

REGULAR MEETING AS POSTED  
BECKER COUNTY BOARD OF COMMISSIONERS

DATE: Tuesday, March 26, 2013 at 8:15 a.m.

LOCATION: Board Room, Courthouse

Agenda/Minutes:

1. a. Meeting presided over by Board Chair Skarie. Present: Commissioners Don Skarie, Ben Grimsley, Barry Nelson and Larry Knutson; County Administrator, Jack Ingstad, and Minute Taker, Cindy Courneya. Absent: Commissioner John Okeson.  
b. Pledge of Allegiance.
2. The agenda was approved with the following change: Under Commissioners: Add Number 4: Discussion on Board Retreat; under Finance Committee Minutes: Add: Additional Claim; under Sheriff: Remove: Number 1: Personnel Request: a) Jail/Corrections Officer: Resolution 03-13-2G; under Human Services: Remove: Number 1: Agreements/Contracts: a) Solutions Behavioral Health/Community Health and add: Number 5: Discussion to include Auditor-Treasurer in hiring process for Human Services Fiscal Officer position. (Knutson, Grimsley), carried.
3. It was moved and seconded to approve the minutes of March 12, 2013, with the requested changes. (Knutson, Grimsley), carried.

Commissioners:

1. Open Forum:
  - a. Gerry Schram, resident of Erie Township, requested commissioner representation in St. Paul on April 4, 2013, to show legislative support for the Heartland Trail.
2. Reports and Correspondence: The commissioners reported on the following meetings:
  - a. Commissioner Knutson: Tri-County Human Services meeting with Mahnomen, Clearwater and Becker Counties in reference to White Earth Project, Natural Resources Management Committee, and Sheriff's Committee.
  - b. Commissioner Nelson: Information Technology (IT) Committee, Economic Development/Housing Authority, Highway Committee, Becker County Soil and Water Conservation District, and Lake Agassiz Regional Library (LARL) Board.
  - c. Commissioner Skarie: Tri-County Human Services meeting with Mahnomen, Clearwater and Becker Counties in reference to White Earth Project, Review Board, Sheriff's Committee, Human Services Committee, Strengths Based Leadership Training, Lakeland Mental Health, Becker County Fair Board and met with County Administrator, Jack Ingstad; Auditor-Treasurer, Ryan Tangen; and Highway Department Personnel, Brian Shepard and Crystal Myers in reference to Centralized Accounting.

- d. It was moved and seconded to approve per diem and mileage reimbursement for Commissioners Skarie and Knutson's past and future attendance of the Tri-County Human Services meetings in reference to the White Earth Project. (Nelson, Grimsley), carried.
  - e. Commissioner Grimsley: West Central Economic Development Advisory meeting in Fergus Falls, Community Health meeting, Development Achievement Center (DAC), Strengths Based Leadership Training, Human Services Committee, and Labor Management Committee.
3. Appointments:
- a. It was moved and seconded to appoint Jim Carpenter to the Sunnyside Board. (Nelson, Knutson), carried.
4. Board Retreat:
- a. Board Chair Skarie reported that the Graystone Building has been reserved for the Board Retreat for April 9, 2013, at no cost, and he will take care of making the arrangements for the food. He also reminded board members to submit agenda requests to County Administration.

Licenses and Permits: Ryan Tangen presented:

1. It was moved and seconded to approve the On-Sale Including Sunday Liquor License Renewals for:
  - a. Delhelm, Inc. - Randy's Lake Eunice – Lake Eunice Township.
  - b. Patricia J. Maloney – The Cormorant Pub Inc. – The Pub – Cormorant Township.
  - c. Jay Olness – GR8 Investments, Inc. – Pit 611 – Lake Eunice Township.
  - d. Wayne M. Crawford – Sunlite Bar & Grill – Detroit Township.
  - e. Richard M. Lynch – Hotel Shoreham - Lake View Township.
  - f. Detroit Country Club, Inc. - Detroit Country Club – Lakeview Township.
  - g. Resort Management Corp. – Forest Hills Golf & R.V. - Audubon Township.
  - h. Horseshoe, Inc. – Soo Pass Ranch – Lake View Township.
  - i. Kevin Karel – Cormorant Inn & Suites – Cormorant Township.
 (Knutson, Grimsley), carried.
2. It was moved and seconded to approve the Off-Sale Liquor License Renewals for:
  - a. Patricia J. Maloney – The Cormorant Pub – Cormorant Bottle Shop – Cormorant Township.
  - b. Aaron Aslesen – Lakes Corner Liquor – Erie Township.
  - c. Seven Sisters Spirits, LLC - Seven Sisters Spirits – Lake View Township.
  - d. John (Pete) Johnson – Richwood Off-Sale – Richwood Township.
 (Grimsley, Nelson), carried.
3. It was moved and seconded to approve the New Owner Off-Sale Liquor License for:
  - a. Shanda Askland – Lakes of Coffee & Liquor – Cormorant Township (Formerly Lakes One Stop Shop).
 (Nelson, Knutson), carried.

