

REGULAR MEETING AS POSTED

BECKER COUNTY BOARD OF COMMISSIONERS

DATE: Tuesday, March 22, 2005 at 8:15 a.m.

LOCATION: Board Room, Courthouse All Present

Agenda

1. It was moved and seconded to approve the Agenda as amended (Mulari, Bristlin), carried.
2. It was moved and seconded to approve the Minutes of March 08, 2005 with corrections (Bristlin, Nelson), carried.

Commissioners

1. Open Forum.
  - a. Jim Ulmer presentation information to the Board regarding a request for an EAW on Elbow Lake, Burlington Twp.
  - b. Ann Gerlach, Citizen Petitioner, spoke about protecting the lake and the watershed and mentioned that over 25 people signed the petition for the Environmental Assessment Worksheet.
  - c. Les Ristinen discussed wordage in his tax assessment and requests the word changes made.
  - d. Bill Haggerty discussed his petition for an easement to his property on Bad Medicine. Commissioner Salminen asked if he had made his request to the Township, and suggested that he would like to meet with Mr. Haggerty, Keith Brekken, and Township Officials to discuss the easement.
2. Reports & Correspondence:
  - a. Commissioner Nelson reported on the following meetings: Soil & Water, Lake Agassiz Regional Library, Sunnyside Care Center and the Youth Rally at Moorhead State College
  - b. Commissioner Bristlin reported on the following meetings: Labor Management Committee, and Pelican River Watershed.
  - c. Commissioner Mulari reported on the following meeting: DAC Building Project.
  - d. Commissioner Knutson reported on the following meetings: Fair Board and Mahube.
  - e. Commissioner Salminen reported on the Air Port Meeting.
3. Appointment:
  - a. It was moved and seconded to appoint Del Bergseth to the Parks & Recreation Committee (Bristlin, Mulari), carried.

4. It was moved and seconded to pass Resolution No. 03-05-2D, rescinding Resolution No. 06-01-1E, designating authorization of financial duties, as these duties are a matter of policy.
5. It was moved and seconded to pass Resolution No. 03-05-2A, resolving that Becker County shall move forward with a courthouse expansion project by authorizing the recruitment, interviewing and selection of an architectural/engineering firm for the purpose of designing and soliciting construction bids for the project. Construction bids may be solicited in whole or in three phases:

Courthouse expansion construction  
Parking ramp/needs  
Remodeling of existing courthouse space

The county board directs the Finance Committee to evaluate the county reserves and recommend a means to provide for adequate funding of the entire project; and that the expenses for the courthouse expansion project will be charged to the courthouse remodeling line item in the 02 Fund (Bristlin, Nelson), carried.

Advertising of the Requests for Qualifications was discussed. The final deadline will be on April 15, 2005. Bids can be in part or for all, and time will be set aside for interviews at the second Board meeting on April 26, 2005

#### Finance

1. It was moved and seconded to approve the Claims with exceptions (Mulari, Bristlin), carried.
2. It was moved and seconded to approve the request for a Printer for the Records Office in the amount of \$1,613.90 from the Recorder's Equipment Fund. (Mulari, Nelson), carried.
3. It was moved and seconded to purchase (4) copiers in a combined purchase that would save \$1,000 a month. Copiers would be for the offices of the County Administrator, County Auditor/Treasurer, Extension and EDA/Housing (Bristlin, Nelson), carried.
4. The Human Services Building Change Orders were discussed, and it was moved and seconded to approve \$580 – Additional Heat Piping Demolition; \$5,104 – Rerouting of Secondary Overflow Drain from roof to ground; \$2,710 – Adding (3) Fire/Smoke Dampers; \$285. – Extra sheet-rocking to the West wall of the conference area (Bristlin, Knutson), carried.
5. It was moved and seconded to approve the engagement letter with the MN State Auditor for the 2004 Audit (Nelson, Bristlin), carried.

