

MAY 17, 2022
BOARD MINUTES

Pursuant to motion of adjournment, the Polk County Board of Commissioners met in regular session at 9:30 o'clock a.m., May 17, 2022. Commissioner Warren Strandell, Commissioner Joan Lee, Commissioner Gerald Jacobson, Commissioner Willhite, Commissioner Mark Holy 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 Willhite seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve the revised May 17, 2022, agenda adding No. 5 under the Consent items.

REVISED CONSENT ITEMS

A motion was made by Commissioner Jacobson seconded by Commissioner Strandell and adopted by unanimous vote of the Board to approve the May 17, 2022, consent items:

1. Approve Commissioner Warrants: General Revenue Fund, \$141,385.78; Public Works Fund, \$175,944.07; Public Safety Fund, \$32,068.99; Public Health Fund, \$7,695.13; Forfeited Tax Sale Fund, \$2,071.16; Special Assessments (Ditch) Fund, \$4,871.00; Environmental Services Fund, \$13,893.19; Resource Recovery Fund, \$198,206.22; Landfill Fund, \$60,166.46; Per Diems, \$1,575.00; Meal Reimbursements (without overnight lodging), \$227.07 and Sign Audit List.
2. Approve payment to US Bank, St. Louis, MO in the amount of \$78,869.18. for procurement card purchases.
3. Approve payment to Anders Valley Publishing, LLC Twin Valley Times/Fertile Journal, Twin Valley, MN in the amount of \$33.09 for publishing fees for the Polk County Attorney's Office.
4. Approve payment to American Security Cabinets, Rogers, MN in the amount of \$2,041.00 for an Outdoor Ballot Box for Elections/TPSC.
5. *Approval of payment to Tri-County Community Corrections using American Rescue Plan Funds for Revenue Losses.

COUNTY BOARD MEMBER ISSUE FORUM

1. Commissioner Strandell brought forth that he attended the Tri-County Community Corrections meeting. He also attended the Northwest Regional Development Commission meeting.
2. Commissioner Lee brought forth that she participated in the Polk County Personnel Committee meeting, also the meeting with US Secretary of Agriculture was attended. She also had her monthly Radio Program. In addition, she attended the SCHSAC (State Community Health Services Advisory Committee) and AMC Infrastructure Committee meeting.
3. Commissioner Jacobson brought forth that he received several telephone calls of concern regarding roads and flooding.

4. Commissioner Willhite brought forth that he attended the Tri-Valley Opportunity Council meeting where the audit was the focus. He also participated in the Polk County Extension meeting and the Polk County Personnel Committee meeting.
5. Commissioner Holy brought forth discussion regarding County Ditch No. 126 and impoundment area issues and a request to shut down the gates by John Barrett. He also attended a presentation by the Ag Secretary. Discussion was brought forth regarding our State of Emergency status. In addition, he brought forth discussion about the GIS System and lenders having property owners resurvey their properties based on the GIS information.

SOCIAL SERVICES

Karen Warmack, Social Services Director came before the Board with matters pertaining to her department:

1. Resolution (2022-39) Procurement – Special Needs Basic Care

RESOLUTION (2022-39) **Procurement- Special Needs Basic Care**

The following resolution (2022-39) was offered by Commissioner Willhite:

WHEREAS, the Minnesota Department of Human Services (DHS) has published a Request For Proposals (RFPs) to provide SNBC health care services in Minnesota counties including Polk County; and

WHEREAS, DHS has requested County evaluations and recommendations regarding the RFP proposals from each respective county; and

WHEREAS, UCARE, Medica and United Healthcare submitted proposals to provide managed health care services for SNBC in Polk County; and

WHEREAS, Representatives of Polk County Social Services have reviewed and evaluated the proposals; and

WHEREAS, UCARE has submitted proposals suitable to meet our needs. UCARE was the top scorer and has successfully served Polk County residents. Polk Counties second provider of SNBC, Health Partners did not submit a proposal.

THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners supports the recommendation of Polk County Social Services recommending UCARE as the Managed Care Organization(s) (MCO(s)) providing managed health care services for SNBC in Polk County.

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

2. Resolution (2022-40) Senior Procurement

RESOLUTION (2022-40) Senior Procurement

The following resolution (2022-40) was offered by Commissioner Jacobson:

WHEREAS, The Minnesota Department of Human Services (DHS) has published a Request For Proposals (RFPs) to provide health care services to Seniors in Minnesota counties including Polk County; and

WHEREAS, DHS has requested County evaluations and recommendations regarding the RFP proposals from each respective county; and

WHEREAS, U Care, Medica, United Healthcare, and Blue Plus submitted proposals to provide managed health care services for Seniors in Polk County; and

WHEREAS, Representatives of Polk County Social Services have reviewed and evaluated the proposals; and

WHEREAS, U Care, Medica, and Blue Plus have submitted proposals suitable to meet our needs. UCARE, Blue Plus and Medica were the top scorers and have successfully served Polk County residents.

THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners supports the recommendation of Polk County Social Services recommending U Care, Medica, and Blue Plus as Managed Care Organization(s) (MCO(s)) providing managed health care services for Seniors in Polk County.

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

3. Social Worker-Child Protection Specialist (CPS) Replacement Request

A motion was made by Commissioner Strandell seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve refilling the Social Worker-CPS position, and to refill any internal subsequent position vacancies occurring because of this action.

4. Approval of Department of Employment and Economic Development (DEED) Contract Amendment

A motion was made by Commissioner Willhite seconded by Commissioner Jacobson and adopted by unanimous vote of the Board to approve amending the Department of Employment & Economic Development (DEED) Contract to include \$6,625.00 to the existing contract amount of \$9,272.00 for a total 2022 contact amount of \$15,897.00.

PLANNING AND ZONING

Jacob Snyder, Environmental Specialist/Planning & Zoning Administrator came before the Board with matters pertaining to Planning & Zoning:

1. Aquatic Invasive Species Project Request – Lonnie Paradis and Shane Johnson, representatives of ULSID

A motion was made by Commissioner Jacobson seconded by Commissioner Holy and adopted by unanimous vote of the Board to follow the recommendations of the Polk County AIS Taskforce and award special project funding to the Union Lake Sarah Improvement District in the amount of \$15,000.00 for the chemical application of liquid herbicide to help control Curlyleaf Pondweed in Union Lake.

2. Resolution (2022-42) Interim, Use Permit For Knife River Materials To Allow For Temporary Asphalt Batch Plant And Contractor Yard

Interim, Use Permit For Knife River Materials To Allow For Temporary Asphalt Batch Plant And Contractor Yard

RESOLUTION (2022-42)

The following resolution (2022-42) was offered by Commissioner Jacobson:

WHEREAS, Polk County Zoning Ordinance, Section 12.3020 and 12.3030 requires an Interim Use Permit to operate a temporary asphalt batch plant and contractor yard in the Agricultural District and;

WHEREAS, Knife River Materials is leasing a portion of land owned by Brian Lindberg ETAL and described as: The Southeast Quarter (SE¼) in Section Twenty-seven (27), Township One Hundred Forty-seven (147), North of Range Forty-five (45), West of the Fifth Principal Meridian, parcel #48.00143.00 AND The Northeast Quarter (NE¼) of Section Twenty-seven (27), Township One Hundred Forty-seven (147), North of Range Forty-five (45), West of the Fifth Principal Meridian, parcel #48.00144.00;

WHEREAS, Knife River Materials have a plan that meets all requirements of the Polk County Zoning Ordinances; and

WHEREAS, The Polk County Board of Commissioners finds:

1. The applicant is requesting a temporary hot mix asphalt batch plant and contractor yard for a period of 5 years.
2. The property is two parcels with a relatively inactive existing aggregate operation on parcel #48.00144.00. The parcels 48.00144.00 & 48.00143.00 are both 160 acre tracts of land located in Section 27 of Liberty Township.

3. The applicant has submitted a supplemental information packet and a plan of operations for the use of this site.
4. The Interim Use Permit would be to operate this plant/contractor yard from spring of 2002 through Fall of 2026. If approved the IUP will be valid for a period of 5 years from date of issuance.
5. The applicant stated in the application that the erosion control plan involves the topsoil to be placed into berms for erosion control between excavation areas and wetlands/surface waters as needed. Silt fence will be installed to protect wetland areas if necessary. Topsoil will be stripped and placed into berms on the property between mining areas and wetlands areas if present to protect from erosion. This will also keep the topsoil available for reclamation purposes and screen the contractor yard items from the south.
6. The applicant noted that noise will be controlled from several stockpiles placed in planned areas to provide the best sound barrier for noise travel. Back-up beepers will be turned off and strobe lights turned on for low-light operations (safety). The excavation areas are lower than surrounding property minimizing sound travel. The applicant plans to mitigate dust control with calcium chloride or similar type dust control measures that will be placed onto haul roads exiting the property if needed. Water will also be used within mining area to control dust from operations.
7. The applicant also stated that the site will typically be used by 3-5 individuals but could have 5-20 individuals with several trucks in and out of the site daily dependent upon projects' asphalt needs. The project is using aggregate from the site to use in the asphalt operations.
8. Our office has received an extensive contractor storage yard list of equipment as well as a plan of operations for the asphalt batching activity. The site shall be screened via existing trees to the north, existing sloped property from north to south, and aggregate berm stockpiled to the south.
9. Liberty Township acted on the permit prior to the IUP notice process as Polk County does joint permitting with the Township.
10. The neighboring residences by the stie include three residential properties south of the operation (approximately 2,500 feet away), another two single-family homes approximately 3,500 feet to the SW of the proposed operations, and anther single-family home located approximately 4,000 feet to the NE of the proposed asphalt operations.
11. The applicant stated in the application that site reclamation will occur upon completion of aggregate mining, the site will be leveled and sloped