4. It was moved and seconded to approve the Wine and Strong Beer License Renewal for:
  - a. Fred Brower – Cedar Crest Resort – Maple Grove Township.  
(Nelson, Grimsley), carried.
5. It was moved and seconded to approve the Combination On and Off-Sale Liquor License Renewals for:
  - a. Curley’s on Cotton Lake, Inc. – Erie Township.
  - b. Gerald L. Hanson – Charlie’s Bar & Supper Club – Height of Land Township.
  - c. Lance P. Highman – Northern Inn – Toad Lake Township.
  - d. Cynthia L. Knoll – Toad Lake Store – Toad Lake Township.
  - e. Joy M. McNamara – County 17 Club – Lake View Township.  
(Nelson, Knutson), carried.
6. It was moved and seconded to approve the Off-Sale 3.2 Beer License Renewals for:
  - a. Jay Olness – GR8 Investments, Inc. – PIT 611 – Lake Eunice Township.
  - b. Delhelm, Inc. – Randy’s Lake Eunice – Lake Eunice Township.
  - c. Richard Sherbrooke – Cormorant Store, Inc. – Cormorant Township.
  - d. Detroit Country Club, Inc. – Detroit Country Club – Lake View Township.
  - e. Wayne M. Crawford – Sunlite Bar & Grill – Detroit Township.
  - f. Shirley A. Kalberer – County 6 Gas & Bait – Lake View Township.  
(Grimsley, Nelson), carried.
7. It was moved and seconded to approve the Combination On and Off-Sale 3.2 Beer License Renewals for:
  - a. Fred Brower – Cedar Crest Resort – Maple Grove Township.
  - b. Anne Buelow – Jolly Fisherman Resort – Round Lake Township.
  - c. Michael R. Levin – Green Valley Golf – Cormorant Township.
  - d. Richard J. Bartelt – Four Corners – Erie Township.
  - e. Horseshoe, Inc. – Soo Pas Ranch – Lake View Township.
  - f. Elaine E. Palmer – Frazee Golf, Inc. – Burlington Township.
  - g. Roger L. Nelson, Loon Echo, Inc. – Elbow Lake Store & Bar – Round Lake Township.  
(Knutson, Grimsley), carried.
8. It was moved and seconded to approve the On-Sale 3.2 Beer license Renewal for:
  - a. Gregg Johnson – Cormorant Lakes Sportsman’s Club – Lake Eunice Township.  
(Nelson, Knutson), carried.
9. It was moved and seconded to approve the Temporary 1-4 Day Liquor License for:
  - a. Detroit Lakes Lions Club – Soo Pass Ranch – July 31<sup>st</sup> thru August 3<sup>rd</sup> – Lake View Township.  
(Grimsley, Nelson), carried.
10. It was moved and seconded to approve the Seasonal Tobacco License Renewal for:
  - a. Richard M. Lynch – Hotel Shoreham – Lake View Township.  
(Knutson, Nelson), carried.
11. It was moved and seconded to approve the New Owners Annual Tobacco Licenses for:
  - a. James Rivers – OCS – Osage Township – (Formerly Osage Convenience & Service).
  - b. Shanda L. Askland – Lakes of Coffee & Liquor – Cormorant Township – (Formerly Lakes One Stop Shop).  
(Nelson, Grimsley), carried.

Finance Committee: Ryan Tangen presented:

1. It was moved and seconded to approve the regular claims, over 90-day claim, additional claim, and Auditor's Warrants:
  - a. Additional Claim:
    - i. Payment to Barry Nelson in the amount of \$1,152.57.
  - b. Over 90-Day:
    - i. Payment to Ottertail County Solid Waste in the amount of \$60.00 due to missing invoice.
  - c. Auditor's Warrants (Tuesday Bills):
    - i. 03/13/2013 in the amount of \$61,571.39.
    - ii. 03/19/2013 in the amount of \$27,241.71.(Knutson, Grimsley), carried.
2. Aquatic Invasive Species Prevention Grant is to be spent before April 15, 2013. No action was needed.
3. Discussion was held in reference to Centralized Accounting, with options being presented ranging from no change with the current structure to creating one department for all financial services. Mr. Tangen requested further direction from the Board. It was noted that while working through this process, the best options should be considered, with the goal being to move to full centralized accounting, whether this is the end result or not. The Board will be discussing Centralized Accounting at their upcoming Board Retreat on April 9<sup>th</sup>, and requested that the process begin moving forward by meeting with each of the departments.

