

REGULAR MEETING AS POSTED

BECKER COUNTY BOARD OF COMMISSIONERS

DATE: Tuesday, May 25, 2004 at 8:15 a.m.

LOCATION: Board Room, Courthouse

All Present

Open Meeting

1. The Meeting was opened with the Pledge of Allegiance. A short recess was taken until Joe Evans, County Attorney rendered an opinion on the publishing of the Board Agenda. Mr. Evans determined we were properly advertised by our Resolution passed at the December Board Meeting and by posting at various sites throughout the Courthouse. The meeting was reconvened.
2. It was moved and seconded to approve the Revised Minutes of May 11, 2004 (Bristlin, Salminen), carried.

Open Forum – No requests at this time

Finance

1. It was moved and seconded to approve the Claims as presented (Bristlin, Salminen), carried.
2. Capital Purchase: It was moved and seconded to approve the Capital Purchase request from the County Recorder to upgrade a computer to facilitate the implementation of a new software system. The funding in the amount of \$1,500 will come from the Recorder's Equipment Fund (Engbretson, Salminen), carried.
3. Capital Purchase Request/Sheriff's Department:
 - a. The Finance Committee supports the continuing process of a request to accept bids from McDougall Ford, low bidder, for (4) Squad Cars and (1) 4 x 4 SUV Vehicle. This will be addressed under the Sheriff's Agenda.
 - b. The Finance Committee supports the continuing process of a request to purchase E-911 Equipment from E-911 Designated Funds.
4. Other Items Discussed:
 - a. 2005 Budget Process
 - b. 2004 Land Sale
 - c. Updating the Postage Machine
 - d. Cash Comparison and Investment Summary

Auditor

1. There were no Licenses or Permits

2. It was moved and seconded to concur with the Natural Resources Committee to approve to sell Tax-Forfeit Parcel # E53-0002.000 to the City of Wolf Lake (Engebretson, Salminen), carried.

Parks and Recreation

1. It was moved and seconded to approve the Agenda with an addition (Salminen, Bristlin), carried.
2. It was moved and seconded to pass Resolution No. 05-04-2A, approving Becker County to act as Sponsoring Agent for Winter Wonderland and Wolf Pack Snowmobile Trails (Engebretson, Salminen), carried.
3. It was moved and seconded to pass Resolution No. 05-04-2B, Approval of ATV Trail Proposal from Forest Riders ATV Club and authorizes the Becker County Highway Engineer to sign the trail permit once final wording is agreed upon between the County Highway Engineer and the Forest Riders ATV Club (Engebretson, Salminen), carried.
4. As requested by the Detroit Lakes Regional Chamber of Commerce, discussions regarding the need for ATV Trails and/or an ATV Park in Becker County have begun. The Chamber and the DNR have been invited to the next Winter Trails Advisory Committee Meeting on June 7.
5. It was moved and seconded to enter into the Chilton Park/Bass Lake Public Access Agreement with the State of Minnesota where the State will furnish the County with (40) pre-cast concrete planks for the public access to Bass Lake in Shell Lake Township (Engebretson, Salminen), carried.
6. It was moved and seconded to authorize Chip Lohmeier to move ahead to replace the out house at Middle Cormorant Beach as it was burned down (Engebretson, Bristlin), carried.

Assessor

It was moved and seconded to approve the following Abatements:

2004 Tax Payable

<u>Parcel #</u>	<u>TwN/Cty</u>	<u>Amount</u>	<u>Reason</u>
02.0321.011	Audubon	\$554	Homestead
06.0833.225	Cormorant	428	Homestead
17.0246.000	Lake Eunice	424	Homestead
21.0117.000	Osage	982	Homestead
21.0281.000	Osage	186	Homestead

49.0871.258	Detroit Lakes	216	Homestead
51.9015.000	Lake Park	662	Error

Sheriff

1. It was moved and seconded to accept the bids from McDougall Ford, low bidder, for the purchase of (4) Patrol Cars and (1) 4x4 Panel Unit in the amount of \$105, 536 (Bristlin, Seaberg), carried.
2. It was moved and seconded to approve the update of E-911 Equipment and Software in the amount of \$18,409.31, plus an additional amount of \$4,750 for Licenses and Support (Bristlin, Salminen), carried.

