

REGULAR MEETING AS POSTED
BECKER COUNTY BOARD OF COMMISSIONERS
DATE: TUESDAY, August 20, 2019 at 8:15 a.m.
LOCATION: Board Room, Courthouse

Agenda/Minutes

1. Meeting was brought to order by Board Chair Okeson. Commissioners in attendance: Okeson, Nelson, Knutson, Grimsley, and Skarie; County Administrator, Michael Brethorst, and Minute Taker, Cindy Courneya.
2. Pledge of Allegiance.
3. It was moved and seconded to approve the agenda with the following change: under Sheriff: Add: Number 3: K9 Dental Repairs. (Knutson, Grimsley), carried
4. It was moved and seconded to approve the minutes of August 6, 2019, with the requested change. (Knutson, Skarie), carried.

Commissioners

1. Open Forum:

Richard and Dana Laine were present; however, opted to present later in the meeting when their request for a Conditional Use Permit (CUP) for a Commercial Planned Unit Development (PUD) is brought forward through Planning and Zoning.

2. Reports and Correspondence: The Commissioners reported on the following meetings:
 - a. Commissioner Grimsley: Sunnyside, Heartland-Master Trails Bonding meetings, Human Services Committee, and Finance Committee.
 - b. Commissioner Okeson: Heartland-Master Trails Bonding meetings, Sheriff's Committee, and attended the Association of Minnesota Counties (AMC) Executive Board Retreat at the Holiday Inn, Detroit Lakes, and also met with the City of Detroit Lakes, along with Commissioner Skarie; County Administrator, Mike Brethorst; Planning & Zoning Director, Kyle Vareberg; and County Surveyor, Roy Smith in regards to the City's Ordinance for the Two-Mile Buffer Limit.
 - c. Commissioner Knutson: Sheriff's Committee, Prairie Lakes Municipal Solid Waste Authority (PLMSWA) Finance meeting, Environmental Affairs Committee, Courthouse Committee and Economic Development Association (EDA).
 - d. Commissioner Nelson: AMC meeting and attended the University of Minnesota – Extension Aqua Chautauqua event held on August 15th at the Dunton Locks County Park in Detroit Lakes.
 - e. Commissioner Skarie: Met with the City of Detroit Lakes relative to the City's Ordinance for the Two-Mile Buffer Limit.

3. Appointments: There were none.

County Administrator – Mike Brethorst presented:

1. Redistribution of Managers – Wild Rice Watershed District:

a. It was moved and seconded to approve petitioning the MN Board of Soil and Water Resources (BSWR) for a redistribution of Wild Rice Watershed District Board of Managers, which would provide for an additional member to represent Becker County. (Nelson, Knutson), carried.

2. Safety Program – SafeAssure Proposal:

a. It was moved and seconded to accept the low quote of \$11,642.00 annually and to enter into a 2-Year Contract with SafeAssure, to facilitate and manage the Becker County Safety Program. (Knutson, Skarie), carried.

b. It was moved and seconded to approve Resolution 08-19-2F, to modify job duties and retitle the Emergency Manager job description to Emergency Manager/Safety Coordinator and to increase the position to an average of 28 hours per week, and to appoint Craig Fontaine to the modified position of Emergency Manager/Safety Coordinator. (Nelson, Knutson), carried.

Finance Committee Minutes: Auditor-Treasurer: Mary Hendrickson presented:

1. It was moved and seconded to approve the Regular Claims, Auditor Warrants, Over-90-Day Claims, and Additional Items, as presented:

a. Auditor’s Warrants (Tuesday Bills):

- i. 08/06/2019 in the amount of: \$ 51,899.69
 - ii. 08/13/2019 in the amount of: \$ 197,046.17
- For a total amount of..... \$ 248,945.86

b. Over-90-Days:

- i. Community Coop from May 2019 in the amount of \$12.28 (ticket was lost);
- ii. Sanitation Products from April 2019 in the amount of \$1,613.34 (invoice just received).

c. Additional Issues:

- i. Mark Flemmer at Interstate A & B Pizza in the amount of \$18.85 (no itemized receipt);
- ii. Eric Bergren at Copper Lantern in the amount of \$11.81 (signature receipt only);
- iii. Scott Sachs at Pizza Ranch in the amount of \$10.50 (no itemized receipt);
- iv. Paula Peterson at Culver’s in the amount of \$10.19 (no receipt turned in);

- v. Lisa Tufts at Morgan's on Nicollet in the amount of \$17.67 (signature receipt only).

Add a Claim for July Enterprise FM Trust in the amount of \$2,899.72.

(Grimsley, Knutson), carried.

2. It was moved and seconded to approve the replacement of two (2) compressors in the rooftop unit for the new courthouse addition, and to accept the low quote of \$15,930.00 from Johnson Controls. (Grimsley, Knutson), carried.
3. It was moved and seconded to approve the Human Services claims for Human Services, Public Health, and Transit, as presented. (Grimsley, Skarie), carried.
4. It was moved and seconded to approve the letter of authorization to Thomson Reuters for Mantron Professional Services, to assist IT staff with migrating the Aumentum Tax System to a new SQL server, at a cost of up to \$4,000.00. (Nelson, Skarie), carried.

