

REGULAR MEETING AS POSTED  
BECKER COUNTY BOARD OF COMMISSIONERS  
DATE: Tuesday, October 27, 2009 at 8:15 a.m.  
LOCATION: Board Room, Courthouse

#### Agenda

1. Meeting presided over by Vice Chair Bellefeuille. Commissioners in attendance except Commissioner Salminen, also Administrator, Brian C. Berg and Minute Taker, Kathy Fingalson.
2. It was moved and seconded to approve the Agenda with the addition of Becker County Children's Initiative Joint Powers Agreement Amendment, Dissolve West Central Regional Juvenile Center Agreement, Resolution 10-09-2G and establish new West Central Regional Juvenile Center Agreement (Schram, Knutson), carried.
3. It was moved and seconded to approve the Minutes of October 13, 2009 (Knutson, Schram), carried.

#### Commissioners

1. Open Forum:
  - a) Clint Danielson spoke regarding his concerns about a garbage hauling business located close to his property and the soil and water conditions resulting from the running of this business.
  - b) Vern Danielson spoke regarding his concerns about the same garbage hauling business located next to his property and possible violations regarding holding tanks for water.
2. Reports & Correspondence:
  - a) Commissioner Schram Reports:
    - i) Attended the Labor Management Committee meeting. Discussed the goals for 2010.
    - ii) Attended the Land of the Dancing Sky meeting in Moorhead. Discussed the nutrition contract status and the retirement and replacement of an employee.
    - iii) Attended the Children's Initiative meeting. Discussed different grants applications and billing and documentation issues with schools.
    - iv) Attended the WesMin Resource Conservation & Development meeting. Discussed signage, dry hydrant proposals, web site proposals, and recently received grants.
    - v) Attended the Western Area City County Co-op meeting. A presentation on adult foster care was given. Discussed the law enforcement crisis intervention training.
    - vi) Reported that the Winter Trails snowmobile bridge has not been constructed yet and they have found a club to do part of the northern snowmobile trails.
    - vii) Attended the Historical Society meeting. Discussed new board members, the membership drive, the daily traffic counts, and the displays they are sponsoring.
    - viii) Reported on the Development Achievement Center. They have a new board member and a grant for a bus replacement.
  - b) Commissioner Nelson Reports:
    - i) Attended the Soil and Water Committee meeting. Discussed the status of grant applications.
    - ii) Attended the Highway meeting and all items will be brought before the Board today.
  - c) Commissioner Knutson Reports:
    - i) Attended the Highway Committee meeting with Commissioner Nelson; all items will be brought before the Board today.

- ii) Attended the Fair Board meeting. Thanked the County Board members on behalf of the Fair Board for their support. Election of officers was held. Discussed the demolition derby night at the fair and the high attendance figures.
- d) Commissioner Bellefeuille Reports:
  - i) Attended the White Earth Weed & Feed meeting. Discussed the grant application.
  - ii) Attended the Regional Juvenile Detention Center meeting. Discussed terminating the old agreement, accepting a revised agreement, and Clay County's assumption of the deficit this year.
  - iii) Reported on the Radio Board and the letter sent in by Sheriff Gordon to meet a grant deadline.
- 3. Appointments:
  - a) It was moved and seconded to nominate Dennis Hopman to the Parks and Recreation Board to fill the vacancy left by the resignation of John Erickson with the term to expire on April 30, 2011 (Nelson, Knutson), carried.
- 4. It was moved and seconded to approve attendance by the Commissioners at the Association of Minnesota Counties District meeting in Fergus Falls on October 30, 2009 with per diem and mileage (Nelson, Schram), carried.
- 5. It was moved and seconded to approve Commissioner Schram signing on behalf of Becker County the Children's Initiative Joint power Agreement Amendment adding Leah Pigatti to the Board (Nelson, Schram), carried.
- 4. It was moved and seconded to approve Resolution 10-09-2G terminating the Cooperative Agreement that governs the construction and operation of the West Central Regional Juvenile Center located in Moorhead, Minnesota (Schram, Nelson), carried.
- 5. It was moved and seconded to approve the Cooperative Agreement for the Operation of the Clay County Secure Juvenile Detention and Treatment Facility, Resolution 10-09-2H contingent on the County Attorney approval (Schram, Bellefeuille), motion failed. It was moved and seconded to table the Cooperative Agreement for the Operation of the Clay County Secure Juvenile Detention and Treatment Facility until the November 17, 2009 Board meeting (Nelson, Knutson), carried.

