

REGULAR MEETING AS POSTED
BECKER COUNTY BOARD OF COMMISSIONERS
DATE: Tuesday, March 27, 2007 at 8:15 a.m.
LOCATION: Board Room, Courthouse All Present

Agenda

1. Agenda stands as advertised
2. It was moved and seconded to approve the Minutes of March 13, 2007 (Knutson, Salminen), carried.

Commissioners

1. Open Forum:
 - a. Leroy Squires has acreage adjoining the Look Out Rock Properties. He has concerns about the change in the width of the roads, water drainage or run-off and where it would go, how many wells would be installed, fire protection, covenants as to dogs running free, trespassers, people hunting. He has put considerable money into improvement of the road and wanted to know how this would be maintained with more usage.
 - b. Irene Johnson, also speaking in reference to Look Out Rock Properties, advised that Tera Guetter, Pelican River Watershed, and Brad Grant, Becker County Soil & Water, have looked at the area and suggested to make the holding pond area larger.

Reports & Correspondence:

Commissioner Salminen Reports: None at this time.

Commissioner Mulari Reports: None at this time.

Commissioner Bellefeuille Reports:

- a. Attended the Pelican River Watershed Meeting where the Rice Lake Project between Tower Road and the Industrial Park was discussed. Federal funding will be used.
- b. Attended the Historical Society Meeting. There was discussion reference re-opening.

Commissioner Knutson Reports:

- a. Attended the Natural Resources meeting where Tax-Forfeited land was discussed
- b. The Environmental Committee toured the Perham Incinerator.

Commissioner Nelson Reports:

- a. Attended the Sunnyside Care Center Board Meeting. The Administrator is leaving and the Board will review their options. A former Administrator will fill in for 2 – 3 days a week.
- b. Attended the Red River Watershed Meeting. Everything is running smoothly.
- c. Attended a Township Meeting in Audubon where a 5-acre lot minimum size was discussed.

NRM

1. It was moved and seconded to award the bid for the seedlings to PRT USA, Inc. for 89,000 Jack Pine Seedlings at \$125/thousand; and to Badoura State Forest Nursery for 89,000 Norway Pine at \$170/thousand (Salminen, Knutson), carried.
2. It was moved and seconded to award the seedling planting labor bid to Drennen Forestry Services, Inc for \$48.75/thousand (Salminen, Knutson), carried.
3. It was moved and seconded to award the trail seeding bids to the Audubon Co-op in the amount of \$705 (Salminen, Knutson), carried. Callaway submitted the same bid, but was awarded the contract last year.
4. It was moved and seconded to concur with the Parks and Recreation Department and recommend extending the Ground Maintenance Contract with L & M Road Services, Inc. for the second of a three year contract renewal period. The contract amounts to \$11,855 for the grounds maintenance of County parks, beaches, lake accesses, and recreation trails and an additional \$5,400 for grounds maintenance of County highway maintenance shops and retention ponds—for a total of \$17,255 (Knutson, Salminen), carried.

Auditor-Treasurer

1. It was moved and seconded to approve a Gambling Permit for the Humane Society of the Lakes, for annual operations at T.F. Boonies in Lake View Township (Salminen, Bellefeuille), carried.
2. It was moved and seconded to approve a Tubing License Renewal (January 1, 2007 – December 31, 2007), Eddie H. Enger, Ed's River Run from Hwy. 29 to Hwy. 34 in Erie Township (Salminen, Knutson), carried.
3. It was moved and seconded to approve a Seasonal Tobacco License Renewal (May 1 – October 31, 2007, Richard M. Lynch, Hotel Shoreham, Lake View Township (Salminen, Bellefeuille), carried.
4. It was moved and seconded to approve the following Liquor, Wine, 3.2 Licenses run May 1, 2007 thru April 30, 2008 (Salminen, Bellefeuille), carried.

