

AUGUST 15, 2023
BOARD MINUTES

Pursuant to motion of adjournment, the Polk County Board of Commissioners met in regular session at 9:30 o'clock a.m., August 15, 2023. Members present: Commissioner Warren Strandell, Commissioner Gary Willhite, Commissioner Joan Lee, Commissioner Mark Holy, Commissioner Paul Reese, and Charles S. Whiting, County Administrator, Clerk of the Board. Others present Samuel Melbye, Deputy Clerk of the Board.

AGENDA

A motion was made by Commissioner Lee seconded by Commissioner Holy and adopted by unanimous vote of the Board to approve the August 15, 2023, agenda.

CONSENT ITEMS

A motion was made by Commissioner Willhite seconded by Commissioner Lee and adopted by unanimous vote of the Board to approve the August 15, 2023, consent items:

1. Approve Commissioner Warrants: General Revenue Fund, \$64,128.53; Public Works Fund, \$216,650.55; Public Safety Fund, \$93,887.73; Public Health Fund, \$20,172.18; Forfeited Tax Sale Fund, \$1,507.34; Special Assessments (Ditch) Fund, \$77,949.59; Environmental Services Fund, \$38,536.60; Resource Recovery Fund, \$105,970.03; Landfill Fund, \$60,784.36; Per Diems, \$1,500.00; Meal Reimbursements (without overnight lodging), \$28.78 and Sign Audit List.
2. Approve payment to US Bank, St. Louis, MO in the amount of \$95,052.32 for procurement card purchases.
3. Approve for payment Lost Warrant No. 563356 dated October 21, 2022, issued to Zachary S. Folkert in the amount of \$18.66.
4. Approve for payment Lost Warrant No. 526853 dated July 2, 2019, issued to Amy Theis in the amount of \$37.77.
5. Approve for payment Lost Warrant No. 527405 dated July 19, 2019, issued to Amy Theis in the amount of \$5.80.
6. Approve for payment Lost Warrant No. 567919 dated March 24, 2023, issued to Terry Mielke in the amount of \$236.47.
7. Approve for payment Lost Warrant No. 559730 dated June 24, 2022, issued to Brittney Neil in the amount of \$11.92.
8. Approve for payment Lost Warrant No. 567927 dated March 24, 2023, issued to Brittney Neil in the amount of \$5.11.

COUNTY BOARD MEMBER ISSUE FORUM

1. Commissioner Strandell brought forth that he attended the following meetings:
 - a. Tri-County Corrections meeting.
 - b. Commissioner Assignments discussed. Will be reviewed at a future Commissioner Board meeting.
2. Commissioner Willhite brought forth that he attended the following meetings:
 - a. Finance Committee – County Department Head Budget meetings.
 - b. Tri-County Opportunity Council meeting.

- c. Special General Election Canvassing.
- 3. Commissioner Lee brought forth that she attended the following meetings:
 - a. Finance Committee – County Department Head Budget meetings.
 - b. State Community Health Services Advisory Committee meeting.
 - c. Sand Hill Watershed One Watershed One Plan meeting.
 - d. Reaching Rural meeting.
 - e. Special General Election Canvassing.
- 4. Commissioner Holy brought forth that he attended the following meetings:
 - a. Middle Snake Tamarac Rivers Watershed One Watershed One Plan meeting.
 - b. Received a few calls.
- 5. Commissioner Reese brought forth that he attended the following meetings:
 - a. Maple Lake Improvement District meeting.
 - b. Received calls on voter integrity.
 - c. Received call regarding the shoulder of Polk County Highway 1.
 - d. Relayed thank you from the Polk County Fair Board for the continued support by the Board for the fair.

