

REGULAR MEETING AS POSTED  
BECKER COUNTY BOARD OF COMMISSIONERS  
DATE: TUESDAY, February 21<sup>st</sup>, 2017 at 8:15 a.m.  
LOCATION: Board Room, Courthouse

Agenda/Minutes:

1. Meeting was brought to order by Board Chair Knutson. Commissioners in attendance: Knutson, Skarie, Okeson, Grimsley, and Nelson; County Administrator, Jack Ingstad; and Minute Taker, Amy Settergren.
2. Pledge of Allegiance.
3. It was moved and seconded to approve the agenda with the following changes: Under Commissioners: Add: Number 5: Selection of a Geotechnical Evaluation Provider for the Jail Construction Site; Number 6: Selection of a Surveyor for the Jail Construction Site; Number 7: Letter of Support for Improvements to the Veterans Memorial Park. (Okeson, Nelson), carried.
4. It was moved and seconded to approve the minutes of February 7<sup>th</sup>, 2017 with no changes. (Skarie, Okeson), carried.

Commissioners:

1. Open Forum: No one was present.
2. Reports and Correspondence: The Commissioners reported on the following:
  - a. Commissioner Nelson: Association of Minnesota Counties (AMC) Legislative Session, update on testifying in support of Paul Marquart's bill to reimburse Becker County for expenses related to the State Auditor lawsuit, Courthouse Committee, Natural Resource Management Committee, Highway Committee.
  - b. Commissioner Skarie: Safety Committee.
  - c. Commissioner Knutson: Natural Resource Management Committee, Courthouse Committee, Economic Development Authority (EDA), Sheriff Committee.
  - d. Commissioner Okeson: Association of Minnesota Counties (AMC), Highway Committee, Sheriff Committee and Jail Construction Committee.
  - e. Commissioner Grimsley: Lake Agassiz Regional Library Committee and a correspondence in regards to a Transit Grant Opportunity.

3. Appointments:
  - a. It was moved and seconded to reappoint Jim Kovala to the Board of Adjustments, to serve another three-year term, serving District 1. (Knutson, Nelson), carried.
4. It was moved and seconded to approve authorizing an additional \$25,000 for expenses incurred by Becker County for continued legal representation in “Rebecca Otto, State Auditor vs. Becker County and Others”. (Nelson, Okeson), carried.
5. It was moved and seconded to approve entering into an agreement with Braun Intertec for geotechnical evaluation services for the new jail construction site. (Grimsley, Okeson), carried.
6. It was moved and seconded to approve entering into an agreement with Meadowland for surveying services for the new jail construction site. (Okeson, Grimsley), carried.
7. It was moved and seconded to authorize the Board Chair to sign a letter of support for the continual improvements to the Veterans Memorial Park. (Nelson, Okeson), carried.

Finance Committee Minutes: Mary Hendrickson presented:

1. It was moved and seconded to approve the Regular claims, Auditor Warrants, and Over 90-Day Claims, as presented:
  - a. Auditor Warrants (Tuesday Bills):
    - i. 02/08/2017 in the amount of \$26,445.20
    - ii. 02/14/2017 in the amount of \$21,618.99
    - iii. 02/15/2017 in the amount of \$128,482.80  
for a total amount of \$176,546.99
  - b. 90-Days:
    - i. Crawford in the amount of \$34.20 (invoice just received)
    - ii. Becker County Environmental in the amount of \$23.99 (invoice was lost)  
(Nelson, Skarie), carried.
2. It was moved and seconded to approve purchasing two 34” flower pots for the Courthouse as part of the Detroit Lakes City Beautification Project, “Downtown Alive” at a cost of \$1,130.00 from the County Administrator budget. (Skarie, Grimsley), carried.
3. It was moved and seconded to approve the update of the County’s hardware with the Marco Consultant for Cisco Gateways Implementation at a cost of \$1,850.00 (Skarie, Grimsley), carried.

4. It was moved and seconded to approve the purchase of the Vanguard Archiving Module at a cost of \$4,050.00 per year for six years; total cost of \$24,300.00 for the six years. (Skarie, Okeson), carried.
5. It was moved and seconded to approve the purchase of interactive TV equipment for Human Services at a cost of \$6,781.35. (Skarie, Nelson), carried.
6. It was moved and seconded to approve the renewal of the Keith Koss IBM AS400 Support Contract at a cost of up to \$4,900.00. (Nelson, Okeson), carried.