appropriately for the surrounding area and landowner. Existing topsoil will be re-established onto the disturbed areas. This allows for the natural area seed to be maintained on the site. Additional seed will be added to enhance full coverage growth. Seeding mixture shall be completed with the recommendations from the Polk County Soil and Water Conservation District.

12. The applicant stated in the application that they have all permits and fulfills all requirements mandated by all government agencies for mining and hot mix asphalt operations. Spill Prevention, Control and Countermeasures (SPCC) is a major EPA requirement that KRM has trained their employees on. This plan covers many items including quantities of diesel fuel, asphalt cement, hydraulic oils, etc. which is used in the operations. The plan covers inspections, design, and repairs needed to minimize potential pollution hazards. The plan also covers emergency steps to be taken if pollution occurs.
13. Tanner Lehman, Liberty Township commented that they just wanted confirmation of the actual asphalt batching location as well the truck route using township roads should be repaired as needed. If this can be done, then no issues with the proposed request.
14. The proposed use is an interim use expressly designated in the ordinance; and,
15. That the interim 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.
16. That the establishment of the interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
17. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
18. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.
19. 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.

NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners grants an interim use permit to Knife River Materials with the following conditions:

1. That the interim 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 interim 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. Any IUP issued under this Ordinance is granted solely to the applicant and/or the business entity named in the application, and for the premises named in the IUP application. No IUP of any sort granted pursuant to this Ordinance is transferable to any other person or premises. If a change of ownership, control or location of any licensed premises occurs, whether pursuant to move, sale, transfer, assignment or otherwise, the owner must complete a new application subject to approval pursuant to this Ordinance.
8. The IUP shall be valid for a period of 5 years and shall expire unless reapplication is received before the expiration date.
9. The operational plan shall be followed, any deviation from this plan will need to be approved by Polk County Planning and Zoning staff.
10. Dust from operations shall be controlled via dewatering and calcium chloride or similar products as to not create a dust nuisance to neighboring properties. During asphalt batching operations, water, Calcium chloride or other similar approved products must be applied to the truck route on local gravel roads to the entrance into the stie used for the contractor yard and asphalt operations.

11. The roadways used to enter the site shall always be well maintained and passable for adjacent landowners to access their properties.

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

FINANCE

Ron Denison, Finance Director came before the Board with matters pertaining to his department:

1. Voucher Signer Approval

At times it is necessary for a Department Head to have a pre-approved backup signer on record so that payments can continue to be processed when the Department Head is not available to sign the request. A motion was made by Commissioner Strandell seconded by Commissioner Willhite and adopted by unanimous vote of the Board to approve Ron Denison, Finance Director as a backup signer for Polk County Buildings & the Facilities Management Department expense vouchers.

2. Electronic Funds Transfer Authorization

Minnesota law allows the governing body of each local government to designate one or more individuals that will be allowed to initiate electronic funds transfers (EFTs) with County funds (M.S. 471.38 Subd. 3A). A motion was made by Commissioner Jacobson seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve Arla Meyer and Ron Denison (Finance Department) as designated EFT initiators for Polk County.

3. TriMin Contract Ratification

The Minnesota Counties Computer Cooperative (MnCCC) has executed and approved a three-year agreement with TriMin Systems for the IFSpi software programming and support. A motion was made by Commissioner Strandell seconded by Commissioner Holy and adopted by unanimous vote of the Board to ratify the MnCCC TriMin Agreement as presented to the Board. (Agreement on file in the Administrator's Office)

PROPERTY RECORDS

Michelle Cote, Property Records Director came before the Board with matters pertaining to the Taxpayer Service Center:

1. Resolution (2022-41) Repurchase of Tax Forfeited Properties – 85.00072.00

RESOLUTION (2022-41) **Repurchase of Tax Forfeited Properties – 85.00072.00**

The following resolution (2022-41) was offered by Commissioner Willhite:

WHEREAS, The Polk County Board of Commissioners has the authority to approve the repurchase of tax forfeited lands to former owners, and

WHEREAS, Todd Ranz on behalf of Lorraine C. Brunsberg etal Life Estate has made proper application for the repurchase of parcel 85.00072.00

The S1/2 of Lot 9, 10 and all of Lot 11, Block 2, Townsite of Fertile

WHEREAS, The Polk County Board of Commissioners at its May 17, 2022, meeting unanimously approved the conveyance by motion.

