

REGULAR MEETING AS POSTED
BECKER COUNTY BOARD OF COMMISSIONERS
DATE: Tuesday, July 12, 2011 at 8:15 a.m.
LOCATION: Board Room, Courthouse

Agenda/Minutes

1. a. Meeting presided over by Board Chair Nelson. All Commissioners in attendance; County Administrator, Tom Mortenson, and Minute Taker, Cindy Courneya.
b. Pledge of Allegiance.
2. The Agenda was approved with the following additions: Under County Administrator: Add Number 4: Minnesota Accountable Government Innovation and Collaboration (MAGIC) Act. (Schram, Knutson), carried.
3. It was moved and seconded to approve the amended minutes for June 28, 2011 with the following changes: Under Commissioners: Number 1: Open Forum: c. change "Shell Lake Township" to read, "who is a resident of Shell Lake Township"; under Commissioners: Number 2: Reports and Correspondence: b. change "Joint Powers Board of Minnesota Counties" to read, "Prairie Lakes Municipal Solid Waste Authority (PLMSWA)", d. change "met with the County Administrator, Tom Mortenson, and Mayor of Detroit Lakes, Bob Louiseau, and is volunteering as a Lion's Club Member for KAMP KASE (Kids Against Cancer Everywhere), a camp for kids that are either cancer survivors, cancer fighters, or the siblings of those who are, being held at Big Cormorant's YMCA Camp this summer." to read, "met with the County Administrator, Tom Mortenson, and Mayor of Detroit Lakes, Bob Louiseau."; under Auditor-Treasurer: Number 3: change "\$427,000" to read "\$20,550.00"; under Planning and Zoning: Number 4: change "It was moved and seconded to concur with the Becker County Planning Commission (June 21, 2011), to amend the existing Conditional Use Permit #585930 to approve a conditional use permit to operate an off sale liquor store, in an agricultural zone, based on the fact that it meets the criteria of the Becker County Zoning Ordinance, for DBA Seven Sisters Property, LLC located at 25275 South Melissa Drive, Detroit Lakes, Minnesota." to read, "It was moved and seconded to concur with the Becker County Planning Commission (June 21, 2011), to amend the existing Conditional Use Permit #585930 to approve a conditional use permit to operate an off sale liquor store, in an unspecified structure, with approval from Planning and Zoning on structure size and lot coverage according to the Ordinance regulations, in an agricultural zone, based on the fact that it meets the criteria of the Becker County Zoning Ordinance, for DBA Seven Sisters Property, LLC located at 25275 South Melissa Drive, Detroit Lakes, Minnesota.". (Knutson, Okeson), carried.

Commissioners

1. Open Forum:
 - a. Barb Halbakken-Fischburg, representing Becker County COLA and Lake Detroiters requested more timely notifications/updates on the proposed Parks and Recreation Ordinance and asked for improvements to the process. Tom Mortenson, County

Administrator added that Administrative Directives will be put in place to deal with ensuring staff understand the importance of keeping the public informed and government transparent.

- b. Terry Kalil, representing Becker County COLA and who is a resident of Shell Lake Township, requested more timely notifications/updates on the proposed Park and Recreation Ordinance and commented and provided input in reference to the document. Board Chair Nelson noted it is the consensus of the Board to not move forward with enacting the draft Park and Recreation Ordinance at this meeting.
- c. Willis Mattison, representing the Becker County Citizens for Responsible Recreation, expressed his concerns in reference to the proposed Parks and Recreation Ordinance Mr. Mattison also provided input to improving the current document and stressed the need to balance the use of recreational areas within the County and ultimately protect them as well.

2. Commissioner Appointments:

There are currently two appointments for the Pelican River Watershed Board of Managers that need to be filled.

- a. It was moved and seconded to re-appoint Ginny Imholte to the Pelican River Watershed Board of Managers. (Okeson, Schram), carried.
- b. Nominations for the second position were made:
 - i. A motion was made to appoint Sally Hausken to the Pelican River Watershed Board of Managers by Commissioner Schram. The motion failed for lack of a second.
 - ii. It was moved and seconded to re-appoint Bill Wickum to the Pelican River Watershed Board of Managers. (Okeson, Skarie), carried.

3. Reports and Correspondence:

a. Commissioner Knutson

- i. Reported on the following meetings: Becker County Recreational Advisory Committee, Natural Resources Committee, Environmental Affairs Committee, and attended the Tri-County Veteran's Round-Up in Menahga, Minnesota.

b. Commissioner Schram

- i. Reported on the following meetings: Land of the Dancing Sky Area Agency on Aging, Wild Rice Watershed Districts Advisory Board, Mahube, Becker County Recreational Advisory Committee, Becker County Assessor Committee, and Becker County Council on Aging.

c. Commissioner Nelson

- i. Reported on the following meetings: Natural Resources Committee, Sunnyside, Human Services Committee, Finance Committee, and Space Needs and Utilization Committee.

d. Commissioner Skarie

- i. Reported on the following meetings: Environmental Affairs Committee, Human Services Committee, Space Needs, Becker County Extension Service, and Becker County Fair Board.

e. Commissioner Okeson

- i. Reported on the following meetings: Highway Committee and also assisted with the problem at Dunton Locks.