Auditor-Treasurer: Mary Hendrickson presented:

1. Licenses & Permits:

- a. It was moved and seconded to approve the Wine/Strong Beer License Renewal for Cedar Crest Resort – Fred W. Brower in Maple Grove Township, as presented (Okeson, Nelson), carried.
  - b. It was moved and seconded to approve the On Sale (Includes Sunday Sales) Liquor License Renewal for Resort Management Corp. – Forest Hills Golf & RV Resort, in Audubon Township, as presented (Nelson, Okeson), carried.
  - c. It was moved and seconded to approve the 3.2 On/Off Renewal for:
    - i. Michael Levin – Green Valley Golf – Cormorant Township
    - ii. Cedar Crest Resort – Fred W. Brower – Maple Grove Township
    - iii. Frazee Golf, Inc. – Burlington Townshipas presented (Nelson, Okeson), carried.
  - d. It was moved and seconded to approve the Off Sale Liquor License Renewal for Lakes Corner Liquor LLC – Aaron Aslesen, in Erie Township, as presented (Nelson, Okeson), carried.
  - e. It was moved and seconded to approve the Tobacco License Renewal for Townsquare Beverages, LLC - WeFest, in Lakeview Township, as presented (Nelson, Okeson), carried.
2. It was moved and seconded to approve the purchase of 3 HP Barcode Scanners for Motor Vehicle at the lowest quote. (Skarie, Nelson) carried.

Lake Agassiz Regional Library: Liz Lynch, Regional Library Director, presented:

1. It was moved and seconded to authorize the Board Chair to sign a letter of support for the legislative initiatives being put forth by the Council of Regional Public Library System Administrators. (Grimsley, Nelson), carried.

Sunnyside Care Center: Danielle Olson, Executive Director of Sunnyside, and Janet Green, Ecumen Regional Director, presented:

1. It was moved and seconded to approve additional funding of \$1,426.25 per month to the Sunnyside Care Center as part of the Equitable Cost-Sharing for Publicly-Owned Nursing (ECPN) facilities. (Skarie, Nelson), carried.

Human Services: Christy Ramsey presented:

1. It was moved and seconded to approve Resolution #02-17-2A, to hire one full-time Social Worker in the Child Protection unit, and if filling that position creates another Social Worker vacancy in the Human Services Department then to fill that vacancy also. (Grimsley, Skarie), carried.
2. It was moved and seconded to approve the purchase of a postage machine at a total cost of \$15,172.21. (Grimsley, Skarie), carried.
3. It was moved and seconded to approve the Human Services claims for Human Services, Community Health, and Transit, as presented. (Skarie, Grimsley), carried.

Sheriff: Todd Glander presented:

1. It was moved and seconded to approve the purchase of five X2 Tasers with holsters and battery packs at a cost of \$6,241.24. (Nelson, Okeson), carried.
2. It was moved and seconded to approve the purchase of a Centurion Scout Wireless Surveillance Device at a cost of \$7,118.00. (Okeson, Nelson), carried.
3. It was moved and seconded to approve the purchase of four Topaz Signature Terminals at a cost of \$316.00 each; total cost of \$1,264. (Okeson, Skarie), carried.
4. It was moved and seconded to authorize the payment of \$9,773.00 plus \$500.00 for transfer fee of the title, for a total amount of \$10,273.00, to satisfy the loan balance on a forfeited vehicle, a 2011 Ford Crew Cab, to be added to the Sheriff's Office Fleet. (Okeson, Skarie), carried.
5. It was moved and seconded to approve authorization for the Sheriff's Office to sell released evidence/property on Do-Bids.com. (Okeson, Skarie), carried.

6. Discussion was held on the new signage that will be going up in the Courthouse stating “No Firearms Allowed in Courthouse Building”, per Minnesota State Statute.

Land Use Department – Natural Resources Management: Dan McLaughlin presented:

1. It was moved and seconded to approve the award of the 2017 Tree Planting Contract to Northwoods Forestry Inc . (Nelson, Okeson), carried.
2. It was moved and seconded to table agenda item number 2 under Land Use Department – Natural Resources Management (NRM): NRM Vehicles. (Grimsley, Skarie), carried.

Land Use Department – Planning & Zoning: Dylan Ramstad-Skoyles presented:

1. It was moved and seconded to concur with the Planning Commission (February 14<sup>th</sup>, 2017), to deny the request submitted by Bruce Thompson, for a Conditional Use Permit (CUP) to install a retaining wall built around the boat house, located at 31350 Wilkinson Lane, to control drainage into the lake, with the following noted:

No erosion control problems existed before it was constructed and the retaining wall was not needed or designed by a professional. If the Becker County Soil and Water District would have seen a problem they would have worked with him.

(Nelson, Skarie), carried.

2. It was moved and seconded to concur with the Planning Commission (February 14<sup>th</sup>, 2017), to deny the request submitted by Bruce Thompson, for a Conditional Use Permit (CUP) to occasionally rent property, located at 31350 Wilkinson Lane, due to the following reasons:
  - a. **Affect on surrounding property.** That the conditional use will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

Renting of the property could affect the surrounding property depending on the number of people who use the property at a time. The ad on VRBO states that the property sleeps 13. That amount of people could affect the neighbors because they must drive down the road. The effect is largest on the neighbor considering how close the neighbor is to his property and how the driveway is situated. The Zoning office has certainly received complaints claiming that this activity affects them.

- b. **Affect on orderly, consistent development.** That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

Renting of the property will not affect orderly development.