6. The year-to-date Budget to Actual and the Investment Summary were reviewed.
7. MCNS Family Planning. The only outstanding money from the state is \$25,750 for the first quarter of 2005. This will be included with the next accounts payable.

Auditor

1. It was moved and seconded to approve the Agenda as amended (Nelson, Bristlin), carried.
2. It was moved and seconded to approve the following: Annual On/Sale (includes Sunday) Liquor License Renewals: Mike's Pit Stop, Inc. c/o Michael A. Reep, Pit 6-11, Lake Eunice Township and Delhelm, Inc., Nancy Wermager, President, Randy's Lake Eunice, Lake Eunice Township (Bristlin, Knutson), carried.
3. It was moved and seconded to approve the following: Annual Off/Sale 3.2 Beer License Renewals: Richard Sherbrooke, Cormorant Store, Inc., Cormorant Twp.; Richard Sherbrooke, Lake Center Store, Lake Eunice Twp.; Shirley Kalberer, County 6 Amoco & Bait, Lake View Twp.; Mike's Pit Stop, Inc.; c/o Michael A. Reep, Pit 6-11, Lake Eunice Twp.; Delhelm, Inc., Nancy Wermager, President, Randy's Lake Eunice, Lake Eunice Twp. (Bristlin, Nelson), carried.
4. It was moved and seconded to approve the following: Temporary 1-Day Liquor License: Detroit Lakes Regional Chamber of Commerce, Dave Hochhalter, President, for operations Tuesday, May 3, 2005 at Maplelag Resort on Little Sugar Bush Lake in Sugar Bush Twp. (Nelson, Bristlin), carried.
5. It was moved and seconded to approve the following: Annual Combination On/Off Sale 3.2 Beer License Renewals: David L. Buelow, Jolly Fisherman Resort, Round Lake Twp.; Kathleen S. Chase, Shell Lake Resort, Shell Lake Twp.; Allen J. Chirpich, The Hideaway Resort, Shell Lake Twp. (Bristlin, Nelson), carried.
6. It was moved and seconded to approve the following: Annual On/Sale 3.2 Beer License Renewal: Cormorant Lakes Sportsman's Club, c/o Jack Wagenman, Lake Eunice Twp. (Nelson, Bristlin), carried.
7. It was moved and seconded to approve the following: Annual Tubing License Renewals: James & Cathleen Pihlaja, Charlies Otter Tail Tubing, Erie Twp. to include meeting with the Sheriff and the Auditor (Knutson, Bristlin), carried.
8. It was moved and seconded to approve the following: Eddie H. Enger, Ed's River Run Tubing, Erie Twp. to include meeting with the Sheriff and the Auditor (Knutson, Bristlin), carried.

9. It was moved and seconded to pass Resolution No. 03-05-2E, approving the Application for Re-purchase of Tax-Forfeited Land, Parcel No. R50.0220.000 by Mitchell & Gayla Aho (Bristlin, Mulari), carried.

#### Presentations/Retirement Recognition

1. Presentations were made to Pam Ranua, Department of Motor Vehicle and Dianne Johnson, County Records Office as they are retiring the end of this month.

#### Parks & Recreation

1. It was moved and seconded to remove the Groundskeeping Contract from the table (Nelson, Salminen), motion died for lack of approval. The motion is still tabled and will be brought to the next board meeting for consideration.

#### NRM

2. It was moved and seconded to award the Spring Tree Planting Bid to Osark Mountain, low bidder (Bristlin, Mulari), carried.
3. Timber Sales were discussed. Commissioner Salminen and Commissioner Knutson suggested that from now on, recording of bidding should be done in case the second bidder would be the one awarded the bid because of disqualification. Chip Lohmeier said the tracts not sold this time would be pulled and put on the next auction. It was moved and seconded to keep track of second bidders from now on (Nelson, Bristlin), the motions were withdrawn and this item was sent back to committee.

