

REGULAR MEETING AS POSTED  
BECKER COUNTY BOARD OF COMMISSIONERS  
DATE: Tuesday, April 27, 2004 at 8:15 a.m.  
LOCATION: Board Room, Courthouse All Present

Open Meeting

1. It was moved and seconded to approve the Agenda as amended (Salminen, Bristlin), carried.
2. It was moved and seconded to approve the Minutes of April 13, 2004 as corrected (Seaberg, Engebretson), carried.

Open Forum

Hallie Larsen, Attorney, representing the Lake Melissa & Sallie Association, spoke regarding Sandy Beach Estates. She requested to table the decision as issues remain. She stated that she had concerns and felt it was rushed through. She referred to following the Becker County Comprehensive Plan.

Assessor

1. It was moved and seconded to approve the following 2004 Abatements (Engebretson, Bristlin), carried.

2004 Tax Payable

Parcel #	Twp/Cty	Amount	Reason
06.0697.000	Cormorant	\$ 14	Homestead
06.0698.000	Cormorant	356	Homestead
08.0648.558	Detroit	652	Homestead
08.1137.506	Detroit	524	Homestead
08.1143.000	Detroit	118	Classification
16.0193.001	Holmesville	182	Correction
16.0193.002	Holmesville	+ 452	Correction
17.0720.000	Lake Eunice	0	Correction
17.0998.000	Lake Eunice	974	Homestead
17.1023.000	Lake Eunice	+ 292	Homestead
19.0614.000	Lake View	462	Correction
19.1326.001	Lake View	86	Correction
19.1326.002	Lake View	478	Correction
19.1330.000	Lake View	166	Correction
19.1312.000	Lake View	424	Correction
19.1313.000	Lake View	408	Correction
20.0215.000	Maple Grove	18	Correction
21.0107.002	Osage	0	Homestead

24.0167.002	Richwood	264	Homestead
24.0233.001	Richwood	328	Homestead
24.0331.000	Richwood	244	Homestead
24.0330.001	Richwood	2	Homestead
24.0309.002	Richwood	4	Correction
25.0233.000	Round Lake	432	Homestead
29.0228.005	Silver Leaf	290	Homestead
35.0125.000	Walworth	182	Adjustment
47.0016.000	Audubon City	10,810	(Tax Court)Adjustment
49.0705.306	Detroit Lakes	+146	Homestead
49.0871.273	Detroit Lakes	228	Homestead
49.0871.305	Detroit Lakes	9,516	(Tax Court)Adjustment
49.1524.000	Detroit Lakes	298	Homestead
49.1420.000	Detroit Lakes	304	Homestead
49.2512.503	Detroit Lakes	+1,070	Correction
49.2512.504	Detroit Lakes	966	Correction
49.2524.369	Detroit Lakes	54	Homestead
49.2524.389	Detroit Lakes	34	Homestead
49.2524.390	Detroit Lakes	270	Homestead
49.2524.437	Detroit Lakes	234	Homestead
52.0103.000	Ogema	56	Homestead

2. It was moved and seconded to approve the 2003 and 2004 Abatements (Engebretson, Bristlin), carried.

#### 2003 Tax Payable

17.0720.000	Lake Eunice	0	Correction
24.0309.002	Richwood	2	Correction

#### 2002 Tax Payable

17.0720.000	Lake Eunice	0	Correction
24.0309.002	Richwood	2	Correction

#### Finance

1. It was moved and seconded to approve the Finance Claims with qualifications (Engebretson, Bristlin), carried.
2. The financial aspects of the Multi-County Nursing transition were discussed.
3. It was moved and seconded to concur with the Finance Committee to approve the Capital Purchase Request from Environmental Affairs to put down a concrete apron at Household Hazardous Waste for safety purposes at the estimated cost of \$4,000 to \$5,000 (Engebretson, Bristlin), carried.

4. The AS400 Computer Equipment was discussed. Two consultants have analyzed our system and it is at 90% of its capacity. The lowest replacement bid was for \$74,300.
5. Sunnyside Care Center Administrator, Tim Middendorf, gave an update on the construction progress. He spoke about the Bond Issue, the additional costs of the water line break, soil issues, and change orders. Due to costs, he suggested repairing the roof instead of replacement and he questioned completing the Patio at this time.
6. A review of Commissioner Expenses was compiled as a survey to establish a procedure for all of the common types of situations commissioners encounter.
7. It was moved and seconded to accept the Finance Committee Minutes (Bristlin, Salminen), carried.

#### Auditor

1. It was moved and seconded to approve the following Tubing License Renewal 01/01/04 – 12/31/04: Roger J. Klemm, K & K Tubing, Otter Tail river, Erie Twp. (Salminen, Bristlin), carried.
2. It was moved and seconded to approve the following Seasonal Tobacco License Renewals 5/01/04 – 10/31/04: Donna M. Sindt, Pike Lake Resort, Round Lake Township; Ernest H. Swanson, Swanies Resort, Cormorant Twp. and the On/Off Sale 3.2 Beer License Renewals: James S. Chelmo, Strawberry Lake Store, Sugar Bush Twp.; Kris K. Smith, Ironman Golf Course, Detroit Twp.; Donna M. Sindt, Pike Lake Resort & Campground, Round Lake Twp. (Salminen, Bristlin), carried.
3. The Board of Equalization is scheduled to be held on Tuesday, June 15, at 9:00 a.m. Approved by Consensus. A continuation date will be chosen later, if needed.

