERM BONDS-
ADD ADDITIONAL PROVISIONS IF THERE ARE MORE THAN TWO TERM BONDS]

[Bonds maturing in the year 20____ and 20____ shall be subject to mandatory redemption, at a redemption price equal to their principal amount plus interest accrued thereon to the redemption date, without premium, on February 1 in each of the years shown below, in an amount equal to the following principal amounts:

<table>
<thead>
<tr>
<th>Term Bonds Maturing in 20--</th>
<th>Term Bonds Maturing in 20--</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sinking Fund Payment Date</td>
<td>Sinking Fund Payment Date</td>
</tr>
<tr>
<td>Aggregate Principal Amount</td>
<td>Aggregate Principal Amount</td>
</tr>
<tr>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

The County will cause notice of the mandatory redemption of the Term Bonds to be published if and as required by law and, at least thirty and not more than sixty days prior to the designated redemption date, will cause notice of the call thereof to be mailed by first class mail to the registered owner of any Bond to be redeemed at the owner’s address as it appears on the bond register maintained by the Registrar, but no defect in or failure to give such mailed notice of redemption shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. Official notice of redemption having been given as aforesaid, the Bonds to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the County shall default in the payment of the redemption price) such Bonds shall cease to bear interest.]

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the County at the principal office of the Registrar, by the registered owner hereof in person or by the owner’s attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner’s attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the County will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The County and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the County nor the Registrar shall be affected by any notice to the contrary.

Notwithstanding any other provisions of this Bond, so long as this Bond is registered in the name of Cede & Co., as nominee of The Depository Trust Company, or in the name of any other nominee of The Depository Trust Company or other securities depository, the Registrar shall pay all principal of and interest on this Bond, and shall give all notices with respect to this

Error! Unknown document property name.
Bond, only to Cede & Co. or other nominee in accordance with the operational arrangements of The Depository Trust Company or other securities depository as agreed to by the County.

The Bonds have been designated as “qualified tax-exempt obligations” pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the County in accordance with its terms, have been done, do exist, have happened and have been performed as so required; that, prior to the issuance hereof, the Board of County Commissioners has by the Resolution irrevocably pledged and appropriated to a separate and special debt service fund, to be maintained for the payment of this and other bonds issued under Section 162.181, as long as any of such bonds are outstanding, an amount of the moneys allotted and to be allotted to the County from its account in the county state aid highway fund sufficient to pay when due the principal of and interest on all bonds; that, if in any year the moneys so allotted and transferred to the debt service fund should be insufficient to pay all such principal and interest due in such year, the County is obligated to pay such deficiency out of its general fund and to levy a direct, irrepealable, ad valorem tax upon all taxable property within its corporate limits for the repayment of such deficiency, which levy may be made without limitation as to rate or amount; and that the issuance of this Bond does not cause the indebtedness of the County to exceed any constitutional or statutory limitation of indebtedness.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, Polk County, Minnesota, by its Board of Commissioners, has caused this Bond to be executed on its behalf by the facsimile signatures of the Chairperson and County Administrator and has caused this Bond to be dated as of the date set forth below.

POLK COUNTY, MINNESOTA

(Facsimile Signature County Administrator)   (Facsimile Signature Chairperson)
CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

Date of Authentication: ____________________

U.S. BANK NATIONALASSOCIATION,
as Registrar

By ________________________________
Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to the applicable laws or regulations:

TEN COM - as tenants in common

UTMA .................. as Custodian for .................
(Cust) (Minor)

TEN ENT - as tenants by the entireties
under Uniform Transfers to Minors Act .............
(State)

JT TEN -- as joint tenants with right of survivorship and not as tenants in common

Additional abbreviations may also be used.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

__________________________ the
within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint
__________________________ attorney
to transfer the said Bond on the books kept for registration of the within Bond, with full power of
substitution in the premises.

Dated: _________________

NOTICE: The assignor’s signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

Signature(s) must be guaranteed by an “eligible guarantor institution” meeting the requirements of the Registrar, which requirements include

Error! Unknown document property name.
membership or participation in STAMP or such other “signature guaranty program” as may be determined by the Registrar in addition to or in substitution for STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

Please insert social security or other identifying number of assignee:
CERTIFICATE OF POLK COUNTY AUDITOR/TREASURER
AS TO REGISTRATION

The undersigned, being the duly qualified and acting Polk County Auditor/Treasurer, hereby certifies that there has been filed in my office a certified copy of a resolution duly adopted on May 7, 2019, by the Board of Commissioners of Polk County, Minnesota, setting forth the form and details of an issue of $[5,780,000] General Obligation State Aid Highway Bonds, Series 2019B, dated as of May 29, 2019.