#### Auditor-Treasurer

- 1. It was moved and seconded to approve the renewal of the annual tobacco licenses for (1) Joy McNamara, County 17 Club, Lake View Township; (2) Peggy Branstrom, Osage Bait & Tackle, Osage Township; (3) Daryl Moran Sr., Chief Corner Store, Pine Point Township; (4) Matthew Anderson, Tri-Lakes Roadhouse, Cormorant Township; (5) Community Co-ops of Lake Park, C Store, Lake Park Township; (6) Susan Rader, Toad Lake Store, Toad Lake Township; (7) Kim Bergley, The Flyway LLC, The Boondocks, Height of Land Township; (8) Shirley Kalberer, County 6 Gas & Bait, Lake View Township; (9) Bill Christlieb, Osage Country Market, Osage Township; (10) Delhelm Inc., Randy's Lake Eunice, Lake Eunice Township; (11) Patricia Maloney, The Cormorant Pub Inc., DbA The Pub, Cormorant Township; (12) Randy Blanford, Tamarac Resort & Campground, Sugar Bush Township; (13) Wayne Crawford, Sunlite Bar & Grill, Detroit Township; (14) Timothy Eischens, Two Inlets Country Store, Two Inlets Township; and (15) Rayna Tucker, Northwoods Recreation LLC, DbA Ice Cracking Lodge, Round Lake Township (Nelson, Schram), carried.

#### Finance Committee Minutes

- 1. It was moved and seconded to approve the Claims with addition of one over 90 days claim; Bill Sherlin for \$164.00 due to size of claim and the Auditor's Warrants for 10/13/09 in the amount of \$57, 673.18 and for 10/20/09 in the amount of \$205,542.31 (Knutson, Nelson), carried.

2. It was agreed by consensus to use jump drives to view the auditor's warrants on a trial basis.
3. It was recommended by the Finance Committee to approve the Sheriff's requests to renew the contract for nurse care for the jail with Sunnyside Care Center and to conduct a RFP for the 2010 food service contract.
4. It was recommended by the Finance Committee to approve the Extension's requests to approve a one year memorandum of agreement with the University of Minnesota outlining the partnership including an 80% 4-H Coordinator and to continue the process to fill the vacancy in the 4-H Coordinator position.
5. It was moved and seconded to approve Environmental Service's request to remove an additional 2,700 cubic yards of fill in a demo cell by Hough for a cost of \$7,506 (Knutson, Nelson), carried.
6. It was moved and seconded to approve Resolution 10-09-2J for the Parks & Recreation's request to apply for a Legacy Trail Grant on behalf of the Laurentian Lakes Chapter, North Country Trail Association, provide project funding prior to reimbursement, and provide oversight as needed to meet grant requirements (Schram, Knutson), carried.
7. It was moved and seconded to approve signing Attachment A, Required Certifications for the Legacy Trail Grant and authorizing Mark Lohmeier as the signing agent for the Natural Resource Department (Schram, Knutson), carried.
8. It was recommended by the Finance Committee to approve the Human Services' requests to reorganize and replace a vacancy and the special assessment for seal coating the area in front of the transit building.
9. It was recommended by the Finance Committee to approve the Highway's requests to crush gravel in a private pit, replace a tandem snowplow truck, and to fill a vacancy in a maintenance worker position.
10. It was moved and seconded to approve Resolution 10-09-2C rescheduling the tax forfeited land sale for 1:00 p.m. on November 20, 2009 (Knutson, Nelson), carried.
11. It was moved and seconded to remove the Spring Creek property consisting of 156 acres, parcel no. E30.7029.100 from the tax forfeited land sale (Nelson, Knutson), carried.
12. It was agreed by consensus to not hold a Public Hearing prior to the tax forfeited land sale.
13. It was moved and seconded to accept the Cash Comparisons and Investments Summaries for August and September (Nelson, Knutson), carried.
14. The Auditor-Treasurer requested to have the Human Services claims reviewed by the finance committee as has been done in the past.
15. It was moved and seconded to concur with the County Attorney opinion and the finance committee to not accept gifts for the purpose of developing a recreation plan to minimize the erosion of independence throughout the process (Nelson, Schram), carried.

