

REGULAR MEETING AS POSTED

BECKER COUNTY BOARD OF COMMISSIONERS

DATE: TUESDAY, September 21, 2021, at 8:15 a.m.

LOCATION: First Floor – Board Room, Becker County Courthouse

Agenda/Minutes

1. Meeting was brought to order by Vice-Chair Knutson. Commissioners in attendance: Nelson, Knutson, Okeson, Grimsley and Vareberg; County Administrator, Mike Brethorst, and Minute Taker, Cindy Courneya.
2. Pledge of Allegiance.
3. It was moved and seconded to approve the agenda with the following changes: Under Auditor-Treasurer: Add: Number 4: HIPAA (Health Insurance Portability & Accountability Act) and Security Officer Appointment: Resolution 09-21-3I and Under Information Technology (IT): Remove: Number 1: Card Swipes for Sheriff's Office. (Knutson, Okeson), carried.
4. It was moved and seconded to approve the minutes of September 7, 2021, with the requested changes. (Knutson, Grimsley), carried.

Commissioners:

1. Open Forum: No one was present.
2. Reports and Correspondence: Reports were provided on the following meetings:
 - a. Commissioner Okeson: Highway – Public Works Building Committee, Sheriff's Committee, Becker County/Detroit Lakes Airport Commission, and referenced One-Watershed-One-Plan meetings.
 - b. Commissioner Nelson: Finance/Courthouse Committee and Becker County Soil & Water Conservation District (BCSWCD) meeting.
 - c. Commissioner Knutson: Sheriff's Committee and Economic Development Authority (EDA).
 - d. Commissioner Vareberg: Highway – Public Works Building (Bidding meeting).
 - e. Commissioner Grimsley: Human Services Committee and Lake Agassiz Regional Library (LARL).
 - f. Chair Nelson also noted that with the upcoming vacancy of the County Administrator position he and Vice-Chair Knutson have been in contact with the department heads to discuss options for interim leadership.

Based on the feedback they have received thus far and following discussion, Chair Nelson requested that the position be posted immediately and a

“leadership team” be formed in the interim, consisting of various department heads.

Chair Nelson recognized and thanked the department heads for their willingness to step up, and, also thanked Human Resources Director, Amy Rissmann, for her assistance with the recruitment process.

3. Appointments: There were none.

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

1. It was moved and seconded to approve the Regular Claims, Auditor Warrants, and Additional Issues, as presented:
 - a. Auditor Warrants (Tuesday Bills):
 - i. 09/08/2021 in the amount of \$ 33,671.53
 - ii. 09/14/2021 in the amount of \$ 45,535.91
 - iii. 09/20/2021 in the amount of \$ 29,058.25 (Cost-Effective)
for a total amount of \$ 108,265.69
 - b. Additional:
 - i. Holiday Station: \$37.44 – Sheriff’s Department (missing receipt).
 - ii. Webber Family Motors: \$524.59 – Sheriff’s Department (invoice has been paid).

(Knutson, Okeson), carried.
2. Auditor-Treasurer, Mary Hendrickson, also noted that the Finance Committee approved the Final ARP-CARES #3, Round 2 Grant Award to Maplelag in the amount of \$75,000.00.

Licenses & Permits: Auditor-Treasurer – Mary Hendrickson presented:

1. It was moved and seconded to approve the following Tobacco License Renewals, as follows:
 - a. Lakes Corner Liquor – Aaron Aslesen – Erie Township
 - b. 4 Corners – Joshua Swangler – Erie Township
 - c. Cormorant Bottle Shop – Rod Einerson – Cormorant Township
 - d. Fair Hills Resort – Beth Schupp – Lake Eunice Township
 - e. Richwood Off-Sale – John Johnson – Richwood Township
 - f. Ice Cracking Lodge – Tandra Parsons – Round Lake Township
 - g. Lake Park C-Store – David Blomseth – Lake Park Township
 - h. Seven Sisters Spirits – Brad Malstrom – Lake View Township
 - i. Richwood Store – Kerry Swiers – Richwood Township

(Grimsley, Knutson), carried.