- a. Richard M. Lynch, Hotel Shoreham, Lake View Township
 - b. Gerald L. Hanson, Charlie's Bar & Supper Club, Height-of-Land Township
 - c. Delhelm, Inc., Randy's Lake Eunice, Lake Eunice Township
 - d. Patricia J. Maloney, The Cormorant Pub, Inc., The Pub, Cormorant Township
 - e. Wayne M. Crawford, Sunlite Bar and Grill, Inc., Detroit Township
 - f. Matthew L. Anderson, Tri-Lakes Roadhouse Bar & Grill, Inc., Cormorant Township
 - g. Jay B. Olness, GR8 Investments, Inc., Pit 611, Lake Eunice Township
 - h. Michael T. Mercil, Mercil, Inc., Little Easy on the Green, Lake View Township
5. It was moved and seconded to approve a Combination On/Off Sale Liquor License Renewal for Joy M. McNamara, County 17 Club, Inc., Lake View Township (Salminen, Bellefeuille), carried.
6. It was moved and seconded to approve the following Off/Sale Intoxicating Liquor License Renewals (Salminen, Bellefeuille), carried.
- a. Patricia J. Maloney, Cormorant Bottle Shop, Cormorant Township
 - b. Kim R. Bergley, The Flyway LLC, The Boondocks, Height of Land Township
7. It was moved and seconded to approve the following Wine and Strong Beer License Renewals (Salminen, Bellefeuille), carried.
- a. Fred W. Brower, Cedar Crest Resort, Maple Grove Township
 - b. Tamara L. Coats, Coats Management, Inc., OBT/K & T's Pub & Grub, Osage Township
8. It was moved and seconded to approve the following On/Off Sale 3.2 Beer License Renewals (Salminen, Bellefeuille), carried.
- a. Fred W. Brower, Cedar Crest Resort, Maple Grove Township
 - b. Tamara L. Coats, Coats Management, Inc., OBT/K & T's Pub & Grub, Osage Township
 - c. Kathleen Chase, Shell Lake Resort, Shell Lake Township
 - d. Anne E. Buelow, Jolly Fisherman Resort, Round Lake Township
 - e. Allen J. Chirpich, The Hideaway Resort, Shell Lake Township
 - f. Richard J. Bartelt, Four Corners, Erie Township
 - g. Roger L. Nelson, Loon Echo, Inc., Elbow Lake Store & Bar, Round Lake Township
 - h. Michael R. Levin, Green Valley Golf, Cormorant Township
 - i. Randy Blanford, Tamarac Resort, Sugar Bush Township
9. It was moved and seconded to approve the following Off/Sale 3.2 Beer License Renewals (Bellefeuille, Salminen), carried.

- a. Bill D. Christlieb, Osage Country Market, Osage Township
 - b. Jay B. Olness, GR8 Investments, Inc., Pit 611, Lake Eunice Township
 - c. Richard M. Lynch, Hotel Shoreham, Inc., Hotel Shoreham, Lake View Township
 - d. Gerald L. Hanson, Charlies Bar & Supper Club, Height of Land Township
 - e. Wayne M. Crawford, Sunlite Bar and Grill, Inc., Detroit Township
 - f. Nancy L. Hofstrand, Delhelm, Inc., Randy's Lake Eunice, Lake Eunice Township
 - g. Richard B. Sherbrooke, Lake Center Store, LLC, Lake Eunice Township
 - h. Matthew L. Anderson, Tri-Lakes Roadhouse Bar & Grill, Inc., Cormorant Township
 - i. Shirley Kalberer, County 6 BP & Bait, Lake View Township
 - j. Richard Sherbrooke, Cormorant Store, Inc., Cormorant Township
10. It was moved and seconded to approve an On/Sale 3.2 Beer License Renewal for Gregg A. Johnson, Cormorant Lakes Sportsman's Club, Lake Eunice Township (Bellefeuille, Salminen), carried.