Human Services

1. It was moved and seconded to approve the Agenda as amended (Salminen, Bristlin), carried.
2. An update was given on the Transit Building to be located at the Fair Grounds.
3. It was moved and seconded to approve submitting the Diversionary Work Program Policy to the State for approval. The proposal would be to contract with Rural Minnesota CEP to provide these services (Salminen, Bristlin), carried.
4. It was moved and seconded to approve to send a proposal to the state to use funds to assist working families with emergency job related costs (Salminen, Bristlin), carried.
5. It was moved and seconded to approve the Adult Mental Health Grant Renewal Agreement for Calendar Years 2004 and 2005 (Salminen, Bristlin), carried.
6. It was moved and seconded to approve the Transit Claims (Bristlin, Salminen), carried.
7. It was moved and seconded to accept the Public Assistance Applications (Bristlin, Salminen), carried.
8. It was moved and seconded to approve the Human Services Claims (Salminen, Bristlin), carried.

Highway

1. It was moved and seconded to pass Resolution No. 05-04-2E, entering into MN/Dot Agreement No. 86377 with the State of Minnesota, Department of Transportation (Salminen, Bristlin), carried.

Planning & Zoning

1. It was moved and seconded to pass Resolution No. PZ 05-04-2C, based on the fact that the Board of Commissioners declare the need for an EAW on the Bambi Estates Owners Association Planned Unit Development located in Sections 3 & 4, Toad Lake Township (Engebretson, Salminen), carried.
2. It was moved and seconded to approve an EIS for the gravel extraction in accordance with the Statutes so long as Becker County began the process within sixty days of agreement (Salminen, Bristlin) carried. Motion was amended and approved to include that Wenck Associates, Inc. be hired to prepare the EIS.
3. Planning Commission Minutes (PC) of May 18, 2004:
 - 1) First Order of Business: Old Business postponed from the April 20, 2004 Meeting, Contractor's Leasing. It was moved and seconded to concur with the findings and recommendations of the PC to approve the conditional use permit for gravel extraction as outlined in the plan submitted to the Zoning Office and with the modifications/conditions set forth in Contractor's Leasing letter dated May 7, 2004 and excepting condition #5 as requested in Stacy Odegaard's letter to Patricia Johnson dated May 24, 2004 discussing the Buffer Area for Stacy Odegaard and the possibility of planting two rows of trees along the South and West borders of Stacy's property (Bristlin, Engebretson), carried.
 - 2) Second Order of Business: Old Business postponed from the April 20, 2004 meeting; Cormorant Park Place. It was moved and seconded to concur with the findings and recommendations of the PC to approve the change of zone from agricultural to high density residential and approve a conditional use permit for a planned unit development consisting of 28 units (Bristlin, Salminen), carried.
 - 3) Third Order of Business: Larry Geiselhart, Lake Eunice Twp. It was moved and seconded to concur with the findings and recommendations of the PC to deny a conditional use permit to allow a garage to exceed the 18 ½ ft. height restriction and storage above the garage based on the fact that a reasonable garage can be constructed meeting the requirements of a detached garage as outlined in the Zoning Ordinance and the Zoning Ordinance prohibits second stories on detached garages (Engebretson, Salminen), carried.
 - 4) Fourth Order of Business: Central Specialties, Round Lake Twp. It was moved and seconded to concur with the findings and recommendations of the PC to approve a conditional use permit for gravel extraction, processing and storage as outlined in their operations plan submitted to the Zoning Office based on the fact that it does meet the criteria of the Zoning Ordinance (Engebretson, Bristlin), carried.

