

REGULAR MEETING AS POSTED
BECKER COUNTY BOARD OF COMMISSIONERS

DATE: Tuesday, October 12, 2004 at 8:15 a.m.

LOCATION: Board Room, Courthouse All Present

The Board attended the quarterly City, County, School Meeting at City Hall at 7:00 a.m.

Agenda

1. It was moved and seconded to approve the Agenda as amended (Seaberg, Salminen), carried.
2. It was moved and seconded to approve the Minutes of September 28, 2004 with additions and corrections (Salminen, Bristlin), carried.

Commissioners

1. Open Forum – Persons recognized were Joe Stenger, who spoke about the tax dollars spent by the County for administrative fees in regards to signs for elections. Ann Gerlach and Jim Ulmer, who spoke about development on Elbow Lake and how it will effect the environment. Terry Kalil, spoke to the administrative charges to the County by the State for sign violations. Because she filed the charges, she offered to pay 1/4 of the fees, if Commissioner Bristlin pay 1/2, because he provided the story to the press, and Larry Knutson pay 1/2, as he violated the law with his sign. It was brought to her attention that this was 125%. After discussion, the amount Terry asked Commissioner Bristlin to pay was changed to 1/4. Terry added that her offer was good until noon tomorrow. Hallie Larson, Attorney, Melissa/Sally Lake Improvement Association, spoke of the need to reject the Final Plat of Sandy Beach. Board Chair, Winter, asked Ann Gerlach, Jim Ulmer and Hallie Larson to return at 11:00 a.m. Planning & Zoning. Tera Guetter, Pelican River Watershed, gave an update on easement documents for the Final Plat of Sandy Beach. Ron Barker, read a letter from his daughter-in-law in regards to her concern over the Elbow Lake Development and its effects on the lake and surrounding area. Gary Larson, Developer, for Elbow Lake said he meets or exceed standards in his development and he recommends denial of the EAW Petition. He will respond again at 11:00 a.m., Planning & Zoning.
2. Reports & Correspondence:
 - a. Commissioner Engebretson attended the District IV AMC Meeting in Fergus Falls. METH problems and statistics were discussed. She asked where Becker County was with our METH Ordinance and asked if the County Sheriff and County Attorney could give the Board an update at the next Board Meeting.
 - b. MACA Conference Report, Brian C. Berg.
3. It was moved and seconded to pass Resolution No. 10-04-1A, approving and adopting the Becker County Fleet Policy and instructing the Management Team and Safety Director to implement the policy and the following users of vehicles as classified as emergency:
 1. Sheriff's Patrol Units
 2. Highway Engineer, Brad Wentz
 3. Highway Maintenance Superintendent, John Okeson
 4. Safety Director, Dick Goodmanson
 5. County Administrator, Brian C. Berg

6. Emergency Management Director, Dan Holm
4. Per Diems. For Clarification, Payment allowed for 1 Per Diem per day. Additional meetings called or conducted by the County Board do not qualify for a Per Diem.

Finance

1. It was moved and seconded to approve the Claims with exceptions (Bristlin, Engebretson), carried.
2. It was moved and seconded to approve the Capital Purchase request of the County Assessor to purchase (2) Computer Monitors, and (1) Computer Tower the amount of \$1,797.04 (Engebretson, Seaberg), carried.

Auditor

1. It was moved and seconded to approve the Agenda with additions (Bristlin, Salminen), carried.
2. It was moved and seconded to approve Tobacco License Renewals, Shirley A. Kalberer, County 6 BP & Bait, Lake View Twp.; David Coalwell, Hwy. 59 Store, Detroit Twp. (Salminen, Seaberg), carried.
3. It was moved and seconded to approve the Tobacco License–New, Mr. of Osage, Inc.- Tommy’s Toad Lake Store, Toad Lake Twp. (Bristlin, Salminen), carried.
4. It was moved to approve the Off/Sale Intoxicating Liquor License-New, Mr. of Osage, Inc.- Tommy’s Toad Lake Store, Toad Lake Twp. (Bristlin), motion died for lack of a second.
5. It was moved and seconded to approve the On/Sale Intoxicating Liquor License-New, Mr. of Osage, Inc., Tommy’s Toad Lake Store, Toad Lake Twp. (Bristlin, Engebretson), carried.
6. It was moved and seconded to approve an Easement across Tax-Forfeit Land for Black Bear Forest Trail (Engebretson, Bristlin), carried.
7. Campaign Signs in Becker County were inspected by the County Auditor and County Treasurer for violations of the new laws imposed by the state.