PLANNING AND ZONING

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

1. Resolution (2023-41) Rezone For Curtis Olson Agricultural To Commercial Zoning District

RESOLUTION (2023- 41)
Rezone For Curtis Olson
Agricultural To Commercial Zoning District

WHEREAS, The following resolution (2023-41) was offered by Commissioner Holy:

WHEREAS, Polk County Zoning Ordinance, Section 10 allows rezoning of land from Agricultural to Commercial; and

WHEREAS, Curtis Olson wishes to Re-zone a 2.92 acre portion of a parcel of land described as: That part of the Southwest Quarter, Section 2, Township 148 North, Range 42 West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows: Commencing at the northwest corner of said Southwest Quarter; thence South 00 degrees 07 minutes 20 seconds East, assumed bearing, along the west line of said Southwest Quarter, a distance of 944.38 feet; thence North 89 degrees 18 minutes 05 seconds East 37.74 feet, more or less, to the east right of way line of U.S. Trunk Highway No. 59; thence South 00 degrees 42 minutes 03 seconds East, along the east right of way line of U.S. Trunk Highway No. 59, a distance of 260.31 feet, more or less, to the northerly right of way line of U.S. Highway No. 2; thence South 45 degrees 33 minutes 41 seconds East 467.87 feet to the point of beginning; thence North 44 degrees 29 minutes 45 seconds East, along the southeasterly line of a parcel described in Doc. No. 615400 of record in the office of the County Recorder in and for the County of Polk and the State of Minnesota, a distance of

215.00 feet; thence South 62 degrees 20 minutes 51 seconds East 490.54 feet; thence South 20 degrees 40 minutes 19 seconds West 219.58 feet, more or less, to said northerly right of way line; thence North 69 degrees 13 minutes 18 seconds West, along said northerly right of way line, a distance of 230.34 feet; thence along a curve on said northerly right of way line, being concave to the northeast, having a radius of 913.74 feet, a central angle of 17 degrees 34 minutes 09 seconds, a chord bearing North 58 degrees 39 minutes 54 seconds West, and an arc length of 280.19 feet; thence North 45 degrees 33 minutes 41 seconds West, along said northerly right of way line, a distance of 75.54 feet, more or less, to the point of beginning. The above described parcel contains 2.92 acres, more or less, and is subject to any easements, restrictions, or reservations, if any. TOGETHER WITH An easement for ingress and egress purposes over, under, and across that part of the Southwest Quarter, Section 2, Township 148 North, Range 42 West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows: Commencing at the northwest corner of said Southwest Quarter; thence South 00 degrees 07 minutes 20 seconds East, assumed bearing, along the west line of said Southwest Quarter, a distance of 944.38 feet; thence North 89 degrees 18 minutes 05 seconds East 37.74 feet, more or less, to the east right of way line of U.S. Trunk Highway No. 59, the same being the point of beginning; thence South 00 degrees 42 minutes 03 seconds East, along the east right of way line of U.S. Trunk Highway No. 59, a distance of 260.31 feet, more or less, to the Northerly right of way line of U.S. Highway No. 2; thence South 45 degrees 33 minutes 41 seconds East 467.87 feet; thence North 44 degrees 29 minutes 45 seconds East 50.86 feet; thence North 56 degrees 32 minutes 44 seconds West 137.00 feet; thence North 43 degrees 54 minutes 30 seconds West 263.84 feet; thence along a tangential curve being concave to the northeast and having a radius of 100.00 feet, a delta angle of 43 degrees 12 minutes 27 seconds, and an arc length of 75.41 feet; thence tangent to the last described curve North 00 degrees 42 minutes 03 seconds West 218.43 feet; thence South 89 degrees 18 minutes 05 seconds West 45.00 feet, more or less, to the point of beginning. AND TOGETHER WITH An easement for parking purposes over, under, and across that part of the Southwest Quarter, Section 2, Township 148 North, Range 42 West of the Fifth Principal Meridian, Polk County, Minnesota, described as follows: Commencing at the northwest corner of said Southwest Quarter; thence South 00 degrees 07 minutes 20 seconds East, assumed bearing, along the west line of said Southwest Quarter, a distance of 944.38 feet; thence North 89 degrees 18 minutes 05 seconds East 37.74 feet, more or less, to the east right of way line of U.S. Trunk Highway No. 59; thence South 00 degrees 42 minutes 03 seconds East, along the east right of way line of U.S. Trunk Highway No. 59, a distance of 260.31 feet, more or less, to the Northerly right of way line of U.S. Highway No. 2; thence South 45 degrees 33 minutes 41 seconds East 467.87 feet to the point of beginning; thence North 44 degrees 29 minutes 45 seconds East 114.86 feet; thence North 43 degrees 54 minutes 30 seconds West 55.00 feet; thence South 44 degrees 30 minutes 22 seconds West 116.45 feet; thence South 45 degrees 33 minutes 41 seconds East 55.00 feet, more or less, to the point of beginning, which is a portion of parcel #45.00010.03, and:

WHEREAS, Curtis Olson's plan meets all requirements of the Polk County Zoning Ordinance; and

WHEREAS, The Polk County Board of Commissioners find:

1. The applicant is proposing to rezone a 2.92-acre portion of parcel 45.00010.00 (approximately 87 acres) and 45.00010.03 (approximately 4.08 acres) for the stated use of using the Oak Lake Golf Course clubhouse as a retailing store and to utilize an outdoor retailing storage area for patio furniture, fire pits and deer stands.
2. The applicant is proposing to rezone this portion of property from the agricultural district (present district classification) to the commercial zoning district (proposed district classification).
3. Outdoor retailing is regulated per section 15.3000 of the Polk County Zoning Ordinance and must be permitted through a Conditional Use Permit within the Commercial district.
4. This property is located adjacent to US Highway 2/US Highway 59 north bound exit ramp, just 1 mile east of the city limits of Erskine. The parcel was recently split from the Pioneer Memorial Care Facility and purchased by Island Lake Retreat LLC, Curtis Olson, the applicant.
5. There are a number of commercial use properties surrounding this parcel. There is a span on the north side of US Highway 2 that contains a gas station, several businesses and just to the east of the site are several billboards along US Highway 2.
6. Minnesota Department of Transportation has jurisdiction of the right-of-way along US Highway 2.
7. The applicant stated in the application that in order for the golf course to stay open, the business must generate more revenue as relying on golfers is not enough to sustain the business.
8. The applicant has also prepared a statement that the request is compatible with the Polk County Comprehensive Plan as requested commercial/retail use furthers the purpose of the Polk County Comprehensive Plan consistent with surrounding uses. The use includes retail of merchandise including, among other items outdoor furniture and deer stands. The properties adjoining or in the vicinity of the applicants includes office, medical space, fuel sales, food, grocery and similar convenience store activities. Accordingly, the applicants retail commercial use would be consistent with that of its neighbors. The use would provide a local source for neighbors to purchase items that are not otherwise available locally and would require travel to distant locations. The use would also hopefully lead to employment of local individuals, thereby reducing the need to commute to larger cities. The requested use would further the plans “sense of community” goal derived from buying local and working locally. Increased employment would also further the

Comp plans aim to expand and diversify job opportunities and incomes. The use would take place on property currently utilized as a golf course, bordering a non-operating nursing home and office space that lie across Highway 59 from a large convenience store/truck stop. The use would not negatively affect the environmental/conservation goals of the comp plan.

9. The Department of Transportation has reviewed the Rezone application and would recommend the following comments:
 - a. The proposed sale of outdoor furniture and hunting stands does not affect the operation of MNDOT property. However, there shall be no encroachment within the State Trunk Highway. Any signage, structures, or ancillary features cannot be within the MNDOT's right-of-way below ground, above-ground level or above ground.
 - b. There shall be no net increase in storm water runoff to the State Trunk Highway right-of-way from said property. Computations of all storm water directed toward the right-of-way shall be provided to MNDOT.
 - c. There does not appear to be right-of-way encroachments or discrepancies requiring action at this time. It appears that the ROW boundary shown in the application referenced an old ROW map, 34-87. The more recent map 29-37 reflects the current conditions of the highway ROW. Parcel 208A was acquired in permanent easement in 1970.

NOW THEREFORE BE IT RESOLVED, That the Polk County Board of Commissioners grants the rezoning application of Curtis Olson to rezone from Agricultural to Commercial with the following condition:

1. A detailed legal description must be submitted to the Planning and Zoning department for the 2.92-acre area to be rezoned and must meet the requirements of a buildable parcel per PCZO section 15.4000.