- 5) Fifth Order of Business: Central Specialties. Pine Point Twp. It was moved and seconded to concur with the findings and recommendations of the PC to approve a conditional use permit to allow gravel extraction, processing, storage and a temporary hot mix plant as outlined in their operations plan submitted to the Zoning Office based on the fact that it does meet the criteria of the Zoning Ordinance (Salminen, Bristlin), carried.
 - 6) Sixth Order of Business: Thomas Hauglid, Height-of-Land Twp. It was moved and seconded to concur with the findings and recommendations of the PC to approve the change of zone from agricultural to residential and to approve the certificate of survey for three tracts of land based on the fact that it does meet the criteria of the Zoning Ordinance and Subdivision Ordinance and with the stipulation that Tract C does not have an easement for lake access or riparian rights (Bristlin, Salminen), carried.
 - 7) Seventh Order of Business: Kip Moore. Withdrawn.
 - 8) Eight Order of Business: Marjorie Ley, Lake View Twp. It was moved and seconded to concur with the PC findings and recommendations to approve the change of zone from agricultural to high density residential based on the fact that the property is located within the two mile extraterritorial limits of the City of Detroit Lakes and it would be compatible with the City (Bristlin, Seaberg), carried. Salminen voting nay, Engebretson voting nay. Winter voting yea.
 - 9) Ninth Order of Business: Steve Mattson, Lake Park Twp. It was moved and seconded to concur with the PC findings and recommendations to approve a conditional use permit to allow extraction of material as outlined in the operations plan submitted to the Zoning Ordinance based on the fact that the use would not be detrimental to the area (Salminen, Bristlin), carried.
 - 10) Tenth Order of Business: Kent Disse, Detroit Twp. It was moved and seconded to concur with the findings and recommendations of the PC to approve a conditional use permit to allow commercial storage, office space and a retail rental center in an agricultural district based on the fact that it is compatible with the surrounding area and it would utilize existing structures (Salminen, Bristlin), carried.
 - 11) Eleventh Order of Business: The tentative agenda of the next Informational Meeting is scheduled for Thursday, June 10, 2004 at 8:30 a.m. at the Planning and Zoning Office.
4. An update was given on the Forest Management Road Policy by Patty Johnson, Planning & Zoning.

The meeting was recessed for a ruling from the County Attorney about holding the Public Hearing of the METH Lab Ordinance. It was determined by the County Attorney that all

is in order to hold the Public Hearing as the legal notice need be published one time and this was done. The meeting is re-convened.

Commissioners

1. Reports & Correspondence
2. Appointments:
 - a. It was moved and seconded to appoint Ray Vlasak and Dave Jones to the Park Board (Engebretson, Salminen), carried. Commissioner Salminen asked if we can think about combining the NRM Committee and the Park Board. Commissioner Winter suggested that once a year they should meet together.
3. Approve Attendance at Upcoming Meetings:
 - a. Negotiation Training, Thursday, May 27, 2004 from 8:30 a.m. to 4:30 p.m. at the Graystone Building
 - b. Multi-County Transition Meeting, Mahanomen, date and time to be determined.
4. Commissioner Engebretson presented a plaque to Commissioner Salminen from Lakeland Mental Health for serving 1-year.
5. The Human Services Building Project was review by Brian C. Berg, County Administrator.
6. First Motion. It was moved and seconded to proceed with the selection process for the County IT Director's Position (Salminen, Bristlin).
7. Second Motion. It was moved and seconded to approve, upon the recommendation of the committee, to employ the selected IT Director as soon as possible (Salminen, Bristlin), carried.
8. It was moved and seconded to reconsider the First Motion to approve continuation of the selection process with approval to employ as soon as the County Administrator has completed background and is satisfied with the results (Bristlin, Salminen), carried.
9. It was moved and seconded to re-consider the second motion and open up the question (Salminen, Bristlin), carried. It was moved and seconded to vote down or defeat the second motion. Roll call was taken. Seaberg voting nay; Engebretson voting nay; Salminen voting nay; Winter voting nay; and Bristlin voting nay. Motion defeated.

The meeting was recessed for lunch and will reconvene at 7:30 to consider a Public Hearing

METH Ordinance Public Hearing at 7:30 p.m.

1. Commissioner Winter, Board Chair, read the published Notice of Public Hearing.
2. Presentation by Joe Evans, County Attorney and Tim Gordon, County Sheriff, giving the history and the need for the Ordinance.
3. It was moved and seconded to open the Public Hearing (Salminen, Bristlin), carried.
4. Laurie Mullen, WACCO, gave a presentation of the METH problems.
5. Justin Klementson asked about the fairness of property owners paying the bill for cleanup. This was discussed by Board members and others in attendance.
6. It was moved and seconded to close the Public Hearing (Engebretson, Bristlin), carried.

There being no further business, the meeting was adjourned (Bristlin, Salminen), carried.

/s/ Brian C. Berg
Brian C. Berg
County Administrator

/s/ Roger Winter
Roger Winter
Board Chair