#### Sheriff

1. It was moved and seconded to accept the renewal of the Sunnyside Care Center contract for Jail Nurse services for 2010 in the amount of \$37,332 from November 1, 2009 through October 31, 2010 (Nelson, Schram), carried.
2. It was moved and seconded to approve the request to advertise RFP for Jail Food Service Contract for 2010 (Knutson, Schram), carried.
3. Information was presented on radio equipment for the dispatch center.

#### Extension

1. It was moved and seconded to approve the renewal of the Agreement Between the University of Minnesota and Becker County for providing Extension programs locally and Employing Extension

Staff beginning on January 1, 2010 and ending on December 31, 2010 including funding to support 80% of the 4-H Program Coordinator for \$51,920 (Nelson, Knutson), carried.

#### Highway

1. It was moved and seconded to approve Resolution 10-09-2D authorizing the County Engineer to advertise and hire two permanent part time employees to fill the Maintenance Worker vacancy (Nelson, Bellefeuille), motion failed. It was moved and seconded to amend and approve Resolution 10-09-2D authorizing the County Engineer to advertise and hire one permanent part time employee to fill the Maintenance Worker vacancy (Nelson, Bellefeuille), carried.
2. It was moved and seconded to approve Resolution 10-09-2E authorizing the County Engineer to purchase off State bid the tandem truck chassis with hydraulic system box and snow/ice equipment in the amount of \$184,700 (Schram, Nelson), carried.
3. It was moved and seconded to approve Resolution 10-09-2F authorizing the County Engineer to prepare proposals and bidding documents and advertise for bids for crushed gravel stockpile, 10,000 C.Y. at Schulz Pit (Nelson, Knutson), carried.

#### Human Services

1. It was moved and seconded to approve the agenda with the deletion of (1) MCARPT (Minnesota Consortium for Advanced Rural Psychology Training), and (2) Comprehensive Crisis Grant Agreements (Solutions Behavioral Health, Stellher Human Services, Lakes Crisis and Resource Center, and Mosiac Consulting); the addition of (1) Land of the Dancing Sky, (2) Medica, (3) Local Public Health Act Funding Assurances and Agreements, (4) Human Services Claims, (5) Community Health Claims, (6) Transit Claims, and (7) Transit claims for the bus (Knutson, Schram), carried.
2. It was moved and seconded to approve the Resolution 10-09-2I to reorganize the Human Service Department by 1) converting a vacant full-time social worker position to one part time social worker and one part time RN; 2) create an additional full-time account clerk position and 3) contract out with Ottertail County for licensing services (Knutson, Schram), carried.
3. It was moved and seconded to approve renewal of the Land of the Dancing Sky Memorandum of Understanding to jointly provide Transition to Housing with Services Long Term Care consultations (Nelson, Knutson), carried.
4. It was moved and seconded to approve the Medica addendum in order to serve Minnesota Senior Care Plus clients and to bill Medica for the services in the amount of \$133.87 per member per month (Nelson, Schram), carried.
5. It was moved and seconded to accept the Adult Services Report and Family and Child Services Report (Nelson, Knutson), carried.
6. It was moved and seconded to accept the Financial Assistance Report (Schram, Nelson), carried.
7. It was moved and seconded to approve the Human Services Claims (Nelson, Knutson), carried.
8. It was moved and seconded to approve renewal of the Community Health Grant for Childhood Immunizations to provide case management for prenatal hepatitis B cases and to be reimbursed for visit to clinics for Immunization Practices Improvement (Knutson, Nelson), carried.
9. It was moved and seconded to approve renewal of the Local Public Health Act Funding Assurances and Agreements that outlines the duties of the public health board (Knutson, Schram), carried.
10. It was moved and seconded to accept the Community Health Report (Nelson, Knutson), carried.
11. It was moved and seconded to approve the Community Health Claims (Knutson, Nelson), carried.
12. It was moved and seconded to approve the Transit payment to the City of Detroit Lakes for the sealcoat on the area in front of the transit building in the amount of \$3,056 (Nelson, Schram), carried.

13. It was moved and seconded to accept the Transit Ridership Report (Knutson, Schram), carried.
14. It was moved and seconded to approve the Transit Claims and the transit bus purchase in the amount of \$59,595.65 which is reimbursable (Nelson, Knutson), carried.