- c. **Adequate facilities.** That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

The needed facilities are present at this location. The Zoning office had received complaints that indicate that the road may not be adequate for the traffic.

- d. **Adequate parking.** That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Depending on the number of people and type of vehicles associated with the renters on site there is the potential for the parking available to not be adequate. Staff has found that the parking space is small and that if there are a large amount of vehicles they might have some issue parking.

- e. **Not a nuisance.** That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance, and to control lighted signs and other lights so that no disturbance to neighboring properties will result.

Is a nuisance per neighbors' complaints.

- f. **Additional criteria for shoreland areas.** In Shoreland areas, it shall be found that adequate measures have been or will be taken to assure that:

- i. **Pollution.** Soil erosion or other possible pollution of public waters will be prevented, both during and after construction;

Renting in of itself should not increase the pollution on the property assuming the septic system is compliant and working and that the renters contain their garbage in legal containers.

- ii. **View from public waters.** That the visibility of structures and other facilities as viewed from public waters will be limited;

Renting of the property should not change the view from the public water.

- iii. **Adequate utilities.** That the site is adequate for water supply and on-site sewage treatment; and

The renting of the property and additional bedrooms in the bunk house would result in the possibility of too many people for the size of system. This would make the present system inadequate.

- iv. **Watercraft.** That the types, uses, and number of watercrafts that the project will generate can be safely accommodated.

The renting of the property and additional bedrooms in the bunk house bring into question how the number of watercraft can be accommodated on this property.

(Nelson, Okeson), carried.

- 3. It was moved and seconded to concur with the Planning Commission (February 14<sup>th</sup>, 2017), to approve the request submitted by Kyle Hertell, for a Conditional Use Permit (CUP) to open a gun shop with gunsmithing and a fire arms manufacturing shop located at 15563 490<sup>th</sup> Avenue, Menahga, MN, with shooting times at 9 A.M. to 4 P.M. , and with the following information:

- a. **Affect on surrounding property.** That the conditional use will not harm the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the immediate vicinity.

The sole act of opening a gunshop for gunsmithing and firearms manufacturing will not affect the property. There is usually shooting associated with those activities and that could affect surrounding property. Mr. Hertell is proposing this project on an 80 acre property and depending on where he is planning on discharging those firearms, those affects could be reduced or even eliminated. On the application he indicates he will be indoors and this would reduce the noise from the activity.

- b. **Affect on orderly, consistent development.** That establishing the conditional use will not impede the normal, orderly development and improvement of surrounding vacant property for uses predominant in the area.

This application will not affect development as it is located in a predominantly agricultural area.

- c. **Adequate facilities.** That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

The roads, drainage and other necessary facilities have been provided already.

- d. **Adequate parking.** That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

There is sufficient off-street parking and loading space available.

- e. **Not a nuisance.** That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so none of these will constitute a nuisance, and to control lighted signs and other lights so that no disturbance to neighboring properties will result.

The work associated with this proposal will be located indoors and the area is rural with few residents in the area. Those residents are relatively close to the property and there is a farm located very near the property line where the current structures are located. The tree buffer there is not very thick and would not provide any sound barrier.

(Okeson, Grimsley), carried.

Land Use Department – Environmental Services: Steve Skoog presented:

1. It was moved and seconded to approve the purchase of recycling dumpsters at the low quote after further checking for lower quotes. (Skarie, Nelson), carried.

Highway: Jim Olson presented:

1. It was moved and seconded to approve Resolution #02-17-2B to purchase a road grader from RDO Equipment at a cost of \$237,477.00. (Okeson, Nelson), carried.
2. It was moved and seconded to approve Resolution #02-17-2C to purchase a crack router from Brock White Construction at a cost of \$11,124. (Nelson, Okeson), carried.
3. It was moved and seconded to approve Resolution #02-17-2D authorizing final payment in the amount of \$7,516.93 to Keith Drewes Excavating LLC for completion of project number C003-118-003. (Okeson, Nelson), carried.
4. It was moved and seconded to approve Resolution #02-17-2E authorizing final payment in the amount of \$512,826.66 to the MN Department of Transportation, for completion of project number 0304-34, with the cost covered by the safety grant. (Okeson, Nelson), carried.
5. It was moved and seconded to approve Resolution #02-17-2F authorizing the Highway Department to sell 6.8072 acres of wetland credits to Credit User (Otter Tail County Highway Department) at a rate of \$0.55 per square foot plus any applicable transaction fees. (Nelson, Okeson), carried.



Commissioners:

1. It was moved and seconded to approve adding to the agenda the AMC Leadership Summit Attendance by County Commissioners. (Nelson, Grimsley), carried.
2. It was moved and seconded to approve attendance by Becker County Commissioners at the AMC Leadership Summit with per diem and expense reimbursement. (Nelson, Skarie), carried.

Being no further business, Board Chair Knutson adjourned the meeting.

Jack Ingstad  
Jack Ingstad  
County Administrator

Larry Knutson  
Larry Knutson  
Board Chair