I further certify that the issue has been entered on my bond register as required by Minnesota Statutes, Sections 475.62 and 475.63.

WITNESS my hand and official seal on this 7th day of May, 2019.

______________________________
County Auditor/Treasurer

(SEAL)
TO: POLK COUNTY BOARD OF COMMISSIONERS

CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: Mark Landsverk

MEETING DATE: May 7, 2019

AGENDA ITEM: Homestead and Local Option Abatement Requests

SUMMARY: Review homestead and local option abatement requests. Assessor recommends approving.

ACTION REQUESTED: Motion to approve attached abatement list as presented to Board.

1. A motion was made by Commissioner and seconded by Commissioner to approve the abatements listed on the attachments.
On motion, the following application was approved by the Polk County Board of Commissioners:

<table>
<thead>
<tr>
<th>Name/Address</th>
<th>Parcel #/Legal Description</th>
<th>Amount of Tax Reduction</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>% DON MORVIG CHESTER A MORVIG ETAL, LIFE ESTATE 13312 405TH ST SE FERTILE MN 56540</td>
<td>28.00088.00 SW4 SE4 Sec 13 Twp 147 Rng 44 Garfield Twp</td>
<td>$218</td>
<td>Homestead Application Reduction for Taxes Payable 2019</td>
</tr>
<tr>
<td>% DON MORVIG CHESTER A MORVIG ETAL, LIFE ESTATE 13312 405TH ST SE FERTILE MN 56540</td>
<td>28.00196.00 Sec 24 Twp 147 Rng 44, SW4 (Ex 15A &amp; Hwy R/W) &amp; SW4 NW4 Garfield Twp</td>
<td>$2386</td>
<td>Homestead Application Reduction for Taxes Payable 2019</td>
</tr>
<tr>
<td>CARY A AND SHARON R DUFALT 1324 EICKHOF BLVD CROOKSTON MN 56716</td>
<td>82.00162.19 Pt NE4 NW4 Com at NE4 Cor, Lot 4 Blk 1, Nature View Estates Plat 3, E 80' to POB, S 115.92', E 200', N 138', W 200', S 20.08' to POB Sec 29 Twp 150 Rng 46 Crookston City</td>
<td>$332</td>
<td>Homestead Application Reduction for Taxes Payable 2019</td>
</tr>
<tr>
<td>RICHARD P HEBERT 34140 GREEN VALLEY RD SE MENTOR MN 56736</td>
<td>82.02326.00 Lots 5 &amp; 6, Blk 28 Carmen Tste Crookston City</td>
<td>$572</td>
<td>Local Option Abatement pay 2019</td>
</tr>
<tr>
<td>COREY &amp; MARLA DENNEY 1106 18TH ST NW EAST GRAND FORKS MN 56721</td>
<td>83.01606.00 Wurdens 2nd Add Lot 4 Blk 3 East Grand Forks</td>
<td>$181</td>
<td>Homestead Application Reduction for Taxes Payable 2019</td>
</tr>
<tr>
<td>BRIAN NEPHEW PO BOX 466 FERTILE MN 56540</td>
<td>85.00342.00 Elm Grove Add Lots 1 &amp; 2 Blk 7 Fertile City</td>
<td>$342</td>
<td>Homestead Application Reduction for Taxes Payable 2019</td>
</tr>
</tbody>
</table>
TO: POLK COUNTY BOARD OF COMMISSIONERS

CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: MICHELLE M. COTE, DIRECTOR OF PROPERTY RECORDS

MEETING DATE: May 7, 2019

AGENDA ITEM: ANNUAL AGGREGATE REPORT

SUMMARY:

Information regarding the 2018 Aggregate Tax collection and disbursements

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

Information only.
# POLK COUNTY AGGREGATE MATERIAL TAX
## 2018 PAYMENT SPLIT FOR FINAL DISTRIBUTION

<table>
<thead>
<tr>
<th>Quarter</th>
<th>5.00% PT&amp;R 5% off top</th>
<th>21.25% Transportation</th>
<th>21.25% CIP Transportation</th>
<th>15.00% Env. Resources</th>
<th>42.50% City/Township</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Quarter</td>
<td>$81.58</td>
<td>$4.04</td>
<td>$16.48</td>
<td>$16.48</td>
<td>$11.02</td>
</tr>
<tr>
<td>2nd Quarter</td>
<td>$31,108.86</td>
<td>$1,556.33</td>
<td>$6,279.84</td>
<td>$6,279.84</td>
<td>$4,432.89</td>
</tr>
<tr>
<td>3rd Quarter</td>
<td>$8,420.11</td>
<td>$4,271.01</td>
<td>$17,244.18</td>
<td>$12,172.37</td>
<td>$34,488.97</td>
</tr>
<tr>
<td>4th Quarter 2017</td>
<td>$31,648.01</td>
<td>$1,582.40</td>
<td>$6,388.94</td>
<td>$4,609.84</td>
<td>$12,777.88</td>
</tr>
<tr>
<td></td>
<td>$61,475.50</td>
<td>$15,325.45</td>
<td>$90,912.21</td>
<td>$61,103.25</td>
<td>$107,479.74</td>
</tr>
</tbody>
</table>

**TOTALS** $148,256.21 $7,412.81 $29,929.22 $29,929.22 $21,126.51 $69,858.45

## 2018 Aggregate Distribution Summary

- **$7,412.81** = 5% of the total taxes collected administrative fee

Balance of taxes collected after retention of the 5% administrative fee:
- **$59,858.45** = 42.5% to the county road and bridge fund for expenditure for the maintenance, construction and reconstruction of roads, highways and bridges.
- **$59,858.45** = 42.5% to the general fund of the city or town in which the mine is located, to be expended for maintenance, construction and reconstruction of roads, highways and bridges.
- **$21,126.51** = 15% to a special reserve fund for expenditure for the restoration of abandoned pits, quarries, or deposits
## History of Polk County Gravel Tax Collections (Calendar Year Collections)

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1997</td>
<td>-$3,325.00</td>
</tr>
<tr>
<td>1998</td>
<td>$78,035.00</td>
</tr>
<tr>
<td>1999</td>
<td>$77,655.00</td>
</tr>
<tr>
<td>2000</td>
<td>$90,678.00</td>
</tr>
<tr>
<td>2001</td>
<td>$90,391.00</td>
</tr>
<tr>
<td>2002</td>
<td>$73,975.00</td>
</tr>
<tr>
<td>2003</td>
<td>$86,007.00</td>
</tr>
<tr>
<td>2004</td>
<td>$72,362.00</td>
</tr>
<tr>
<td>2005</td>
<td>$104,077.00</td>
</tr>
<tr>
<td>2006</td>
<td>$98,378.00</td>
</tr>
<tr>
<td>2007</td>
<td>$66,497.00</td>
</tr>
<tr>
<td>2008</td>
<td>$64,299.00</td>
</tr>
<tr>
<td>2009</td>
<td>$124,766.00</td>
</tr>
<tr>
<td>2010</td>
<td>$144,334.00</td>
</tr>
<tr>
<td>2011</td>
<td>$165,101.00</td>
</tr>
<tr>
<td>2012</td>
<td>$197,253.00</td>
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<tr>
<td>2013</td>
<td>$177,846.00</td>
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<tr>
<td>2014</td>
<td>$254,861.00</td>
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<tr>
<td>2015</td>
<td>$175,863.00</td>
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<tr>
<td>2016</td>
<td>$141,271.00</td>
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<tr>
<td>2017</td>
<td>$146,432.00</td>
</tr>
<tr>
<td>2018</td>
<td>$148,256.00</td>
</tr>
<tr>
<td>TOWNSHIP</td>
<td>PITS / MINES</td>
</tr>
<tr>
<td>---------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>CHESTER TOWNSHIP</td>
<td>5</td>
</tr>
<tr>
<td>COLUMBIA TOWNSHIP</td>
<td>1</td>
</tr>
<tr>
<td>CROOKSTON TOWNSHIP</td>
<td>1</td>
</tr>
<tr>
<td>GENTILLY TOWNSHIP</td>
<td>8</td>
</tr>
<tr>
<td>GROVE PARK-TILDEN TOWNSHIP</td>
<td>3</td>
</tr>
<tr>
<td>HILL RIVER TOWNSHIP</td>
<td>1</td>
</tr>
<tr>
<td>LESSOR</td>
<td>1</td>
</tr>
<tr>
<td>LIBERTY TOWNSHIP</td>
<td>1</td>
</tr>
<tr>
<td>QUEEN TOWNSHIP</td>
<td>1</td>
</tr>
<tr>
<td>TRAIL CITY</td>
<td>2</td>
</tr>
</tbody>
</table>