Auditor-Treasurer: Mary Hendrickson presented:

1. It was moved and seconded to accept the June 2019 Cash Comparison and Investment Summary, as presented. (Grimsley, Knutson), carried.

Highway: Jim Olson presented:

1. It was moved and seconded to authorize the disposal of the County's 1977 Fiat Allis Loader using a Public Auction site, as discussed, and if no interest, to then dispose of the loader for scrap. (Nelson, Knutson), carried.

Sheriff: Sheriff Todd Glander and Chief Deputy Shane Richard presented:

1. It was moved and seconded to approve the 2020 Summit Food Service Agreement – Amendment #7, with a 3% cost increase and to extend the agreement to December 31, 2020. (Knutson, Grimsley), carried.
2. It was moved and seconded to approve Amendment 1 to the Becker County/MN Department of Corrections Joint Powers Agreements (JPA), effective September 1, 2019 and as follows:
 - a. JPA #155426 – Work Release Program, at an increase to \$57.50 per day/per State Offender, with the amount not to exceed the total contracted amount of \$125,000.00; and

- b. JPA #156616 – Institution Community Work Crew (ICWC) House Building Program, at an increase to \$57.50 per day/per inmate, with the amount not to exceed the total contracted amount of \$450,000.00.

(Knutson, Nelson), carried.

3. It was moved and seconded to approve the New 911 Dispatch Equipment Contract Agreement with Vesta 9-1-1 (Hosted Option), for the low quote of \$10,000.00 in 2019 and \$1,740.00 per month in 2020. (Knutson, Nelson), carried.
4. It was moved and seconded to approve Resolution 08-19-2G, to hire a full-time Correctional Officer using the last internal posting list or to re-advertise, if necessary, and if this position creates a part-time vacancy, to then fill that position using the most recent internal/external list or to re-advertise, if necessary. (Nelson, Knutson), carried.
5. It was moved and seconded to approve dental work needed for K-9 Cooper be completed at the University of MN-College of Veterinary Medicine and at the low quote of \$4,653.00. (Knutson, Nelson), carried.

Planning & Zoning: Kyle Vareberg presented:

1. It was moved and seconded to concur with the Planning Commission (August 15, 2019), to approve the application as submitted by Ryan and Karla Swanson, for a Conditional use Permit (CUP) to operate a kennel for breeding, boarding, and training purposes, for the project located at 16418 Highland Drive, Detroit Lakes, MN. (Skarie, Knutson), carried.
2. It was moved and seconded to concur with the Planning Commission (August 15, 2019), to approve the application as submitted by Andy Mast, for a Conditional Use Permit (CUP) to operate a wood working shop, for the project located at 14193 County Highway 39, Frazee, MN. (Knutson, Nelson), carried.
3. It was moved and seconded to concur with the Planning Commission (August 15, 2019), to approve the application as submitted by Aho Brothers, LLC, for a Certificate of Survey within the shoreland, for the project located at 47509 186th, Frazee, MN and 18213 County Highway 38, Frazee, MN. (Knutson, Skarie), carried.
4. Kyle Vareberg presented information and also provided Facts and Findings relative to the request submitted by Richard and Dana Laine for a Conditional Use Permit (CUP) for a Commercial Planned Unit Development (PUD), to have 14 RV sites and a 21-slip dock system, for the project located at 20781 County Road 117, Osage, MN. He also noted that the request was tabled by the applicant at the May 13, 2019 Planning Commission Meeting/Hearing and that the Planning Commission denied the request at their meeting held on August 15, 2019.

Board Chair Okeson opened the meeting up for public comment in reference to the request, as presented.

Individuals were present and addressed the Board as follows:

- a. The applicants, Richard and Dana Laine, noted that the location of their proposed 14 Unit RV Park, if approved today, would be located on the east side of Big Toad Lake.

They provided an overview of a detailed layout of the project showing the tree lines, docking, and road.

- b. The following individuals addressed the Board and spoke in support of the project:
 - i. Doug Lesage, owner of Bambi Resort located down the road from the proposed RV Park;
 - ii. Don Wurst – representative of Toad Lake Township Board;
- c. The following individuals addressed the Board and spoke in opposition to the project, voicing road and safety concerns:
 - i. Clark Lee – property owner directly located down from the proposed project;
 - ii. Dave Radel, property owner located on the north shore of Toad Lake and active participant with the Toad Lake Association;
 - iii. Richard Hanson – resident on the north shore of Toad Lake;
 - iv. Roger Ball – resident on the south side of the project;
 - v. Rick Lein – resident on north side of Toad Lake and serves on the Toad Lake Association;
 - vi. Patty Swenson – property adjoins the property of the proposed RV Park.
- d. The applicant, Richard Laine, also referenced that in 2004 the area was surveyed for lake lots, however, was not certified at that time and is still considered agricultural. Commissioner Knutson verified that the property was changed to residential.
- e. Board Chair Okeson closed the time for public testimony.
- f. Kyle Vareberg reiterated that the Planning Commission, at their meeting on August 15th, denied approval for the request and is recommending the Board deny the request.