#### Planning and Zoning

1. Planning Commission Recommendations, October 20, 2009: First Order of Old Business: David and Ella Brenneman. It was moved and seconded to concur with Planning and Zoning to approve amending the conditional use permit #568321 issued April 28, 2009 to establish an Amish Church Cemetery based on the fact that the use would not be detrimental to the surrounding area, with the cemetery southern boundary being the County road right of way and the northern boundary being fifty (50) feet from the wetland, with the first burial plots being fifty (50) feet from the westerly property line and fifty (50) feet from the wetlands, and with a natural vegetation growth and evergreen trees planted along the westerly property line as a buffer (Knutson, Schram), carried.
2. First Order of New Business: Timothy Tyge. The applicant withdrew this application.
3. Second Order of New Business: Rob Hesby. It was moved and seconded to concur with Planning and Zoning to approve the certificate of survey for a 1.3 acre tract with a remainder tract of 7.6 acres and the change of zone from agricultural to residential for the 1.3 acre tract for the property located at 13065 Town Hall Rd, Maud Lake in Lake Eunice Township based on the fact that the split meets the criteria of the Zoning Ordinance and is compatible with the surrounding area (Knutson, Schram), carried.
4. Third Order of New Business: Richard White and Teri Elsey. It was moved and seconded to concur with Planning and Zoning to approve the certificate of survey to allow a 2.9 acre tract with a remainder tract of 82.7 acres for the property located on Little Cormorant Lake at 17001 Co Rd 103 in Audubon Township based on the fact that the application meets the criteria of the Zoning Ordinance and it is not detrimental to the surrounding area (Nelson, Knutson), carried.
5. Fourth Order of New Business: Beau Jacobson. It was moved and seconded to concur with Planning and Zoning to approve a conditional use permit to allow a business consisting of the sale of crop insurance and the sale of crop seed to include bulk and sacked seed storage for the property located at Co Hwy 14 in Cuba Township based on the fact that it would not be detrimental to the surrounding area (Nelson, Knutson), carried.
6. Fifth Order of New Business: Final Plat of The Woods on Lake Maud II, Brad Solheim developer. It was moved and seconded to concur with Planning and Zoning to approve the final plat of the Woods on Lake Maud II based on the fact that it meets the criteria of the Zoning Ordinance contingent on the submittal of a favorable title opinion (Schram, Nelson), carried.
7. Sixth Order of Business: Final Plat of Common Interest Community No. 72, Viking Bay, Vicki Grondahl developer. It was moved and seconded to concur with Planning and Zoning to approve the final plat of CIC No. 72, Viking Bay, based on the fact that it meets the conditions of the conditional use permit (Nelson, Knutson), carried.
8. Seventh Order of Business: Informational Meeting. The next Informational Meeting is scheduled for November 12, 2009 at 8:00 am in the 3<sup>rd</sup> Floor Meeting Room of the Main Courthouse.
9. After discussion and public input it was moved and seconded to deny the Preliminary Plat of Timber Lake Shores, Planning Commission Recommendation 1999, Dennis Schurman, developer on Height of Land Lake (Knutson, Schram), carried.
10. It was moved and seconded to close the session for Litigation discussion, Resolution 10-09-2B (Knutson, Schram), carried.
11. It was moved and seconded to open the session (Knutson, Schram), carried.
12. It was moved and seconded to appoint Commissioner Knutson to represent the Board at the Roach/Alinder Mediation with per diem and mileage (Nelson, Schram), carried.

Labor Negotiations

- 1 . It was moved and seconded to close the session for Labor Negotiations (Nelson, Knutson), carried.
- 2 . It was moved and seconded to open the session (Knutson, Schram), carried.

Human Resources, Employee Grievance

- 1 . It was moved and seconded to approve Resolution 10-09-2A closing the session to discuss the grievance filed by Teamsters Local No. 320 pursuant to the attorney-client privilege with the specific subjects to be discussed are the strength of the County's case, the cost of the proceeding, and the possible settlement of this action (Knutson, Schram), carried.
- 3 . It was moved and seconded to open the session (Nelson, Knutson), carried.
- 4 . It was moved and seconded to authorize the County Administrator to sign any future Agreement relating to the grievance filed by Teamsters Local No. 320 (Nelson, Knutson), carried.

There being no further business, the meeting was adjourned.

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

/s/ Harry Salminen  
Harry Salminen  
Board Chair