Finance Committee

- 1. It was moved and seconded to approve the Claims and the over 90-day Claims for Al Chirpich, Board of Adjustments; Julene Hodgson, size of expenditure; and Best Western Holland House, wrong customer number (Salminen, Knutson), carried. Meal reimbursement for meals for a prisoner during transport was approved.
- 2. Sheriff. Finance Committee recommends to approve and will be addressed formally later on the Agenda.
- 3. Natural Resources Management. The Finance Committee recommends to approve. This item was addressed formally earlier on the Agenda. Carbon Credits were also discussed and Chip is going to look into the qualifications and if some of our 77,000 acres could be utilized.
- 4. Parking Ramp Bids. Bids were opened on Thursday, March 22, 2007. The bids were higher than expected. The Building Committee is not prepared to make a recommendation.
- 5. Building Committee Change Orders on the Courthouse Building Project. It was moved and seconded to approve authorizing the Building Committee to approve change orders cumulative up to \$10,000 between board meetings. Commissioners Salminen and Nelson serve on this Committee (Salminen, Knutson), carried.
- 6. Gravel Tax Audits. It was moved and seconded to approve hiring a consultant to complete three years audits for gravel tax for the cost of just under \$2,000 (Salminen, Mulari), carried.
- 7. Cash Comparison and Investment Summaries for February. These were reviewed and discussed.

8. County Bond Rating. The County was reviewed by Moody's for receiving our bond rating. Becker County is doing very well and has maintained a GO Bond Rating of A1. The County Board thanked Ryan Tangen, County Auditor-Treasurer for his services.
9. Becker County Humane Society Lease Proceeds. After discussion, it was recommended to put the proceeds from the BCHS Lease in the amount of \$1,400 in the General Fund.

Presentation/Veteran's Group

Larry Hynding and several representatives from various Veteran's Groups were present at the County Board Meeting for consideration to an official honorary Becker County Veteran's Memorial Highway. It was moved and seconded to pass Resolution No. 03-07-2A, designating the official route described as CSAH No. 33, commencing at the south county line of Becker County, thence running 2.5 miles more or less to State Highway No.87. CSAH No.39, beginning at the intersection of State Highway No.87, thence running northeasterly 12 miles more or less to the intersection of State Highway No.34; CSAH No.37, beginning at the intersection of State Highway No.34, thence running northeasterly 21.5 miles more or less to the intersection of State Highway No.113, thence continuing northerly on Clearwater County No.39 for 0.5 mile to the north line of Becker County, and there terminating (Salminen, Mulari), carried. The Board thanked Larry Hynding and the Veterans groups for all the hard work to make this designation possible. A moment of silence was held to honor Veterans.

Human Services

1. It was moved and seconded to approve the Human Services Claims (Salminen, Mulari), carried.
2. It was moved and seconded to approve the Community Health Claims (Salminen, Knutson), carried.
3. It was moved and seconded to accept the Transit Ridership Report (Knutson, Mulari), carried.
4. It was moved and seconded to approve the Transit Claims (Salminen, Knutson), carried.
5. Commissioner Nelson asked about the Detroit Lakes Trolley Project. Commissioner Salminen was at the Trolley Project Meeting and relayed the message that the project was moving forward. Commissioner Salminen suggested that all groups involved get together to work out any problems. The Trolley will run approximately 5 or 6 months each year.

6. Nancy Nelson, Director, Human Services provided the Board with a copy of Human Services Top Priorities List for the Legislators. Included in the list were the Child Safety Act; Child Support Enforcement Program Funding; Family Visiting Program, and Appropriations.

Sheriff

1. It was moved and seconded to pass Resolution No. 03-07-2E, accepting the Federal Boat & Water Grant in the amount of \$7,500 (Bellefeuille, Salminen), carried.
2. It was moved and seconded to approve to sign and agree to the terms by MN Stat. for the purpose of utilizing the State of Minnesota Computer System for MNCIS (Minnesota Court Information System) (Salminen, Bellefeuille), carried.
3. It was moved and seconded to pass Resolution No. 03-07-2F, approving to hire a temporary full-time Boat and Water Deputy to assist with seasonal patrol work (Bellefeuille, Mulari), carried.

