

REGULAR MEETING AS POSTED
BECKER COUNTY BOARD OF COMMISSIONERS
DATE: Tuesday, June 26, 2007 at 8:15 a.m.
LOCATION: Board Room, Courthouse, All Present

1. Agenda – As Posted
2. It was moved and seconded to approve the Minutes of June 12, 2007 (Nelson, Mulari) carried.

Commissioners

1. Open Forum:
 - a. Victor and Kay Rudek made recommendations to eliminate destruction to wetlands, from new road development, on Brush Lake. With the help of the County and the Township the developer could make an entrance to the north or the west of the wetland area. If the road would come from one of those directions, it would eliminate destruction to the west bank. The State of Minnesota recognized both water ways as one before the current path was put in. It appears that to the State, in the 30s or 40s the channel was filled in and a culvert was installed. When the lake is up to normal depth that roadway is under a foot of water. Right now Rush Lake is about 3 1/2 feet lower than normal. The developer is going to have to develop and excavate the channel. We propose to excavate and build a bridge across the channel. If this is not possible, we ask for a larger culvert to be put in so there is access to both sides of the lake. The existing access is on school property, and is used at a persons own risk. The developer is planning to put in a private water access for the development. The Rudeks are also asking for a right turning lane to be added to Highway 42. With increased traffic to this area it will help to ensure safety. Commissioner Knutson noted that the developer has been granted a permit from the DNR to build the road. They feel the Commissioners have the final approval or recommendations to change the permit. This will be addressed again at 11:00 under Planning and Zoning.

2. Reports & Correspondence:

Commissioner Bellefeuille Reports:

- a. The Wes-Min RC&D Meeting: A judgment around \$60,000 has been ordered against 2 clients. RC&D is hoping their insurance will pay for it. Commissioner Nelson added: RC&D has a boys and girls camp that they are looking for a non-profit organization to take over. They currently owe about \$150,000 on it.
- b. Historical Society Meeting: They are doing well with donations. They are still deciding if they want to hire a director or a curator.

Commissioner Salminen Reports:

- a. Nothing to report.

Commissioner Mulari Reports:

- a. Land of the Dancing Sky Board on Aging Meeting: They will be staying with NSI as the nutrition services provider for at least 2 more years.
- b. Environmental Services Meeting: Good discussion was held regarding what services need to be provided in Becker County. Commingled collection has been discussed and is being considered.
- c. Lakeland Mental Health Meeting: Request for fee increase will be addressed by the Human Services Director.

Commissioner Nelson Reports:

- a. Library Meeting: Attended meeting last Thursday and worked on setting budgets. Their request will probably go up considerably.
- b. Sunnyside Meeting: There was some additional riprap done along shoreline. Commissioner Nelson signed papers on behalf of Becker County requesting an additional \$1,200 from cost share.

Commissioner Knutson Reports:

- a. Environmental Meeting: Pine Point will be an additional collection point of household hazardous waste; paints etc. If you hear of an area that is interested in having a collection point, let Commissioner Knutson know.
- b. Natural Resource Meeting: Will be looking at having a tax forfeited land sale. County Highway is crushing gravel in a pit by Bad Medicine. Looking at the access to a tax forfeited land by Shell Lake.

3. Appointments

- a. It was moved and seconded to approve the appointment of Dennis Kral, William Jordan, and Janice Haggart to the Pelican River Watershed Board of Managers (Salminen, Bellefeuille). A motion was made to amend the motion to nominate Don Scarie in place of Dennis Kral in the Pelican River Watershed appointment (Knutson, Mulari). Roll Call Vote: Commissioner Knutson – Yea; Commissioner Salminen – Nay; Commissioner Mulari – Yea; Commissioner Bellefeuille – Nay; Commissioner Nelson – Nay. The amended motion did not carry. The original motion carried.
- b. AMC Leadership Development August 15-17
 - a. It was moved and seconded to allow any Commissioner to attend the AMC Leadership Development Conference that wishes to (Salminen, Mulari), carried.

Auditor – Treasurer

1. Licenses & Permits – none to approve
2. It was moved and seconded to pass Resolution No. 06072A to set the date, July 26, 2007 and the time, 9:00 a.m. for the direct sale of the Swift Plant (Mulari, Salminen), carried.
3. It was moved and seconded to approve the minutes of the Board of Appeals & Equalization from June 12, 2007 and to approve a continuation of the minutes from June 19, 2007 (Salminen, Mulari), carried.