#### Human Services

1. It was moved and seconded to approve the Agenda as amended (Nelson, Mulari), carried.
2. It was moved and seconded to pass Resolution 03-05-2G to hire a full-time Office Support Specialist from the Merit System pool list to fill a vacancy due to a promotion (Bristlin, Mulari), carried.
3. It was moved and seconded to approve the Purchase of Services Contract with Emmanuel Community for our share of funding the Senior Coordinator Position for 2005 (Mulari, Bristlin), carried.
4. The approval of the Purchase of Services Contract with Hannah Rue for specialist services under the CADI program for disabled clients was discussed, and will be considered at the next board meeting. Commissioner Mulari requested more information on the program.

5. It was moved and seconded to accept the Public Assistance Applications (Bristlin, Mulari), carried.
6. It was moved and seconded to approve the Human Services Claims (Bristlin, Mulari), carried.

#### Community Health

7. It was moved and seconded to approve the MDH Data Analysis Contract to allow Community Health to gain access to summary birth data through the I.Q. website (Mulari, Nelson), carried.
8. It was moved and seconded to accept the Cost Center Report for the month of February. This will be submitted to the Board at the second meeting of each month (Mulari, Bristlin), carried.
9. It was moved and seconded to approve the Community Health Claims (Mulari, Bristlin), carried.
10. It was noted that Public Health Week will be April 4 – 8, 2005.
11. Becker County Human Services was awarded a Certificate of Recognition for assistance to the Food Support Program and to the people of Minnesota, by the United States Department of Agriculture's regional Food Stamp Office and the Commissioners Office of the Minnesota Department of Human Services.

#### Transit

12. It was moved and seconded to approve the Transit Claims (Bristlin, Knutson), carried.

#### Planning & Zoning

1. Planning Commission Meeting (PC) Minutes of March 15, 2005:
  - 1) FIRST ORDER OF BUSINESS: Gary Larsen. It was moved and seconded to concur with the findings and recommendations of the PC to approve the December 21, 2004 motion stand as previously approved (Bristlin, Knutson), carried.
  - 2) SECOND ORDER OF BUSINESS: Bruce Qvammen. This item was tabled.
  - 3) THIRD ORDER OF BUSINESS: John Frank. This item was tabled.
  - 4) FOURTH ORDER OF BUSINESS: Jim Kaiser, Cormorant 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 commercial based on the fact that it is compatible with the surrounding area (Nelson, Mulari), carried.
  - 5) FIFTH ORDER OF BUSINESS: Franz Plattner. This item was tabled.