Sheriff: Sheriff Kelly Shannon presented:

1. It was moved and seconded to approve Resolution 03-13-2H, to approve hiring one (1) full-time Sheriff's Deputy, utilizing the current Deputy Pool applicant list. (Nelson, Knutson), carried.
2. It was the consensus of the Board to move forward with requests for future hiring of positions in the Sheriff's Department, due to a number of upcoming retirements.
3. It was moved and seconded to approve the purchase of four (4) new vehicles for the Sheriff's Department, from the Minnesota State Contracting site, with Nelson Auto Center of Fergus Falls at a cost of \$100,095.87, and as presented. (Knutson, Nelson), carried.
4. It was moved and seconded to approve Resolution 03-13-2L, to authorize the Board Chair and the County Administrator to sign for the Annual County Boat and Water Safety Grant, in the amount of \$27,332, effective January 1, 2013 through June 30, 2014. (Knutson, Nelson), carried.

Becker County Food Pantry: Labor Management Committee (LMC) Bay Auction Donation:

1. Jack Berenz, Director of the Becker County Food Pantry, accepted a check in the amount of \$2,272 for the food pantry, which was raised during the annual LMC Bay Auction Fundraiser. He thanked Becker County for their continued support and presented a brief report on the food pantry.

Human Services: Nancy Nelson and Donna Richgels presented:

1. Information was presented in reference to child protection. It was noted that there is and will continue to be child protection position resignations, due to the high caseloads. Discussion was held in reference to the dollars spent and the impact that Child Protection can make long-term.
2. It was moved and seconded to approve Resolution 03-13-2J, to hire one (1) full-time Social Worker from the Minnesota Merit System, due to a resignation, as outlined in said resolution. (Grimsley, Knutson), carried.
3. A motion was made by Commissioner Grimsley to approve Resolution 03-13-2K, to hire one (1) full-time Social Worker from the Minnesota Merit System, with a change in the resolution to eliminate the verbage referencing the "backfilling". Motion died for lack of a second. Discussion was held and it was noted that any position requests would still need to go through the Board for approval, even if backfilling became necessary. It was moved and seconded to approve Resolution 03-13-2K, to hire one (1) full-time Social Worker from the Minnesota Merit System, due to the increased work load in child protection, and as outlined in said resolution. (Grimsley, Skarie), carried.
4. For future position requests, the Board has asked for information on cost to the county, cost comparisons with other counties, and the tax levy.
5. It was moved and seconded to accept the Human Services Reports for Adult Services, Child and Family Services, Community Health, Financial Services, MCD (Mental/Chemical Dependency, and Transit. (Grimsley, Nelson), carried.
6. It was moved and seconded to approve the Human Services Claims for Human Services, Community Health, and Transit. (Knutson, Nelson), carried.
7. It was noted to include Auditor-Treasurer, Ryan Tangen, in the hiring process for the Human Services Fiscal Officer position, stressing the need for open communication between the Auditor-Treasurer and Department Heads during this process.

Planning and Zoning: Patty Swenson presented:

1. Public input was received in opposition of the request from Garry Bigger for a Conditional Use Permit (CUP) to extract and process aggregate materials, along with a portable asphalt plant, located at 330<sup>th</sup> Avenue in Erie Township.
2. It was moved and seconded to concur with Planning and Zoning to deny the application from Garry Bigger, for a Conditional Use Permit (CUP) to extract and process aggregate materials, along with a portable asphalt plant, located at 330<sup>th</sup> Avenue in Erie Township, based on the findings that the application does not meet the criteria of Section 8, Chapter 11 of the Ordinance. (Nelson, Knutson), carried.
3. It was noted that the Becker County Planning Commission conducted a public hearing on Tuesday, March 19<sup>th</sup>, 2013 at 7:00 p.m. in the Jury Assembly Room of the Becker County Courthouse, to consider the enactment of Becker County Ordinance, Chapter 5, Section 2; Chapter 10, Section 2; and Chapter 3, Section 10.
4. It was moved and seconded to concur with Planning and Zoning to amend Ordinance Chapter 5, Section 2, Table 5-4, Subject Matter: to include structure setbacks for riparian

lots located on platted or dedicated township roads, as measured from the right-of-way or centerline of the road and to eliminate 1-1/2 stories in Footnote 12, and as submitted. (Nelson, Knutson), carried.