Finance Committee Minutes

1. It was moved and seconded to approve the Finance Claims (Knutson, Mulari), carried.
2. It was moved and seconded to approve payment of \$7,964.17 for the ICWC crew from the jail budget (Mulari, Knutson), carried.
3. It was moved and seconded to approve the purchase of two digital recorders and a transcription kit for the child abuse and neglect investigators in the amount of \$1,228 (Knutson, Bellefeuille), carried.
4. It was moved and seconded to approve the purchase of two electronic white boards plus accessories for Community Health at a cost of \$2,547 that will be covered by avian flu grant funds (Knutson, Mulari), carried.
5. It was moved and seconded to approve a lease extension of six months at a rate of \$2,350 per month for office space in the Lincoln Professional Building (Knutson, Bellefeuille), carried.
6. The State Auditors Office performs a desk review of all county audits submitted by private audit firms. The OSA has identified four areas of concern and they will be addressed in our 2006 audit.

Assessor/Environmental Services

1. It was moved and seconded to approve \$2,200 in materials for the replacement of a recycling shed (Salminen, Mulari), carried.
2. It was moved and seconded to approve Resolution 06-07-2B to reclassify the Band/Grade of the Chief Deputy Assessor due to reorganization of the Environmental Service Department and the County Assessor Department (Salminen, Mulari), carried.

Human Services

1. It was moved and seconded to approve one agenda addition; to amend reimbursement in the agreement with Jon Heydt, and one agenda deletion; the MOU with White Earth for Child Welfare/Child Protection Services (Salminen, Knutson), carried.
2. It was moved and seconded to accept the Public Assistance Caseload and Application Trends (Salminen, Mulari), carried.
3. It was moved and seconded to accept the Children Services Report (Salminen, Mulari), carried.
4. It was moved and seconded to accept the Adult Services Report (Mulari, Salminen), carried.
5. It was moved and seconded to approve the addition to the agreement with Jon Heydt for a \$5 Minimum mileage reimbursement, an additional \$20 fee for out of county service and mileage will be reimbursed from the closest point of service (Bellefeuille, Mulari), carried.
6. It was moved and seconded to approve the Human Service Claims (Salminen, Mulari), carried.
7. It was moved and seconded to approve the Community Health Claims (Mulari, Knutson), carried.
8. It was moved and seconded to accept the Transit Ridership Report (Mulari, Knutson), carried.
9. It was moved and seconded to approve the Transit Claims (Mulari, Bellefeuille), carried. Commissioner Knutson would like to extend a thank you to the volunteer drivers that are only reimbursed mileage.

NRM

1. It was moved and seconded to accept the quote from George Swanson in the amount of \$30,353 for preparation, including labor and materials, of 211 acres for tree planting (Salminen, Knutson), carried.

Highway

1. It was moved and seconded to approve Resolution No. 06-07-2C to allow bidding for crushing 15,000 yards of gravel at the Karkinen Pit and 10,000 yards at the parcel purchased for the County expansion project in 2001 on Highway 59. In addition, the Highway Department will receive an exception from the royalty usually paid by Highway for excavation on county property (Salminen, Bellefeuille), carried.

2. Construction Update – Construction on Highway 22 and Highway 24 is almost complete. Striping was completed last week. Final turf establishment needs to be made to ensure it is growing ok. Grading and graveling has begun on Highway 56, working on the west end up to Little Toad Lake Road. The start of the overlay project will begin at the end of July or beginning of August.

Planning and Zoning

1. FIRST ORDER OF BUSINESS: Mark Yozamp. Requests a change of zone from agricultural to high density residential and a multi-unit residential development consisting of 10 units and 10 mooring sites.

Speaking in favor to the application was:

Mark Yozamp – expressed concerns about the process he has gone through. He is asking for 10 lots and 10 mooring sites to be approved.

Speaking neutrally to the application was:

Tear Guetter, Administrator for the Pelican River Watershed District –They favor this plan over a lot/block because it would use an existing pathway down the bluff, and save further destruction of shoreline and aquatic vegetation.

Bob Merit, DNR – The DNR’s primary concern was focused on the bluff area. There is an existing path down the bluff so no further disruption to the area would be necessary.

Harry Salminen, Becker County Commissioner – Harry will not be voting on this issue.

Speaking in opposition to the application was:

Gail Hahn, Lake View Township Supervisor – opposed because of the high density.

Mary Ann Bond, President of Melisa/Sallie Lake Association – opposed because of the high density.

Tom Koehnlein –objects to the high density.

Clayton Jensen – opposed to the high density.

It was moved and seconded to concur with Planning and Zoning to deny this application because of land suitability (Knutson, Nelson), carried with Commissioner Salminen recused.