- 6) SIXTH ORDER OF BUSINESS: Final Plat of Pickerel Bay First Addition, Lee Carlson Developer. It was moved and seconded to concur with the findings and recommendations of the PC to approve the final plat of Pickerel Bay First Addition based on the fact that the plat meets the requirements of the Zoning Ordinance and Subdivision Ordinance (Knutson, Bristlin), carried.
  - 7) SEVENTH ORDER OF BUSINESS: Final Plat of Sayler's Beach, Ernest Sayler Developer. It was moved and seconded to concur with the findings and recommendations of the PC to approve the Final Plat of Sayler's Beach based on the fact that the plat meets the requirements of the Zoning Ordinance and Subdivision Ordinance (Knutson, Nelson), carried.
  - 8) EIGHTH ORDER OF BUSINESS: The next Informational Meeting is scheduled for Thursday, April 14, 2005 at 8:30 a.m. at the Planning & Zoning Office.
2. Zoning Ordinance Revisions as recommended by the Zoning & Subdivision Ordinance Advisory Committee and the Becker County Planning Commission.
    - 1) It was moved and seconded to approve the revisions as recommended for Section 7, Non-Shore land Multi-Unit Developments (MUDs) (Nelson, Knutson), carried.
    - 2) It was moved and seconded to approve Section 7A, Shore land Multi-Unit Residential Developments, with the correction to Subdivision 1, B. to add...or campgrounds in existence as of March 23, 2005 until the resort is converted to a Multi-Unit Residential Development and to add advisory representation from the Resort and Development Business. Approval with the stipulation that the ZSOAC will continue to review the approved ordinance language for clarification and or amendment if needed, (Salminen, Nelson), carried.
    - 3) It was moved and seconded to approve the revisions as recommended to Section 7B, Controlled Access Lots (Bristlin, Nelson), carried.
    - 4) It was moved and seconded to approve the revisions as recommended to Subdivision Ordinance, Section 1, Subdivision 4A, to include language authorizing the exemption of certain projects by the Environmental Technical Panel (Nelson, Bristlin), carried.
    - 5) It was moved and seconded to approve the revisions to Section 6, Subdivision 1, Group Care facilities as written (Nelson, Bristlin), carried.
    - 6) It was moved and seconded to approve the Zoning Ordinance, Section 4, Definitions, with one addition that authorized the Environmental Technical Panel to review and make changes (Mulari, Bristlin), carried.
    - 7) There was discussion only of Section 7C, Shore land Commercial/Transient Multi-Unit Development.
  3. It was moved and seconded to pass Resolution No. PZ 03-05-2F, approving to extend the moratorium contained in Resolution No. PZ 09-04-2A for a six-month period with respect to the following type of developments only: Commercial Shore land Planned Unit Developments (Nelson, Mulari), carried.

Public Hearing – Lake St.Clair. The Public Hearing was opened at 1:12 p.m. Dick Hecock, Senior Advisor, Pelican River Watershed, presented the background information to the Board and audience on the history of Lake St.Clair. He provided a map of the lake to show previous boundary lines. Rich Grabow, Administrator, City of Detroit Lakes, stated that the City Council supports the adoption of the proposed Ordinance to Prohibit Motorized Watercraft on Lake St. Clair. Tim Shaw, representing his father Curtis Shaw, stated that his father owns land on Lake St. Clair and his father would like to continue using the lake for boating. When asked how many people use the lake, he replied, very few--maybe one boat every 2 to 3 weeks. Jinny Imholt, Pelican River Watershed Office, advised the group that \$53,000 was the cost of the last alum treatment. The affects of the treatment have had a positive effect on Lake St. Clair and on Muskrat, Sally and Melissa Lakes. The concern is that more development is planned for this lake, and the people settling there would feel they have right to use the lake. We need to deal with this as a whole to avoid any problems. Jim Vareberg, a nearby landowner, stated that he uses the lake once in a while. Commissioner Nelson asked if not being able to use the lake would be a hardship for anyone, and could there be an exemption for one or two people. Commissioner Salminen remembered how bad Lake Sally was from run-off from Lake St. Clair, when he first purchased his lakeshore. The alum has really helped to cleanup the lakes. Commissioner Bristlin was concerned about Tim Shaw's father not being able to use the lake, when he has been able to in the past, and asked if this could be "grandfathered." Dick Hecock replied that any motor boat activity will disrupt sediment. When asked how fragile the membrane created by the alum was, he replied that an oar could stir it up.

It was moved and seconded to close the Public Hearing at 1:35 p.m. (Bristlin, Mulari), carried. It was moved and seconded to recommend to send the request on to the Commissioner of the Department of Natural Resources for review and preliminary approval (Bristlin, Knutson), carried.

#### Highway

1. It was moved and seconded to pass Resolution No. 03-05-2B, revoking the segment of County Road 148, lying between Cheryl Avenue and TH59 to the City of Detroit Lakes as a City street (Nelson, Mulari), carried.
2. It was moved and seconded to pass Resolution No. 03-05-2C, accepting completed project for Project No. SAP 03-638-09, and authorizing final payment of \$837,552.29 (Bristlin, Knutson), carried.

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

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

/s/ Harry Salminen  
Harry Salminen  
Board Chair