Assessor

1. It was moved and seconded to approve the following Abatements (Seaberg, Bristlin), carried.

2004 Tax Payable

<u>Parcel No.</u>	<u>Twp/City</u>	<u>Amount</u>	<u>Reason</u>
11.8020.000	Evergreen	\$234	Homestead
16.0007.000	Holmesville	52	Homestead
19.0425.000	Lake View	78	Correction
19.8610.000	Lake View	128	Current License
21.8079.000	Osage	40	Current License

28.8081.000	Shell Lake	214	Correction
28.8092.000	Shell Lake	+214	Correction
49.8513.000	Detroit Lakes	30	Homestead

2003 Tax Payable

47.8061.000	Audubon City	612	Correction
47.8085.000	Audubon City	+613	Correction

Environmental Services

It was moved and seconded to pass Resolution No. EM 10-04-1B, Strategic National Stockpile Distribution Agreement identifying Polk County as a regional distribution node for Kittson, Roseau, Marshall, Pennington, Red Lake, Norman, Mahnomen, Becker and the White Earth Reservation (Engebretson, Bristlin), carried. Commissioner Engebretson recognized Dan Holm's role in Emergency Management and commended him on his dedication.

Human Services

1. It was moved and seconded to pass Resolution No. 10-04-1C, to replace, due to a resignation, a Part-time Transit Driver Position (Engebretson, Salminen), carried.
2. It was moved and seconded to approve the Transit Claims (Engebretson, Salminen), carried.
3. Low Income Tax Credit was discussed for information only.
4. It was moved and seconded to accept the Family Services, Adult Services and Probation Placement Reports (Bristlin, Seaberg), carried.
5. It was moved and seconded to approve the Community Health Master Contract with the State of MN assuring that Becker County will comply with the state statutes in future Project Agreements that we develop with the Minnesota Department of Health (Engebretson, Salminen), carried.
6. It was moved and seconded to approve the Human Services Claims (Engebretson, Salminen), carried.
7. Matt Casey updated the Board on setting up the Public Health Unit.

Closed Session – Negotiations

1. It was moved and seconded to close the session at 10:30 a.m. (Bristlin, Seaberg), carried.
2. Due to time constraints, it was the Consensus of the Board to Recess the Closed Session until after Planning & Zoning on the Agenda.

Planning & Zoning

1. It was moved and seconded remove the Sandy Beach Estates issue of the Table (Engebretson, Bristlin), carried.

2. Several people spoke concerning the Final Plat of Sandy Beach Estates. Those in favor were Jim Bullis, Attorney for the Developer, Mark Payne, Developer and Chris Heyer, Surveyor. Roy Smith, County Surveyor, spoke about what information should be included on a Plat. He stated that anything that requires a permit is a land use issue and is not to be shown on a Plat. Hallie Larsen, Attorney, Melissa/Sally Lake Improvement Assoc., was concerned with the Final Plat and that a new Plat ,with corrections, needs to be done. Commissioner Engebretson asked if the Plat has changed enough that it needs to go back to the Planning Commission and if Tera Guetter would address the land suitability? It was concluded that the DNR would determine the land suitability and the number of boat slips allowed. Commissioner Salminen asked if the items on the Preliminary Plat should have been included long before this decision, and he suggested that maybe an attorney needs to be present on Preliminary Plats. It was moved and seconded to concur with the Planning Commission motion of September 21, 2004, with the stipulations (1) all wetlands shown on the final plat are subject to the rules, regulations and conditions of the wetland protection easement granted to the Pelican River Watershed District; (2) Outlots A, B, and C are deeded to the Pelican river Watershed District and (3) covenants and docking on the controlled access lot to be approved and permitted by the Department of Natural Resources and Planning & Zoning (Bristlin, Seaberg), carried. 3-2 vote. Bristlin, Seaberg, Winter voting yea; Engebretson, Salminen voting nay. Commissioner Winter, Chair, thanked everyone for coming in concerning this issue.
3. Speaking in favor of the EAW Petition were Ann Gerlach, Jim Ulmer, and Ron Barker. Ann asked for more time to gather information, and Commissioner Engebretson thought it reasonable to hold up on this decision for more information. Gary Larson, Developer, feels that enough review has happened and additional delays will cause the road to not be build yet this fall. It was moved and seconded to concur with the EAW Committee to deny the request for an EAW Petition (Bristlin, Seaberg), carried. Salminen voting yea; Seaberg voting yea; Bristlin voting yea; Winter voting yea; Engebretson voting nay.

Closed Session was reconvened at 12:12 p.m.

1. It was moved and seconded to Open the Session at 12:30 p.m. (Bristlin, Seaberg), carried.
2. There being no further business, it was moved and seconded to Adjourn the Meeting at 1:30 a.m. after lunch (Bristlin, Seaberg), carried.

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

/s/ Roger Winter
Roger Winter
Board Chair