**TOTAL**                  | 24           | $59,858.40 | **$59,858.45** |
TO: POLK COUNTY BOARD OF COMMISSIONERS
CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: Michelle M. Cote, Director of Property

MEETING DATE: May 7, 2019

AGENDA ITEM: Compliance Fund Expenditure

SUMMARY:

- Requesting Board approval to utilize Recorder Compliance funds for the 2019 payment for Eagles View/Pictometry in the amount of $63,135.87. The Recorder’s Compliance Fund balance as of 03/31/2019 was $119,757.92

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

A motion was made by Commissioner, seconded by Commissioner and adopted by unanimous vote of the Board to authorize the Recorder’s Compliance Fund Expenditure for the 2019 Eagle View/Pictometry payment in the amount of $63,135.87.
<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$30,000.00</td>
<td>Down payment from Ditch Buffer funds</td>
</tr>
<tr>
<td>2019</td>
<td>$63,135.87</td>
<td></td>
</tr>
<tr>
<td>2020</td>
<td>$96,135.88</td>
<td></td>
</tr>
</tbody>
</table>

**Total $189,271.75**

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td>$92,762.75</td>
</tr>
<tr>
<td>2022</td>
<td>$92,762.75</td>
</tr>
</tbody>
</table>

**Total $185,525.50**
TO: POLK COUNTY BOARD OF COMMISSIONERS

CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: Michelle M. Cote, Director of Property Records.

MEETING DATE: May 7, 2018

AGENDA ITEM: Liquor Licenses

SUMMARY: The applications & payments have been received. Approval(s) by the County Sheriff and the County Attorney are pending.

Approval of Annual Liquor License for:
- Lake View Resort, Inc
- Joe DiMaggio’s Grill and Bar, Inc.
- Snow Sled Inn Bar and Grill/Deonne Maygra
- One N’ Only of Euclid, Inc.
- Union Lake Sarah Campground

A motion was made by Commissioner ______ seconded by Commissioner ______ and adopted by unanimous vote of the Board to approve the Annual Liquor Licenses for LakeView Resort, Inc., Joe DiMaggio’s Grill and Bar Inc., Snow Sled Inn Bar and Grill/Deonne Maygra, One N’ Only of Euclid, Inc. and Union Lake Sarah Campground conditional upon the approval of the County Sheriff and the County Attorney.
# 2019-2020

## 3.2 % Malt Liquor Licenses

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Type of License</th>
<th>Township</th>
<th>License Period</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Union Lake Sarah Campground, LLC</td>
<td>218-687-5155</td>
<td>Off Sale 3.2% Malt Liquor</td>
<td>Knute</td>
<td>June 4, 2019 to June 4, 2020</td>
<td>$25.00</td>
</tr>
<tr>
<td>Sled Inn Bar and Grill</td>
<td>1-701-341-6074</td>
<td>Off Sale 3.2% Malt Liquor</td>
<td>Gentilly</td>
<td>June 4, 2019 to June 4, 2020</td>
<td>$25.00</td>
</tr>
</tbody>
</table>

## LIQUOR LICENSES

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Type of License</th>
<th>Township</th>
<th>License Period</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joe DiMaggios Grill &amp; Pizza, Inc.</td>
<td>22594 347th ST SE Erskine, MN 56535</td>
<td>On Sale/Sunday</td>
<td>Knute</td>
<td>June 4, 2019 to June 4, 2020</td>
<td>$1,300.00</td>
</tr>
<tr>
<td>The One and Only of Euclid, Inc.</td>
<td>13267 US HWY 8%/P.O. BOX 246 Euclid, MN 56722</td>
<td>On Sale/Off Sale/Sunday</td>
<td>Knute</td>
<td>June 4, 2019 to June 4, 2020</td>
<td>$1,800.00</td>
</tr>
<tr>
<td>Lakeview Resort, Inc.</td>
<td>16233 340th ST SE Mentor, MN 56736</td>
<td>On Sale/Off Sale/Sunday</td>
<td>Woodside</td>
<td>June 4, 2019 to June 4, 2020</td>
<td>$1,800.00</td>
</tr>
<tr>
<td>Deonne Maygra</td>
<td>1-701-341-6074</td>
<td>On Sale/Off Sale/Sunday</td>
<td>Gentilly</td>
<td>June 4, 2019 to June 4, 2020</td>
<td>$1,800.00</td>
</tr>
</tbody>
</table>

Liquor Licenses-2019-2020

mailed 04/01/2019
TO: POLK COUNTY BOARD OF COMMISSIONERS

CHUCK WHITING, POLK COUNTY ADMINISTRATOR

FROM: Michelle M. Cote, Director of Property Records.