5. It was moved and seconded to concur with Planning and Zoning to amend Ordinance Chapter 6, Section 2, Table 5-5, Subject Matter: required lot size for non-riparian lots behind non-conforming riparian lots, as submitted. (Knutson, Nelson), carried.
6. It was moved and seconded to concur with Planning and Zoning to amend Ordinance Chapter 10, Section 2, Definitions, Subject Matter: to amend the definition of Lot Width and add definitions for Accessory Lot and Buildable Non-Riparian Lot, as submitted. (Nelson, Knutson), carried.
7. It was moved and seconded to concur with Planning and Zoning to amend Chapter 3, Section 10, Subdivision B, 1, Calculation of Mitigation Requirements Units, Subject Matter: To replace "stringline" with setback average plus twenty (20) feet to be consistent with previous amendments, and as submitted. (Nelson, Grimsley), carried.
8. The next informational meeting for the Planning Commission is scheduled for Thursday, April 11, 2013 at 8:00 a.m. in the Third Floor Meeting Room of the Courthouse.
9.
  - a. The Planning Commission, on December 18, 2012, denied a request, as submitted by G. Thomas and Sally F. Nelson for an after-the-fact Conditional Use Permit, to replace an existing retaining wall with expansion, located at 39642 Bald Eagle Haven Road in Eagle View Township, Tulaby Lake Lot Ten (10), Block, Number One (1), Bald Eagle Haven, Section 02, Twp 152, Range 39, due to the request did not meet the criteria of the Ordinance. Subsequently, a fax was received by G. Thomas and Sally F. Nelson to table their request as stated above, to the Becker County Board of Commissioner's at their meeting on January 8, 2013.
  - b. They return today, with representation from Attorney, Carl E. Malmstrom from Thorwaldsen & Malmstrom, Attorneys at Law, for consideration of their application.
  - c. A letter addressed to the Becker County Zoning and Planning Board from Scott Van Dam, President of the Tulaby Lake Association, dated March 23, 2013, was presented in support of the Planning Commission's decision to deny the request, as submitted.
  - d. A letter was also presented from Jason R. Link, PE, dated March 22, 2013, regarding the design of the project and the conditions in which is it intended to address.
  - e. Options were discussed and following discussion, Attorney Carl E. Malmstrom and applicants, G. Nelson and Sally F. Nelson, tabled their request today, with the intent to return to the Planning Commission.

Highway: Brian Shepard presented:

1. It was moved and seconded to approve Resolution 03-13-2A, to approve the final payment in the amount of \$73,024.26 to Knife River Materials for Project Number SAP 003-613-010, etc. consisting of Bituminous Overlay and Aggregate Shoulders, Milling and Bituminous surfacing. (Knutson, Nelson), carried.
2. It was moved and seconded to approve Resolution 03-13-2B, to approve that the Commissioner of Transportation transfer \$387,732 (funds in excess of two years apportionment) from the Municipal Construction Account into the Regular Construction Account. (Nelson, Grimsley), carried.

3. It was moved and seconded to approve Resolution 03-13-2C, to accept the low bid in the amount of \$.83 per gallon of Magnesium Chloride Dust Control from Stenger's Dust Control, for the delivery and application of Magnesium Chloride Dust Control county-wide and to authorize and direct the County Engineer, to execute and enter into said agreement. (Grimsley, Nelson), carried.
4. It was moved and seconded to approve Resolution 03-13-2D, to accept the low bids for Bituminous Materials – Emulsion Oils from Flint Hills Resources, as outlined in said resolution and to authorize and direct the County Engineer, to execute and enter into said agreement. (Nelson, Grimsley), carried.
5. It was moved and seconded to approve Resolution 03-13-2E, to authorize the County Engineer to award the road maintenance contracts for Areas 1 through 8 to the bidders/contractors as presented, and to authorize and direct the County Engineer to execute and enter into said agreements. (Nelson, Knutson), carried.
6. There was discussion on the bidding process and it was recommended to develop a written policy for the bidders.
7. It was moved and seconded to approve Resolution 03-13-2F, to authorize the County Engineer to award the various contracts for the roadside mowing for Areas 1 through 6, to the low bidder, L & M Road Services, LLC, and at the rates, as outlined in said resolution, and to authorize and direct the County Engineer, to execute and enter into said contracts. (Nelson, Grimsley), carried.

Environmental: Steve Skoog presented:

1. It was moved and seconded to approve the Prairie Lakes Municipal Solid Waste Authority (PLMSWA) Joint Powers Financing Agreement, to issue bonds to finance the expansion of the Perham Resource Recovery Facility (PRRF). (Knutson, Grimsley), carried. It was noted that the County Attorney's office has reviewed the agreement.

Natural Resources Management (NRM): Marty Wiley presented:

1. It was moved and seconded to approve Resolution 03-13-2I, to hire two (2) part-time Tram Operators for the Dunton Locks Tramway, for the 2013 season. (Nelson, Knutson), carried.
2. A motion was made by Commissioner Nelson to approve the estimated cost of \$3,500 to extend the rail on the Muskrat Lake side of the Tramway. Motion died for lack of a second.

The meeting was adjourned by Board Chair Skarie.

Lunch Bunch was held at the Holiday Inn and provided by Marty Wiley.

/s/ Jack Ingstad  
 Jack Ingstad  
 Board Clerk

/s/ Don Skarie  
 Don Skarie  
 Board Chair