- f. Chairman Nelson then requested Board concensus that the County Administrator, Tom Mortenson, meet with Sheriff Tim Gordon in reference to the Minimum Security Facility and to notify the owner that the County will be considering options, including possibly building a new facility.

Auditor/Treasurer: Ryan Tangen Presented:

1. Licenses and Permits:

It was moved and seconded to approve a Non-Resident Seasonal Tobacco License to Frederic T. Dehon, Jr., DBA as Beverages and Beyond Distributors, LLC, Palm Beach Gardens, Florida for a second booth located at Soo Pass Ranch for the Soo Pass Ranch Musical Festivals. (Skarie, Okeson), carried.

2. County Board of Appeal and Equalization Report/Approval of Minutes:

Discussion was held in reference to the County Board of Appeal and Equalization Minutes of June 14 and June 21, 2011 and it was recommended to note in the minutes of June 14, 2011, in reference to R06.1252.000, that the owner did not request a viewing of the property. It was moved and seconded to approve the Board of Equalization Minutes from June 14, 2011 and June 21, 2011. (Knutson, Skarie), carried.

3. Redistricting Update:

Mr. Tangen presented information to the Board in reference to the Becker County Redistricting, the process of redrawing the boundaries of election districts, done in the United States after the completion of the decennial Census. Preliminary review and calculations indicate no change to the Becker County Commissioner District is necessary. Further analysis and review will be ongoing as the Federal, State, City, and School District changes are implemented.

Finance Committee Minutes: Auditor/Treasurer: Ryan Tangen Presented:

- 1. The Board requested revisions to the Finance Committee Meeting Minutes of July 11, 2011, to reflect all personnel attendees.

2. It was moved and seconded to approve the regular claims and Auditor's Warrants.
 - a. Auditor's Warrants (Tuesday Bills):
 - i. 06/29/11 in the amount of \$11,423.11
 - ii. 07/05/11 in the amount of \$8,825.67(Knutson, Okeson), carried.
3. Human Services claims were reviewed and it was recommended to approve when presented.
4. It was moved and seconded to approve the quote from A&K Contracting in the amount of \$12,960.00 for 2012 tree planting site preparation, as the lowest bidder.
(Knutson, Okeson), carried.
5. An update was given reviewing the timeline and issues encountered to replace the cable at the Tramway. Mr. Mortenson, County Administrator, reported that the Tramway was in operation by July 4th.
6. It was recommended to approve when presented, Resolution 07-11-1A, to authorize hiring one part-time Probation Secretary and to increase hours of two current part-time employees from 24 hours per week to 28 hours per week, to replace a vacancy of one full-time employee.
7. It was recommended to approve when presented, Resolution 07-11-1D, to authorize hiring one part-time Human Services Office Support Specialist (OSS), to be hired from the pool of eligible Merit System candidates.

Natural Resource Management (NRM): Ryan Tangen Presented:

1. It was moved and seconded to approve Resolution 07-11-1C, to authorize the designation of a 106.83 more or less acre tract located in the NW ¼, Section 5-138-40 of Burlington Township as the "Mountain View Recreation Area Park"; a designated recreation area park of Becker County and that the Becker County Board of Commissioners declare that this area will be limited to non-motorized use, and instructs the County Administrator to have this area posted as such; "no hunting and no motorized vehicles". (unless otherwise amended by the County Board in the future). (Skarie, Knutson), carried.
2. Additional Tram update was given by Mr. Tangen and Mr. Mortenson during the presentation of the Finance Committee Meeting minutes. It was noted that the Tram was repaired for use during the 4th of July. The County Administrator cited the effort made by County workers and staff in getting this repaired in a timely fashion.

Environmental: Tom Mortenson, County Administrator Presented:

1. Mr. Mortenson presented information to the Board in reference to the Transfer Station, an upcoming meeting scheduled for July 12, 2011 with the City to discuss the Recycling Program, and noted that the new County Recycling Vehicle will be in the Northwest Water Carnival Parade on Sunday, July 17th starting at 1:00 p.m.

Department of Corrections: Brian Rubenstein, Detroit Lakes District Supervisor and Jodi Kulik Presented:

1. Brian Rubenstein, Detroit Lakes District Supervisor for the Minnesota Department of Corrections introduced himself to the Board. Mr. Rubenstein serves the Northern Region including the counties of Becker, Ottertail, Wadena, Douglas, and Todd. Board Chair Nelson expressed appreciation for the partnership between Becker County and the Minnesota Department of Corrections.