BE IT RESOLVED, That the Board of Commissioners of the County of Polk hereby approves the conveyance of parcels 85.00072.00 Todd Ranz on behalf of Lorraine C. Brunsberg etal Life Estate.

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

2. Liquor Licenses

A motion was made by Commissioner Jacobson seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve the Annual Liquor Licenses for LakeView Resort, Inc., Snow Sled Inn Bar and Grill/Deonne Maygra, and One N' Only of Euclid, Inc. conditional upon the approval of the County Sheriff and the County Attorney.

ADMINISTRATION

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

1. Contractor Request (Bill Brodeur and Jesse Morrow, Diversified Contractors) Also present Doug Holtman – HN Quality Plumbing, Eli Olson and Duane Stengim:

Discussion along with a handout pertaining to a cost share adjustment for the chiller unit at the Juvenile Detention Facility was presented to the Board. A motion was made by Commissioner Jacobson seconded by Commissioner Holy and adopted by unanimous vote of the Board to deny Diversified Contractor's request to share in the cost of the chiller for the Juvenile Detention Facility in the amount of \$19,890.00 which is 1/3 of the total cost. (Handout on file in the Administrator's Office)

2. Fill Positions For Landfill Complex

Due to a retirement of the Landfill Supervisor a motion was made by Commissioner Willhite seconded by Commissioner Strandell and adopted by unanimous vote of the Board to approve filling the Landfill Supervisor position at the Polk County Landfill and any subsequent openings.

COMMISSIONER WARRANTS

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

COMMISSIONER WARRANTS

DATED 05/20/2022

APPROVED 05/17/2022

<u>Vendor Name</u>	<u>Amount</u>
American Communications Inc	4,537.50
Balco Uniform Co Inc	2,537.80
Baldwin Supply Company	2,632.17
Brad's Electric	3,736.58
Brost Chevrolet Inc	8,051.71
Central States Wire Products Inc	3,690.47
CherryRoad Media	5,749.06
Church & Dwight Co Inc	17,894.53
Crookston Fuel Company	12,276.22
Diamond Vogel Paint	57,375.00
Eaton Corporation	13,226.14
ELEMENTAL AIR	43,876.00
Erskine Echo	2,328.30
Estensen Environmental	3,240.00
Evenaire Systems Inc	7,426.00
Fjerstad Trucking Inc	3,120.00
GHA Technologies Inc	6,156.00
GP Excavating LLC	4,270.00
Hennen Equipment Inc	7,253.62
Heppner Consulting Inc	15,071.90
HN Quality Plumbing Inc	3,197.59
Jsb Engineered Solutions	34,014.62
Kurita America Inc	15,317.32
Lenes Sand & Gravel Inc	8,900.00
LSQ Funding Group LC	3,511.82
M&C Products Analysis	2,435.00
Maloney/Bill	2,750.00
MCCC Lockbox	9,965.00
Mn Dept Of Transportation	10,141.52
Morris Electronics Inc	4,680.00
Northdale Oil Inc	4,015.23
Northern Safety Co Inc	2,104.53
Osborne/Bill	3,664.00
Pemberton Law PLLP	10,890.20
Potters Industries Inc	42,592.00
Powerplan OIB	2,989.18
Public Financial Management	26,176.00
RDO Equipment Company	15,650.00
RDO Truck Centers	5,044.07
Richards Publishing Company, Inc.	4,752.18
RTVision Inc	6,180.00
Streamline Associates LLC	13,278.97
The Exponent	3,623.45
Titan Machinery- Fargo	44,606.60
US Bank Voyager Fleet Sys	7,983.74
Widseth Smith Nolting & Assoc	14,855.31
Ziegler Inc	8,940.40
234 Payments less than 2000	99,594.27
Final Total:	636,302.00

With no further business the Board adjourned to reconvene at 8:00 o'clock a.m., May 24, 2022.

Joan Lee, Chair

ATTEST:

Charles S. Whiting, County Administrator
Clerk of the Board