2. It was moved and seconded to approve the New Tobacco License for the Cormorant Store – Lars Odegaard – Cormorant Township. (Grimsley, Okeson), carried.
3. It was moved and seconded to approve Resolution 09-21-3A, with the changes as discussed; to establish the proposed 2022 Maximum Levy for Becker County at \$23,344,304.00, yielding an increase of \$789,591.00 and 3.5% increase from the 2021 levy; that the final levy for 2022 cannot exceed this proposed levy; and that the County Budget Hearing to discuss the 2022 Budget is set for December 9, 2021 at 6:01 p.m. in the Board Room of the Courthouse. (Knutson, Grimsley), carried.
4. It was moved and seconded to approve Resolution 09-21-3B, to include a Housing & Redevelopment Authority Tax Levy in the amount of \$124,350.00 in the 2022 budget, for the purpose of funding housing and economic related activities of the Becker County Economic Development Authority (EDA), and with no change in the amount from last year. (Knutson, Okeson), carried.
5. It was moved and seconded to approve Resolution 09-21-3I, to rescind Resolution 04-06-2N, appointing the Human Resources Director and IT Director as the Co-Security Officers for HIPPA, and to replace in full with the following, in accordance with Section 160.103 for Title 45 of the Code of Federal Regulation, to appoint the following positions to serve as Officers of the County as follows: Privacy/HIPPA Officer – HR Director, and Security/HIPPA Officer – IT Director; and that in the absence of either the Privacy or Security Officer, the County Administrator shall appoint an alternate to fill the role, in absence of the appointee, not to exceed six (6) months, or until their successor is made through formal appointment. (Okeson, Nelson), carried.

Information Technology (IT) – Ron Sprafka presented:

1. It was moved and seconded to approve the renewal of the Government Microsoft Office 365 subscription through Liftoff in the amount of \$80,246.40. (Grimsley, Okeson), carried. This was not the low quote; however, includes support services and the item has been budgeted for in the 2021 budget.

Becker County Soil & Water Conservation District (BCSWCD) – 2022 SWCD Budget: BCSWCD Administrator, Bryan Malone; AIS Coordinator, Karl Koenig; and Board Supervisor, Gene Pavelko (District 4), presented:

1. Discussion was held regarding the proposed 2022 SWCD Budget, as presented, with the Becker SWCD Board of Supervisors requesting a 3% increase in the appropriation from the County, from \$187,671 to \$193,301.

It was moved and seconded to accept the Becker County Soil & Water Conservation District (BCSWCD) 2022 Budget, as presented, with the removal of the Becker County

Aquatic Invasive Species (AIS) appropriation, as discussed, in the amount of \$8,712.00. (Knutson, Grimsley), carried.

Planning & Zoning – Kyle Vareberg presented:

1. It was moved and seconded to concur with the Planning Commission (September 14, 2021), to approve the request submitted by Jimmy Kaiser, for a Final Plat for Birch Lake Heights, with a Change of Zone from Agricultural to Residential, for the project located at TBD Bullert Road, Ogema, MN (Parcel #: 32.0077.000). (Knutson, Okeson), carried.
2. It was moved and seconded to concur with the Planning Commission (September 14, 2021), to approve the request as submitted by Mark Rasmussen for a Preliminary Plat for Raz Estates (17 lots), for the project located at TBD County Highway 11, Audubon, MN (Parcel #: 17.0173.001). (Knutson, Vareberg). Chair Nelson called for any other discussion.

Chair Nelson noted his concerns regarding the cul-de-sac and referenced the practicality of building on some of the lots given the topography (huge slopes). Discussion followed with Scott Walz from Meadowland Surveying also presenting. Chair Nelson noted that he would support the project, with an amendment to the motion to include the stipulation that a buffer be added, with two (2) rows of trees (seedlings) to be planted on the north side of the property, just east of Gary Dorff's property.

Commissioners Knutson and Vareberg, were both in agreement to amend their original motion, as noted.