MEETING DATE: May 7, 2019

AGENDA ITEM: Polk County Abatement Policy

SUMMARY:

Upon the recommendation of the Minnesota Department of Revenue we have drafted an Abatement Policy for your review. This policy does allow for the delegation of duties.

ACTION REQUESTED: (INFORMATION ONLY/MOTION/RESOLUTION)

For your review only. Approval will be requested at a subsequent meeting.
TAXPAYER SERVICE CENTER POLICY STATEMENT – ABATEMENTS

POLICY STATEMENT / PURPOSE

Polk County considers and grants abatement of property values, classification, taxes, penalty, interest and costs consistent with Minnesota Statutes. Abatements are only considered and may be granted as they relate to taxes payable in the current year and the two prior years for documented cases of hardship or clerical errors. Abatement policy provisions and procedures, as well as standards for approval, are defined in this policy and are applied consistently and equitably to all taxpayers.

This policy does not include economic development tax abatements authorized in Minnesota Statute Chapter 469.

DELEGATION OF AUTHORITY

The Polk County Board of Commissioners delegates its authority to grant abatements under this policy to the authorized officials responsible for the duties necessary to administer the abatements subject to this policy. The delegation is authorized for abatements for any corrections or changes that result in a refund or credit to the applicant of no more than $2,000. The County Board shall receive an annual update summarizing abatements approved under this delegated authority.

If the abatement generates a resulting credit or refund in excess of $2,000, County Board action is required.

Specifically, the County Board delegates its authority to approve all disaster abatements authorized in Minnesota Statute 274.1231 through 273.1235 to the County Assessor regardless of resulting credit or refund amount provided the Assessor applies the standards set forth in statute. In instances of widespread disaster, County Board action may be required; and

The County Board delegates its authority to approve abatement of late current year tax payments authorized in Minnesota Statute 279.01 to the Director of Property Records / County Auditor – Treasurer for cases of hardship.

Any abatement denied under the delegated authority to the either the Director of Property Records/County Auditor-Treasurer or the County Assessor is considered final.

GENERAL STATEMENTS

Market value and property classification are defined by statute and are determined as of the assessment date annually. Minnesota Statute 375.192, the applicable abatement statute:

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1 MS 278.14
2 MS 375.192, SUBD. 4
- Authorizes the County Board to grant a reduction or abatement of estimated market valuation or taxes, and costs, penalties or interest on the late payment of tax or on delinquent taxes.
- Restricts consideration for abatement approval to the current tax year and the prior two years in the cases of hardship or clerical error.
- Allows the County Board to delegate any authority, power or responsibility assigned to the Board for granting a reduction or abatement to the Director of Property Records/County Auditor-Treasurer.

All application for abatement must be accepted and considered and the County does not charge an application fee for abatement. Any abatement is considered and denied if the resulting credit or refund is less than $50.00.

Abatement is considered a last resort to correct assessment errors in valuation or classification when no other solution is possible. They are not to be used only as a means to reduce conflict or controversy.

The definitions of hardship and clerical error as stated in this policy are applied consistently by Taxpayer Service Center staff in considering whether abatements are approved.

The Taxpayer Service Center promptly acts on abatement application and does not pay interest on any refunded amounts. In applying for abatement, the applicant acknowledges no interest will be paid.

**ABATEMENT POLICY**

Granting approval to abatements is discretionary to each County, but the County must allow any applicant to submit a request. The application must be in writing in a prescribed format.

There are six categories of abatement:

1. **Valuation:** Valuation abatement is based on market value and requires applicant proof of a clerical error (not data error) that impacts the Assessor's valuation of the property or a proof of a hardship precluding the applicant from appealing the valuation through normal processes when there is no clerical error.

2. **Classification:** Classification abatement, excluding abatement for Homestead, is based on use of the property as defined by statute and requires applicant proof of a clerical error (not data error) that impacts the Assessor's determination of classification or a proof of a hardship precluding the applicant from appealing the classification through normal processes when there is no clerical error.