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

2. Resolution (2023-42) Conditional Use Permit For Curtis Olson For Outdoor Storage Area For Outdoor Sales

Resolution (2023-42) was amended and offered by Commissioner Holy seconded by Commissioner Reese and adopted upon the following vote: YEAS: Commissioner Lee, Commissioner Holy, Commissioner Strandell, Commissioner Willhite, and Commissioner Reese. NAYS: None. (See Resolution (2023-42) on file in the Administrator's Office.)

***Revised Agenda** - A motion was made by Commissioner Lee seconded by Commissioner Holy and adopted by unanimous vote of the Board to add Solid Waste Program Updates to the Board agenda under Environmental Services.

ENVIRONMENTAL SERVICES

Jon Steiner, Environmental Services Director came before the Board with matters pertaining to his department:

1. Bomag Compactor – Purchase Extended Warranty

A motion was made by Commissioner Willhite seconded by Commissioner Holy and adopted by unanimous vote of the Board to authorize Polk County Landfill to purchase an extended 4-year warranty for the 2022 Bomag BC773- RB-5 Landfill Compactor from RMS Co., Savage, MN in the amount of \$58,839.00.

2. *Solid Waste Program Updates (Handouts Available in Administrator’s Office)

Status updates on the Landfill Wetlands permits.

Status updates on the Landfill Plant permits.

Discussion of 9 County Regional Construction & Demolition (C&D) Project

Senate Bond Tour – August 16, 2023, 2:00 p.m., (Fosston).

House Bond Tour – September 14, 2023, TBD (Bemidji State University)

AMP Robotics Micro-Jets Status update.

COMMISSIONER WARRANTS

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

COMMISSIONER WARRANTS

DATED 08/18/2023

APPROVED 08/15/2023

See Next Page!

<u>Vendor Name</u>	<u>Amount</u>
Advanced Weighing Systems	4,750.00
Amity Graphics	2,023.58
Auto Value - Crookston	2,898.26
Baldwin Supply Company	42,436.14
Barrett Agri Inc	22,298.60
BELTRAMI COUNTY SOLID WASTE	4,816.78
Brost Chevrolet Inc	4,596.83
Central States Wire Products Inc	2,975.90
Christian Motors Inc	2,264.09
Church & Dwight Co Inc	12,621.23
CNH Industrial Accounts	14,637.54
Code 4 Services Inc	59,859.78
Crookston Fuel Company	5,474.68
Diamond Vogel Paint	31,515.00
Election Systems & Software Inc	2,646.00
Evenaire Systems Inc	5,086.50
GF- Bergstrom Electric Inc	33,600.00
Gladen Construction Inc	6,081.77
Haire/Carol G and Kevin J	24,227.00
Handyman's Inc	4,939.61
Harlan's Boats R Us	14,147.50
Johnson Controls Fire Protection LP	3,809.00
Joseph Donald Construction	11,690.00
Kurita America Inc	6,993.40
Lunseih Plumbing & Heating Co	2,835.00
McNeilus Steel Inc	3,845.09
MDS Services LLC	21,850.00
Millers Building Center	2,309.06
Mn Dept Of Transportation	3,981.27
Northdale Oil Inc	2,435.40
Olson Construction Trf Inc	7,030.00
Polk County	4,782.16
Polk County Highway Department	43,639.93
Polk County IS Department	3,280.74
Red Lake County Treasurer	22,588.99
Sanofi Pasteur Inc	2,710.23
Scan Air Filters Inc	2,927.50
Service Pro Parts Inc.	2,682.92
Stantec Consulting Services Inc	48,183.59
SWARCO REFLEX LLC	21,120.00
Thygeson Construction Co	18,566.65
Todd's Tire Service Inc	2,131.50
True North Steel	5,900.34
Universal Apparel	6,000.00
US Bank Voyager Fleet Sys	4,868.99
Wagners Landscaping Inc	3,743.85
White Cap L.P.	3,885.48
Widseth Smith Nolting & Assoc	8,370.00
Wilbur Ellis Co	22,446.61
205 Payments less than 2000	81,082.42
Final Total:	679,586.91

With no further business the Board adjourned to reconvene at 9:30 o'clock a.m., August 22, 2023.

Warren Strandell, Chair

ATTEST

Charles S. Whiting
Deputy Clerk of the Board