It was moved and seconded to amend the original motion relative to the Preliminary Plat for Raz Estates; to add in the stipulation that a buffer be added, to include two (2) rows of trees (seedlings) be planted on the north and east side of the property, as identified. (Nelson, Grimsley), carried.

Chair Nelson read the amended motion: "to concur with the Planning Commission (September 14, 2021), to approve the request submitted by Mark Rasmussen for a Preliminary Plat for Raz Estates (17 lots), for the project located at TBD County Highway 11, Audubon, MN (Parcel #: 17.0173.001), with the stipulation, as approved, that a buffer be added, with two (2) rows of trees (seedlings) be planted on the north and east side of the property, as identified. (Knutson, Vareberg), carried.

3. It was moved and seconded to concur with the Planning Commission (September 14, 2021), to approve the request as submitted by Lakeside Estates, LLC, for a revision to Grandview Estates of Nelson Lake – Common Interest Community Number 42; for the

proposed condos to no longer be condos, but instead four (4) individual units, for the project located at Grandview Lane in Cormorant Township (Parcel #: 06.0757.501). (Knutson, Okeson), carried.

4. It was moved and seconded to concur with the Planning Commission (September 14, 2021), to approve the request as submitted by Leigh Stennes, for a Conditional Use Permit (CUP) to operate a retail shop, for the project located at 55566 State Highway #34, Osage, MN (Parcel #: 21.0223.000). (Knutson, Okeson), carried.
5. It was moved and seconded to concur with the Planning Commission (September 14, 2021), to approve the request as submitted by William C. Lymburner & Loriann M. Lymburner, for a Conditional Use Permit (CUP) for retaining walls, for the project located at 53641 Grant St., Osage, MN (Parcel #: 21.0393.000). (Knutson, Vareberg), carried.
6. It was moved and seconded to concur with the Planning Commission (September 14, 2021), to approve the request as submitted by Daniel Mark Anderson, for a Conditional Use Permit (CUP) for mining operations, for the project located at 25538 Anderson Road, Detroit Lakes, MN (Parcel #: 08.0377.000). (Okeson, Vareberg), carried.
7. It was moved and seconded to concur with the Planning Commission (September 14, 2021), to approve the request as submitted by Renae L. Miller & Kenneth D. Miller, Jr., for a Conditional Use Permit (CUP) to operate a private medical clinic, for the project located at 23865 250th Street, Detroit Lakes, MN (Parcel #: 24.0144.001). (Knutson, Vareberg), carried.
8. Zoning Ordinance Amendment – to reflect the change for the Planning & Zoning Department to exercise the townships subdivision approval process relative to the JPA between the County and six (6) townships:
 - a. It was moved and seconded to approve the Zoning Ordinance Amendment to Proposal #1.) Chapter 8, Section 5, Letter B. Sub. 1. B. (Subdivision Approvals Required): b. Cities. add in language “and the Townships in the extra-territorial area have not thereafter enacted subdivision regulations”. (Okeson, Vareberg), carried.

Human Services – Christy Ramsey presented:

1. It was moved and seconded to approve Resolution 09-21-3C, to hire a full-time Behavioral Health Social Worker due to a vacancy, and through the normal hiring process, and if filling that vacancy creates another vacancy in Human Services, then to fill that vacancy also. (Grimsley, Vareberg), carried.