2. SECOND ORDER OF BUSINESS: Jon Christianson. Requests a conditional use permit to allow storage of trucks and garbage collection equipment on his property.

Speaking in opposition to the application was:

Clint Danielson – Expressed concerns of wetlands and requested a water sample to be taken. Commissioner Nelson informed him the EPA should be called with any concerns. The board will look into water sampling.

It was moved and seconded to concur with Planning and Zoning to approve a conditional use permit with the stipulation that containers must be stored on the north side of the most northern storage shed. This will replace Planning and Zoning's amended stipulation that the containers must be stored out of sight from the public road (Mulari, Knutson), carried.

3. **THIRD ORDER OF BUSINESS:** Bruce and Lorrie Middaugh. Requests a conditional use permit to allow replacement of a tiered garden with a pervious paver patio and retaining wall within the shore impact zone. An 8x20 cement patio will also be removed and a natural vegetation buffer installed.

Speaking in favor of the application was:

Jim Kiaser, representing Bruce and Lorrie Middaugh – Highlighted benefits of the plan.

Ellis Peterson, Cormorant Lakes Watershed – Stated Bruce has been working with the Watershed and that it is a good plan.

Commissioner Knutson stated he believes the Planning and Zoning Commission did not understand the plan.

It was moved and seconded to approve the conditional use permit with a valid Cormorant Lakes Watershed Permit (Salminen, Nelson), carried.

4. **FOURTH ORDER OF BUSINESS:** Jody Beaudine. Requests a conditional use permit to allow commercial use consisting of a convenience / liquor store in an Industrial Zone. It was moved and seconded to concur with Planning and Zoning to approve the conditional use permit (Salminen, Knutson), carried.
5. **FIFTH ORDER OF BUSINESS:** Charles Burlingame. Requests a change of zone from agricultural to residential and approval of a Certificate of Survey to allow 2 tracts of land (1.9 acres and 2.8 acres). Planning and Zoning approved the change of zone based on the fact that it would be compatible with the surrounding area with the stipulation that there be a 50 ft wide conservation easement running parallel to the shoreline and that any docking area be approved by the DNR, Technical River Panel and Planning and Zoning. It was moved and seconded to concur with Planning and Zoning and approve the zone change (Salminen, Mulari), carried.
6. **SIXTH ORDER OF BUSINESS:** Naterra Land Company. Tabled.
7. **SEVENTH ORDER OF BUSINESS:** Richard Swenson. Requests a preliminary plat for ten lots and a change of zone from agricultural to residential. Planning and Zoning approved the change of zone with the stipulation that a common lake access be created on Lot 1, Block 2 near the culvert.

Speaking in opposition of road was:

Victor and Kay Rudek – Expressed concerns of current road plan as well as not having access to both bodies of water.

Speaking in Favor of the road was:

Richard Swenson – He stated the DNR has approved the current road plan and have issued a permit.

Commissioner Nelson asked if the size of the culvert was written on the permit from the DNR. The length of the culvert was stated but not the diameter. The commissioners have asked for the following: exact culvert size, a written opinion from the DNR and catch basins.

It was moved and seconded to concur with Planning and Zoning to approve the zone change and to approve a preliminary plat (Mulari, Salminen). The motion was amended to restrict lake access created on Lot 1, Block 2 to residence of the private development (Knutson, Nelson), carried. Amended motion carried.

8. EIGHTH ORDER OF BUSINESS: Gene May. Requests a change of zone from agricultural to residential and approval of a preliminary plat consisting of 22 lots. Planning and Zoning approved the change of zone and approved the preliminary plat consisting of 22 lots with 11 of the lots having lake access and 11 lots having no access to the lake with the stipulation that Lots 4 & 5; Lots 6 & 7; Lots 8 & 9 having shared docking areas as close to the common lot line as possible for lake access for the nonriparian lots. It was moved and seconded to concur with Planning and Zoning and approve the change of zone and approve preliminary plats (Mulari, Salminen), carried.
9. NINTH ORDER OF BUSINESS: Richard Sherbrooke. Requests a change of zone from agricultural to residential and approval of a Certificate of Survey for 3 tracts of land (1.97 acres, 1.99 acres, 3.21 acres). This will include a conservation easement for land abutting Spring Creek. It was moved and seconded to concur with Planning and Zoning to approve the change of zone and approval of the Certificate of Survey (Mulari, Knutson), carried.
10. TENTH ORDER OF BUSINESS: Informal Meeting. The next meeting is scheduled for Thursday, July 12, 2007 at 8:00 a.m. at the Planning and Zoning office. Swenson stated that an informational meeting will be scheduled for 6:00 p.m. to present the proposed ordinance changes.

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