Billboard Discussion/Glen Gifford

1. Glen Gifford, Del Bergseth and Sharon Josephson brought the billboard issue to the Board to request having the County Board review the number of billboards coming into Detroit Lakes. It was moved and seconded to have the group meet with Becker County Planning & Zoning Committee before bringing the issue back to a County Board Meeting (Salminen, Nelson), motion and second were withdrawn. The City of Detroit Lakes has done a first reading of a Moratorium to stop issuing a permit for off-premises billboards. It was moved and seconded to approve to place the billboard issue on the next County Board Meeting for discussion and invite public comment (Salminen, Nelson), carried.

Mahube/Supportive Housing Grant

1. It was moved and seconded to pass Resolution No. 03-07-2H, supporting the Family Homeless Assistance and Prevention Program Grant application submitted by Mahube Community Council and authorize the Board Chair to sign the Resolution (Salminen, Mulari), carried.

US Fish and Wildlife – moved to 11:45 a.m.

Highway

1. The 2006 Annual Highway Report was given to the County Board.
2. It was moved and seconded to pass Resolution No. 03-07-2C, Transfer of Excess Municipal Funds to Regular Funds. MN. Stat. 162.08, Subd. 4 (3d), provides that accumulated balances in excess of two years of municipal account apportionments

may be spent on projects located outside of municipalities under 5,000 population when approved solely by resolution of the County Board and resolving funds in access of two years apportionment in the amount of \$61,340 transfer into the Regular Construction Account (Salminen, Mulari), carried.

3. It was moved and seconded to pass Resolution No. 03-07-2G, to set forth the Drug and Alcohol Policy regarding urine drug testing and breath alcohol testing for safety-sensitive positions in accordance with the terms of 49 CFR Part 350 & 382 further certify that the employee training conducted under this part meets the requirements of 49 CFR Part 655 (Salminen, Knutson), carried.
4. It was moved and seconded to pass Resolution No. 03-07-2D, Comprehensive Highway Funding in 2007. The Becker County Board of Commissioners requests in 2007 the Minnesota Legislature pass a comprehensive transportation funding package that permanently increases dedicated funding for highways and transit in both Greater Minnesota and the Twin Cities Metropolitan Area and requests that in 2007 Governor Tim Pawlenty allow a comprehensive transportation funding package that permanently increases dedicated funding for transportation that is passed by the Legislature to become law; and the Becker County Board of Commissioners supports funding options including, but not limited to, the following (Salminen, Mulari), carried. Knutson voting nay. Roll Call Vote: Commissioner Knutson voting nay; Commissioner Salminen voting yea; Commissioner Mulari voting yea; Commissioner Bellefeuille voting yea; Commissioner Nelson voting yea.
 - An increase in the gas tax of 5-cents
 - Indexing of the gas tax
 - Trunk Highway bonding, provided the Legislature implements reasonable restrictions on the amount of debt service the state will incur and provided the Legislature appropriates funding to assist with local costs related to projects funded with trunk highway bonds.
 - General obligation bonding for local roads and bridges, particularly for roads of regional significance and to assist with local cost participation requirements pertaining to trunk highway projects; and
 - Sales tax exemptions for state and local transportation construction projects.

Planning & Zoning

1. Becker County Planning Commission (PC) of March 20, 2007:
 - 1) FIRST ORDER OF BUSINESS: Look Out Rock Properties, Bob Bekkerus and John Bekkerus, Erie Township. After much discussion, 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 and approve a conditional use permit for a multi-unit residential development consisting of 16 units based on the fact that the use would not be detrimental to the surrounding area with the stipulation that the change of zone is only for the area to be known as Phase One and that the road corridor be a 66-ft easement rather than a 40-ft