2. It was moved and seconded to approve Resolution 09-21-3D, to hire a full-time Adult Services Social Worker due to caseload increases and intensities, and through the normal hiring process, and if filling that vacancy creates another vacancy in Human Services, then to fill that vacancy also. (Grimsley, Vareberg), carried.
3. It was moved and seconded to approve Resolution 09-21-3F, to hire a full-time Public Health Nurse due to a vacancy, and through the normal hiring process, and if filling that vacancy creates another vacancy in Human Services, then to fill that vacancy also. (Grimsley, Vareberg), carried.
4. It was moved and seconded to approve Resolution 09-21-3G, to hire a full-time Public Health Nurse due to a vacancy, and through the normal hiring process, and if filling that vacancy creates another vacancy in Human Services, then to fill that vacancy also. (Grimsley, Vareberg), carried.
5. It was moved and seconded to approve the renewal of the Clay/Becker Counties Drug Court – MN Seventh Judicial District: Memorandum of Understanding (MOU), as presented, and with no change to the agreement. (Grimsley, Vareberg), carried.
6. It was moved and seconded to approve the 5-year M-State Facilities Usage Agreement (July 1, 2021 – June 30, 2026), as presented, for the MN Child Welfare Training Academy, for an annual fee of \$24,000.00, to be paid quarterly by grant funds. (Grimsley, Vareberg), carried.
7. It was moved and seconded to approve the Human Services claims for Human Services, Public Health, and Transit, as presented. (Grimsley, Vareberg), carried.

Highway – Jim Olson presented:

1. It was moved and seconded to approve the Professional Services Agreement to prepare construction plans for CSAH 30 (Main Avenue East) - Frazee Bridge Deck Rehabilitation, and for the Highway Engineer to execute the contract with Interstate Engineering, Inc., of Fergus Falls, MN, at a cost of up to \$45,000.00. (Knutson, Okeson), carried.
2. It was moved and seconded to approve the Cooperative Construction Agreement for site grading of the Public Works Facility properties of the Becker County Highway Department (1771 North Tower Road) and City of Detroit Lakes (1759 North Tower Road), with an agreed upon 50/50 cost split on construction cost with the City of Detroit Lakes (site grading, engineering design & construction administration, and geo-technical testing & observation), and to authorize the Board Chair and County Administrator to execute said agreement. (Okeson, Grimsley), carried.
3. Bid Award – Public Works Building Bid Package 1: McGough Construction Staff, Oliver Finneman, Project Developer, and Jim Schechter, Project Manager, presented. It was noted that McGough advertised and solicited bid proposals for Bid Package #01 on the new Becker County Public Works Building, with bids opened on September 8, 2021.

It was moved and seconded to award Bid Package #01 on the new Highway Public Works Building to McGough Construction's recommended low bidders, as presented, to include the Base Bid, Alternate 1 (Covered Storage) and Alternate #2 (Transit Storage), for a total amount of \$3,786,511.00. (Okeson, Vareberg), carried.

4. Closed Session – West Lake Drive – Right-of-Way Discussion – County Attorney, Brian McDonald; Highway Engineer, Jim Olson; Highway staff members, Jona Jacobson and Brian Shepard; and Becker County Surveyor, Roy Smith, were present:
 - a. It was moved and seconded to approve Resolution 09-21-3H, to hereby close the meeting pursuant to the attorney-client privilege, according to MN State Statute; to obtain legal advice in a confidential setting for Right-of-Way legal proceedings relative to the West Lake Drive Project. (Knutson, Grimsley), carried.
 - b. Closed Session –
 - c. It was moved and seconded to open the meeting back into Regular Session. (Knutson, Grimsley), carried.

Human Resources/County Administration –

1. Closed Session – Labor Negotiations Strategy – County Administrator, Mike Brethorst; Auditor-Treasurer, Mary Hendrickson; Human Resources Director, Amy Rissmann; and staff members, Cindy Courneya and Trisha Collins were present, along with Labor Attorney, Ann Goering with Ratwik, Roszak, & Maloney, who attended virtually:
 - a. It was moved and seconded to approve Resolution 09-21-3E, to hereby close the meeting pursuant to Mn State Statute, to discuss and consider strategy for labor negotiations related to wages, benefits, strategy, and union proposals. (Knutson, Grimsley), carried.
 - b. Closed Session –
 - c. It was moved and seconded to open the meeting back into Regular Session. (Knutson, Okeson), carried.

Being no further business, Chair Nelson adjourned the meeting.

/s/ Michael M. Brethorst
Michael M. Brethorst
County Administrator

/s/ Barry Nelson
Barry Nelson
Board Chair