- g. Discussion followed with the Board noting road and safety concerns relative to the project.
- h. It was moved and seconded to concur with the Planning Commission (August 15, 2019), to deny the application submitted by Richard and Dana Laine for a Conditional Use Permit (CUP) for a Commercial Planned Unit Development (PUD) to have 14 RV sites and a 21-slip Dock System for the project located at 20781 County Road 117, Osage, MN, based on the CUP Criteria #3 – Adequate Facilities is not being met (issue of safety) and Criteria #5 – Developing a Nuisance and Ordinance requirements “near shore area” are not being met. (Knutson, Nelson), carried 3-2.

University of MN-Extension-Becker County 4-H Program:

- 1. Becker County 4-H Program Coordinators, Leigh Nelson Edwards and Gina Schauer, provided an update on the Becker County 4-H Program, noting the increase in membership and volunteers in the last year. Ms. Schauer provided information on the Becker County Fair, relative to the 4-H Program. Ms. Edwards also thanked the Board for their support, noting the positive feedback they have received from the community with the hiring of an additional coordinator.

The Board thanked them for coming to present and for the information provided.

Veteran Services: Lauri Brooke presented:

- 1. It was moved and seconded to approve Resolution 08-19-2A, as presented, to enter into the CVSO FY 2020 Operational Enhancement Grant Agreement with the MN Department of Veterans Affairs (MDVA), in the amount of \$10,000.00, to conduct the County Veterans Service Office Operational Enhancement Grant Program; and that Lauri Brooke, the County Veteran Services Officer, be authorized to execute said grant contract. (Nelson, Knutson), carried.

Recorder’s Office – Patty Swenson presented:

- 1. It was moved and seconded to approve Resolution 08-19-2B, to hire a Part-Time Deputy Recorder, due a resignation. (Knutson, Grimsley), carried.

Transit: Kevin Johnson presented:

- 1. It was moved and seconded to approve Resolution 08-19-2C, to approve the purchase of a new Transit Bus through the State of MN Cooperative Procurement Process, with the vehicle cost allocated at 10% local share and 90% State/Federal Share. (Grimsley, Nelson), carried.

Land Use – Environmental Services: Steve Skoog presented:

1. It was moved and seconded to approve Resolution 08-19-2E, that considering transportation costs, declare the 2019 Market Price for Mixed Municipal Solid Waste is \$60.90 per ton. (Knutson, Nelson), carried.
2. There was a brief discussion on the recent fire at the new Transfer Station and the replacement of the vehicles that were destroyed due to the fire. It was noted that the insurance will cover everything, other than the deductible. Currently rentals are being utilized; however, the Board directed Environmental Services Director, Steve Skoog, to begin fast-tracking the ordering of the vehicles and to solicit quotes for their replacement.

Closed Session: County Administration: County Administrator, Mike Brethorst, presented:

1. Transfer Station - Sewer Line Litigation:
 - a. It was moved and seconded to approve Resolution 08-19-2D, that the County Board hereby closes the meeting pursuant to MN Statute 13D.05, subd. 3, as permitted by the Attorney-Client privilege; for the purpose of mitigating the dispute between Becker County, Bristlin Construction, and its subcontractor, Green's Plumbing Modern Heating. (Nelson, Knutson), carried.
 - b. Closed Session – Transfer Station – Sewer Line: Mike Brethorst presented, along with County Attorney, Brian McDonald and Assistant County Attorney, Nathaniel Welte.
 - c. It was moved and seconded to Open back into Regular Session. (Knutson, Grimsley), carried.

Regular Session – County Administration: County Administrator, Mike Brethorst presented:

1. Transfer Station – Sewer Line Litigation:
 - a. It was moved and seconded to approve moving forward with utilizing Small Claims Court to mitigate the dispute between Becker County and Green's Plumbing Modern Heating of Detroit Lakes, relative to the freeze-up issues with the sewer line at the new Transfer Station, as discussed. (Grimsley, Knutson), carried.

It was also recommended to acquire three (3) quotes for the repair of the sewer line.

Closed Session – Human Resources: Human Resources Director, Nancy Grabanski presented:

1. Union Negotiations:

- a. It was moved and seconded to Close the meeting for Union Negotiations. (Nelson, Skarie), carried.
- b. Closed Session – Union Negotiations: Nancy Grabanski presented and the session began at 11:13 a.m.
- c. It was moved and seconded to Open back into Regular Session. (Nelson, Knutson), carried.

Regular Session:

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

/s/ Michael Brethorst
Michael Brethorst
County Administrator

/s/ John Okeson
John Okeson
Board Chair