Probation: Jodi Kulik Presented:

1. It was moved and seconded to approve Resolution 07-11-1A, to authorize hiring one (1) part- time Probation Secretary and to increase hours of two current part-time employees from 24 hours per week to 28 hours per week, to replace a vacancy of one (1) full- time employee. (Schram, Okeson), carried.

Public Hearing: Intent to Enact an Ordinance for Becker County Park and Recreation was opened: Tom Mortenson Presented:

1. Mr. Mortenson noted the County is trying to come up with an ordinance to protect our valuable resources. Staff first prepared a version that lacked clarity, and many of the requirements identified by the public. This draft version consolidated many of the points raised, used other Minnesota County Ordinances for further discussion, but was not intended to be the final version. In reviewing this draft, we realize that further direction is needed to best utilize these resources for the benefit and enjoyment of the public. The purpose of this draft is to provide a framework for additional discussion. Upon review, we may need to divide the requirement for an ordinance into two separate categories. One to deal with our park areas such as Dunton Locks, Mountain View, and County water access/launch sites with specific ground rules on their use and activities permitted therein. This could be accomplished by amending existing Ordinance 10, dealing with public water access and designated Becker County Park area. A second ordinance dealing with recreational activities in our tax-forfeited land which are uniquely different is also required. Mortenson further recommended that the Board direct a committee made up of the Auditor-Treasurer, County Attorney, Sheriff, and County Administrator to report back with a revised ordinance or ordinances.
2. Discussion was held in reference to the proposed Becker County Park and Recreation Ordinance. Board Chairman Nelson noted that the Board will not be enacting the draft Ordinance at this time and is requesting the document be further reviewed. The Board directed a special administrative committee be formed to include the Auditor-Treasurer, County Attorney, Sheriff, and County Administrator to oversee the development and to report back with a revised ordinance or ordinances.

3. County Administrator, Tom Mortenson, also informed the Board of a planned meeting with the Recreational Advisory Committee (RAC) Chair, Vice-Chair, Commissioner Knutson, and Commissioner Schram, on Friday, July 15, 2011, to ensure clear understanding of the role and purpose of the newly formed RAC, their by-laws, etc.

Public Hearing was then closed.

Human Services: Nancy Nelson Presented:

1. There were no changes to the Human Services agenda.
2. It was moved and seconded to approve the Waiver Agreement Renewals with Mahube Community Council, Inc. and Blue Sky, Inc. (Knutson, Schram), carried.
3. It was moved and seconded to approve the Wavier Agreement Cancellation with Guiding Angels Home Care. (Knutson, Skarie), carried.
4. It was moved and seconded to approve Resolution 07-11-1D, to authorize the hiring of one part-time Human Services Office Support Specialist (OSS), to be hired from the pool of eligible Merit System candidates. (Skarie, Knutson), carried.
5. It was moved and seconded to approve the Human Services Claims. (Knutson, Okeson), carried.
6. It was moved and seconded to approve the Community Health Claims. (Knutson, Skarie), carried.
7. It was moved and seconded to approve the Transit Claims. (Skarie, Okeson), carried.

Planning and Zoning: Patty Swenson Presented:

1. There were no changes to the agenda.
2. Discussion was held in reference to the Lakeshore Sewage Treatment System Compliance Program. It was moved and seconded to approve Resolution PZ 07-11-1B, to authorize that the Board of County Commissioners hereby amends the existing Lakeshore Onsite Sewage Treatment System Compliance Program, and to include the attachment of Shoreland On-site Treatment System Compliance and Education Program and Lake Prioritization as part of said resolution. (Knutson, Skarie), carried.

County Administrator: Tom Mortenson Presented:

1. Mr. Mortenson presented information in reference to the Minnesota Accountable Government Innovation and Collaboration (MAGIC) Act. It was moved and seconded to approve Resolution 07-11-2A, that the Becker County Board of Commissioners recommends that the Legislature and governor work cooperatively with all 87 counties to swiftly pass the MAGIC Act into law during the 2011 legislative session, thus implementing a system that will enhance and incent local government efficiency and innovation throughout Minnesota. (Schram, Okeson), carried.
2. Mr. Mortenson presented information in reference to the Becker County Green Team and its focus of taking "green steps" to lessen the environmental impact of the daily operations in County departments and also noted that as the County Administrator, he has instructed

key elements of our County Staff to ensure that they have Departmental representatives serving on the County Government Green Team.

3. Mr. Mortenson presented information in reference to The Americans with Disabilities Act (ADA) compliance and noted that he has reviewed our facilities and has initiated corrective action to address problems within our facilities to conform with ADA standards.
4. Mr. Mortenson presented a request to proclaim designating Becker County Fair Days. It was moved and seconded to adopt the Proclamation that the Becker County Board of Commissioners proclaim and declare that July 27 through July 30, 2011, shall be known as Becker County Fair Days and encourages all Becker County citizens and visitors to participate in this event.

The meeting was adjourned.

/s/ Tom Mortenson
Tom Mortenson
County Administrator

/s/ Barry Nelson
Barry Nelson
Board Chair