- corridor. Added to the Planning Commission motion was there would be no future development unless townships get together on the roads and no heavy equipment on tarred roads (Salminen, Bellefeuille), motion and second were withdrawn. After more discussion, 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 and approve a conditional use permit for a multi-unit residential development consisting of 16 units based on the fact that the use would not be detrimental to the surrounding area with the stipulation that the change of zone is only for the area to be known as Phase One and that the road corridor be a 66-ft. easement rather than a 40-ft. Corridor (Bellefeuille, Nelson), carried. Commissioners Salminen and Knutson voting nay. Roll call vote: Commissioner Knutson voting nay; Commissioner Salminen voting nay; Commissioner Mulari voting yea; Commissioner Bellefeuille voting yea; and Commissioner Nelson voting yea.
- 2) SECOND ORDER OF BUSINESS: Thomas Campbell, Richwood Twp. It was moved and seconded to concur with the PC findings and recommendations to approve a conditional use permit for plumbing business to be run out of the home based on the fact that the use would not be detrimental to the surrounding area (Knutson, Salminen), carried.
 - 3) THIRD ORDER OF BUSINESS: David Bjornlie, Lake View Township. It was moved and seconded to approve the change of zone from agricultural to residential based on the fact that the property is residential in character and the zone change would not be detrimental to the surrounding area (Knutson, Bellefeuille), carried.
 - 4) FOURTH ORDER OF BUSINESS: Russell Davis, Erie Township. It was moved and seconded to concur with the PC to approve the change of zone from agricultural to residential for one tract of land and approve the certificate of survey for four tracts of land based on the fact that the survey is to correct bad legal descriptions and adjust lot lines (Knutson, Mulari), carried.
 - 5) FIFTH ORDER OF BUSINESS: Final Plat of Whitetail Meadows, Don Skarie, Developer. It was moved and seconded to concur with the PC findings and recommendations to approve the final plat of Whitetail Meadows, a five-lot subdivision, based on the fact that the final plat meets the criteria of the Zoning Ordinance and Subdivision Ordinance (Knutson, Bellefeuille), carried.
 - 6) SIXTH ORDER OF BUSINESS: Informational Meeting. Thursday, April 12, 2007 at 8:00 a.m. at the Planning & Zoning Office.

US Fish & Wildlife Purchase

1. The US Fish & Wildlife recently secured an option to purchase 27 acres from Linda Brown, a single person, of Lake Park, Minnesota. It was moved and seconded to approve certification of this purchase (Knutson, Salminen), carried.

The County Board reconvened at 1:30 to address the Agenda Item: Bond Sale/HEDA.

1. The Becker County Economic Development Authority, a body corporate and politic (the "Authority") has agreed to enter into a Lease Agreement with the County pursuant to which the Authority will provide for the acquisition, construction and equipping of an addition to the County Courthouse (the "Project") to be used by the County. The County will Ground Lease the Project to the Authority pursuant to a Ground Lease Agreement, between the County and the Authority, dated as of April 24, 2007 (the "Ground Lease"), and the Authority will lease the Project back to the County pursuant to a Lease Agreement, between the Authority and the County, dated as of April 24, 2007 (the "Lease"). The Authority will issue its \$6,395,000 Public Facilities Lease Revenue Bonds, Series 2007A (Becker County, Minnesota Lease Obligation) (the "Bonds") to provide funds to finance the Project pursuant to an Indenture of Trust, between the Authority and U.S. Bank National Association, as Trustee, dated as of April 24, 2007 (the "Indenture"), which sets forth the form and details of the Bonds, their issuance and pledges the rental payments derived from the Lease to the payment of the Bonds. This Resolution was approved by the Becker County Economic Development Authority.
2. It was moved and seconded to approve the Resolution authorizing the issuance of \$6,395,000 Public Facilities Lease Revenue Bonds, Series 2007A (Becker County, Minnesota Lease Obligation) and the execution and delivery of a Ground Lease Agreement, a Lease Agreement and an indenture of trust in connection therewith (Salminen, Mulari), carried.

There being no further business, the meeting was adjourned.

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

/s/ Barry Nelson
Barry Nelson
Board Chair