3. **Exemption:** Exemption is predicated on statutory requirements related to qualifying ownership and property use and can only be granted according to statute. In order for an exemption abatement to be approved, the applicant must prove clerical error (not data error) of the Taxpayer Service Center or a hardship precluding the applicant from making application and qualifying for exemption as provided for in law.

4. **Homestead:** Homestead is a classification requiring ownership and occupancy within statute specific dates and timely application also according to statute. In order for a homestead abatement to be approved, the applicant must prove clerical error (not data error) of the Taxpayer Service Center or a hardship precluding the applicant from making application and qualifying for homestead as provided for in law.
a. Polk County considers applications for either homestead or relative homestead abatements upon supplying documentation and completed application to the Assessor for the current tax year only, except in cases of clerical error (not data error).

b. Polk County considers application but denies approval on abatement for Special Agricultural Homestead classification for the current tax year if an application is not filed on time, other than clerical error (not data error).³

5. **Disaster:** Abatement for isolated disasters as authorized in Minnesota Statute 273.1231 through 273.1235 can only be granted according to statute. The Taxpayer Service Center proactively attempts to notify potentially qualifying applicants for disaster abatement, however, final responsibility for disaster abatement application lies with the applicant.

6. **Penalty / Interest / Cost:** Minnesota Statutes dictate the collection of penalty, interest or cost for property tax payments. Current tax year abatement applications are accepted for penalty only. Prior tax year application are accepted for penalty, interest or cost. Abatements of penalty / interest / cost are considered. Abatement due to hardship requires substantiation of inability to pay taxes in a timely manner. In instances where clerical error results in a wrong earlier due date, any incurred penalty / interest / cost is abated up to the correct later property tax due date.

7. **Parcel Linkage:** Polk County follows Department of Revenue guidelines when linking parcels for homestead or classification purposes, but this does not guarantee maximizing homestead or taxing benefits for each parcel. Abatements will be granted on linking issues only when there is a case of a clerical error (not data error) involving the linking of parcels.

Any approved abatement in the above seven categories applies at maximum to the current tax year as defined in this policy and two prior tax years if substantiated each of those years. In most instances of hardship, the abatement applies to only the current tax year.⁴

Routinely, a clerical error (not data error) that results in abatement for valuation, classification or exemption is discovered during the period of time provided in law for Local and / or County Board of Appeal and Equalization. During that period of time, the current tax year for purposes of this policy is the year of application. Once the Local and / or County Board of Appeal processes are no longer available, the current tax year is the year after the year of the application.

Applications for abatement are accepted from the property owner or a party with an obligation or financial interest related to the payment of the property taxes. Applicants con be the party that originally paid the property taxes subject to the abatement or that is currently responsible for paying the property taxes, whichever scenario is applicable. Applications must be completed fully. Any private, confidential or non-public data will be protected by Taxpayer Service Center staff during processing of the application.

Applicants for abatement are encouraged to pay the full amount of the tax, and any penalty, interest or cost while the abatement application is pending. If the abatement is denied, the applicant will be responsible for any unpaid tax along with any penalty, interest or cost that have accrued. A refund will be issued to the taxpayer if the abatement results in an overpayment of tax. The Taxpayer Services Center notifies the applicant of the application’s disposition.

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³ MS 278.14; also MS 273.124, SUBD 14
⁴ MS 278.14, SUBD. 1
If an application for abatement is approved and approval results in refund, the refund is processed as promptly as practicable. In instances when the property has late or delinquent property taxes that are the responsibility of the applicant, the proceeds of the refund are applied to those late or delinquent property taxes before a refund is issued. In instances when a refund is due, payment is made to the party making application unless provisions are made to provide refund to payees based on original payments made and now reduced and resulting in refund. Any resulting refunds are mailed.

In consideration of applications received by the Taxpayer Service Center, staff consistently applies all provisions of this policy. Specifically, department staff:

- Adheres to all applicable statutory provisions.
- Applies this policy’s definitions of hardship and clerical error.
- Considers but then denies all applications if the resulting credit or refund is less than $50.00.
- Prohibits application to reduce, abate or refund any special assessment made or levied by any municipality for local improvement until the municipality previously approves such reduction, abatement or refund.
- Requires proof of the facts upon which classification of homestead may be determined, and will require reapplication to determine eligibility for homestead whenever we are notified of a name or address change of any kind.
- Maintains that persons qualifying for the Disabled Veterans Homestead Market Value Exclusion will be eligible for an abatement upon supplying proper documentation and completed application to the Assessor for the current tax year only, except in cases of clerical error (not data error).
- Shall continue the policy of abating taxes on homestead dwelling and attached garages which have been unintentionally destroyed, known as the Local Option Abatement. The abatement shall be based on the number of full months that homestead is uninhabitable with a maximum time limit of twelve (12) calendar months and is reviewed and calculated at the end of the calendar year. This provision shall not be extended to any other structures or to non-homestead property that does not meet all criteria under Minnesota Statute 273.1233. Statute 273.123, subdivision 7 does provide that an owner of a homestead or non-homestead property that has been accidentally or unintentionally damaged may apply for a reduction in the amount of taxes payable on the property in the year the destruction occurs and in the following year.
- Maintains that property owners have shared responsibility regarding finding and correcting errors during the statutorily allowed Local and / or County Board of Appeal processes. Owners are notified of homestead changes when they are sent reapplication forms, and also receive Valuation Notices, Property Tax Statements and Truth in Taxation notifications with the current and prior year status of their property each year, all of which serve notice of the property’s taxable value, classification, and homestead status. In addition all parcel information including but not limited to valuation, classification and tax are available at www.co.polk.mn.us.

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5 MS 273.124, SUBD. 13
6 MS 273.124, SUBD. 1
7 MS 273.13, SUBD. 34
• Maintains that abatement is not granted solely on the basis of a property selling below the Assessor’s market value without evidence of clerical error (not data error) and supporting evidence of hardship as stated in this policy.
• Maintains that failure to report changes in ownership for personal property does not constitute a basis for abatement without substantiating hardship or clerical error.
• Maintains that failure to receive a valuation notice or tax statement does not constitute a basis for abatement without substantiating hardship or clerical error. Maintains that forgetting to pay property taxes on time does not constitute a basis for abatement of penalty, interest or cost without substantiating hardship.
• Notifies the Commissioner of Revenue of abatements as required by statute.

If the abatement generates a resulting credit or refund in excess of $2,000, County Board action is required. These abatements first require approval by both the County Assessor and the Director of Property Records / County Auditor - Treasurer.

While the Polk County abatement policy is limited to a maximum of the current tax year and two prior tax years in accordance to law, the Commissioner of Revenue has limited authority in Minnesota Statute 270C.86 to grant abatement for additional years. The Commissioner considers abatements for situations involving errors made by government officials or when there is no other method to rectify unjustly or erroneously applied property taxes. As policy, the Commissioner does not consider abatements for an error in acreage amount, building size or value or the existence (or not) of a building. The Commissioner has historically maintained that there is a shared responsibility between the counties and the taxpayers in terms of finding and correcting errors within the given time limit. The Director of Property Records / County Auditor – Treasurer considers taxpayer requests for application to the Commissioner of Revenue to determine if application is appropriate.

Abatements in excess of $10,000

In the case of abatement of penalty or interest only in excess of $10,000, the application must first be approved by the Director of Property Records / County Auditor – Treasurer. After receiving applicable approval, the Taxpayer Service Center gives twenty (20) days’ notice to the school board and municipality in which the property is located in accordance with statute before presenting the abatement to the County Board. Additionally, the County Board does not reduce, abate or refund any special assessment made or levied by any municipality for local improvement unless the municipality previously approves such reduction, abatement or refund. The Taxpayer Service Center notifies the applicant of the application’s disposition. Any abatement requiring County Board action that is denied is considered final.

ABATEMENT PROCEDURE

Procedures are maintained by the Taxpayer Service Center. Department staff consistently applies abatement procedures to all applications.

DEFINITIONS

ABATEMENT: A reduction in valuation, taxes and / or diminution of penalty, interest and cost on taxes not paid by the due date.
APPLICANT: The property owner or an individual with an obligation or financial interest related to the payment of the property taxes. Applicants can be the party that originally paid the property taxes subject to the abatement or that is currently responsible for paying the property taxes, whichever scenario is applicable.

ASSESSMENT DATE: Statutory date on which the County Assessor determines market value and classification.

CLASSIFICATION ERROR: An error in application of the statutory description of property classification according to type and use of property.

CLERICAL ERROR: Clerical errors are narrowly defined as errors made by someone doing the work of a clerk. These include math errors, transpositions of numbers, keypunch errors and coding errors. Clerical errors do not include errors of estimations or incorrect data used in making estimations.

CURRENT TAX YEAR: Current year of the application in which property taxes are payable. For valuation, classification or exemption abatements, if the Local and County Board of Appeal processes are no longer available, the current tax year is the year after the year of the application.

DATA ERROR: An error in data the County is utilizing. A data error is not a clerical error when the County is relying on that data as the best information generally available to it and has not committed a clerical error in the application and use of that data in its work. Provision of new information after the assessment date does not create a clerical error, even in instances when that information results in a change of valuation or classification due to update parcel or improvement characteristics, such as crop equivalency rating (CERs), acreage amounts or land use designations.

DISASTER ABATEMENT: A reduction of taxes on property that has been accidentally or unintentionally damaged due to a disaster that renders property uninhabitable or unusable, and the damage is at least fifty (50%) percent of the structure value. These requirements are established in statute. 8

HARDSHIP (PERSONAL): Any event or circumstance beyond the control of the applicant which precludes the applicant from filing for a reduction or an adjustment of the value or property taxes according to the typical processes or in a timely manner for property not owned by an entity. Examples of a hardship include, but are not limited to, a tragedy or casualty suffered by the applicant (such as a death of the property owner or taxpayer or relative, extreme or extended illness or medical condition, mental incapacity, accident, fire or other extreme hardship). In the case of abatement of penalty / interest / cost, the hardship must be the direct cause of the late payment of tax. Claims of a lost check hardship must be accompanied by a copy of a dated stop payment order filed with the applicant's bank. Financial hardship – or inability to pay – does not fall within this definition. Lack of control of the property at the time of the assessment and resulting tax subject to the abatement does not constitute a hardship.

HARDSHIP (ENTITY): When property is not owned by an individual, hardship does not apply unless documentation is also presented that demonstrates that no other person, such as associates, partners, consultants, accountants or authorized agents other than the applicant are involved in or have

8 MS 273.1233
responsibility for property tax matters. If documentation is presented, then the other provisions of a Hardship (Personal) must be met.

**PENALTY / INTEREST / COST:** The dollar amount specified by Minnesota law that is over and above the originally calculated tax, paid by a taxpayer for which abatement is sought. Current tax year applications are accepted for penalty only. Prior tax year applications are accepted for penalty, interest and cost.

**RELATIVE:** A relative for purposes of this policy applies only to Hardship (Personal) and is limited to grandchild, child or parent of the property owner or the spouse of the property owner.

**STATUTORY AUTHORITIES**

1. **MINNESOTA STATUTE 375.192**
   a. Wherein procedures and conditions regarding abatements is described.
   b. Whereby tax applications shall be processed at the county level without the approval of the Commissioner of Revenue. (Subdivision 2)

2. **MINNESOTA STATUTE 273.124**
   a. Whereby the facts upon which classification of homestead may be determined. (Subdivision 13)
   b. Whereby reapplication may be required to determine homestead eligibility. (Subdivision 1)

3. **MINNESOTA STATUTE 278.14**
   a. Wherein definition, process and application for Refunds of Mistakenly Billed Taxes is described.
   b. Wherein current year plus two prior years limitation is described. (Subdivision 1)

4. **MINNESOTA STATUTE 273.123**
   a. Wherein Special Agricultural Homestead classification is described. (Subdivision 14)
   b. Wherein Disabled Veterans Homestead Market Value Exclusion is described (Subdivision 34)

5. **MINNESOTA STATUTE 273.1233**
   a. Wherein Local Option Disaster Abatement is described
   b. This provision shall not be extended to any other structures or to non-homestead property.
RESOLUTION OF THE POLK COUNTY
BOARD OF COMMISSIONERS

Resolution Reappointing Richard Sanders County Highway Engineer

RESOLUTION (2019-24)

The following resolution (2019-24) was offered by Commissioner:

WHEREAS, MN Statute 163.07 Subd. 2 allows county boards to reappointment the County Engineer for a term of four years in May of the year in which the term expires; and

WHEREAS, The term for County Highway Engineer Richard Sanders expires in May, 2019; and

WHEREAS, The Board of Commissioners is pleased with the work of Richard Sanders as County Highway Engineer and with the County Highway Department.

THEREFORE BE IT RESOLVED, By the Polk County Board of Commissioners that Richard Sanders be reappointed as County Highway Engineer for a four-year term expiring in May, 2023.

Commissioner seconded the foregoing resolution and it was declared adopted upon the following vote. YEAS: NAYS: None.

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 7th day of May, 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 7th day of May, 2019.

________________________

Charles S. Whiting
County Administrator
Clerk of the Board