#### Sunnyside Care Center

1. It was moved and seconded to approve to establish a public utility, so Becker County can purchase water from the City of Lake Park and sell to Sunnyside Care Center (Bristlin, Salminen), carried.
2. It was moved and seconded to accept the Sunnyside Care Center Update Report. Some areas will be completed in May, with other having a May – June completion. By mid-September the project should be completed (Seaberg, Salminen), carried.
3. The Board recommended to complete the Patio and agreed with Tim to repair the roof rather than replace. Approved by Consensus.
4. It was moved and seconded to concur with the recommendations of the Finance Committee to approve to pass Resolution No. 04-04-2C, establishing procedures

relating to compliance with Reimbursement Bond regulations under the Internal Revenue Code. The regulations, in the situations in which they apply, require the County to have declared an official intent (the “Declaration”) to reimburse itself for previously paid project expenditures out of the proceeds of subsequently issued bonds. The County Board hereby authorizes the County Auditor to make the County’s Declarations or to delegate from time to time that responsibility to other appropriate County employees (Bristlin, Salminen), carried.

#### Menahga Students Presentation

1. The students gave a presentation to the County Board regarding Teenage Drinking. They presented statistics and talked about alcohol and drug related illnesses. They asked for help to establish a law requiring youths that are apprehended and fined, as part of their restitution, must speak to other students about the misuse of alcohol and/or drugs. Commissioner Engebretson asked if Menahga had done a survey and if they had sent letters to their Legislators? She also asked if they would share any information they get with the Board?
2. It was moved and seconded to correspond with the appropriate agencies, like Public Health, to see what they are doing to help with this problem (Engebretson, Salminen), carried.

#### NRM

1. It was moved and seconded to accept the bid and approve the purchase of 500 lbs of wildlife seed from Triangle Agronomy of Lake Park (Bristlin, Salminen), carried.
2. It was moved and seconded to accept the quote from the Becker County Highway Department regarding gravel borings at (4) tax-forfeited pits at the quotes price of \$61.26 per hour. Testing of gravel samples will be billed at \$50 per sample (Engebretson, Seaberg), carried.
3. It was moved and seconded to authorize the NRM to cleanup an area of timber, approximately 30-cords, for disease control. This is necessary because of a April 15, 2004 Wildfire on 17.3 acres of County Tax-Forfeit Land, Sec. 20, Savannah Twp. (Engebretson, Seaberg), carried.

#### City of Detroit Lakes

It was moved and seconded to pass Resolution 04-04-2B, approving the JOBZ Zone Acreage Swap requested by the City of Detroit Lakes. This authorizes the exchange of JOBZ acreage to vacant land in Detroit Lakes, provided that the acreage amount for the Detroit Lakes JOBZ Zones remains at 299.5 or less (Bristlin, Seaberg), carried. The Board asked that Larry Remmen, Economic Development, City of Detroit Lakes, keep them informed of agreements in the JOBZ Zone.

#### Human Services

1. The Purchase of Service Contracts are removed from the Agenda.
2. It was moved and seconded to approve the Transit Claims (Bristlin, Salminen), carried.
3. It was moved and seconded to accept the Public Assistance Applications (Seaberg, Bristlin), carried.
4. The letter of April 6, 2004 from the Minnesota Department of Health was discussed. The requirements as a Community Health Board are outlined in the Local Public Health Act (MN Stat. 145A). It was noted that the County is required to fulfill the responsibilities that are listed for both a Board of Health and a Community Health Board and by fulfilling these duties will be eligible for grant funding through the Local Public Health Act. As a Community Health Board, a representative needs to be appointed to the State Community Health Services Advisory Committee. It was moved and seconded to appoint Commissioner Salminen as a representative of Becker County to the State Health Board. Matt Casey was appointed as an alternate (Bristlin, Seaberg), carried. The first meeting will be May 20, 2004 for New Member Orientation. Commissioner Engebretson noted that our appointee position would be non-voting for the rest of this year.
5. It was moved and seconded to approve the Human Services Claims (Salminen, Seaberg), carried. Commissioner Engebretson abstaining because of having just received the final claims.

#### DNR/Biological Survey

Michael Lee and Erika Rowe gave a presentation on their plans for resuming native plant community surveys for the MN County Biological Survey in Becker County. The goal of the survey is to identify significant natural areas and to collect and interpret data on the distribution and ecology of rare plants, rare animals, and native plant communities.

Environmental Affairs was removed from the Agenda.

#### Planning & Zoning

1. Planning Commission (PC) Recommendations of April 20, 2004 Meeting:
  - 1) **FIRST ORDER OF BUSINESS:** Clayton Schott. It was moved and seconded to concur with the PC findings and recommendations to approve to the change of zone from residential to high density residential based on the fact that the use is compatible with the current residential zoning and will compliment the City's long-range plans (Bristlin, Seaberg), carried. Engebretson abstaining as she had concerns that an EAW had not been done.

- 2) **SECOND ORDER OF BUSINESS:** Contractor's Leasing, Cormorant Twp. Tabled.
- 3) **THIRD ORDER OF BUSINESS:** Timothy Bosh. Cormorant Twp. It was moved and seconded to concur with the findings and recommendations of the PC to approve a conditional use permit to allow a retaining wall within the shore impact zone based on the fact that it does meet the criteria of Sec. 12 of the Ordinance and it does correct an existing erosion problem (Bristlin, Seaberg), carried.
- 4) **FOURTH ORDER OF BUSINESS:** Paul Breyer. Cormorant Twp. It was moved and seconded to concur with the findings and recommendations of the PC to approve the change of zone from agricultural to residential and approve the certificate of survey allowing two tracts of land, 59,500 sq. ft. in size and 53,500 sq. ft. in size based on the fact that the request meets the requirements of the Zoning Ordinance and Subdivision Ordinance (Bristlin, Seaberg), carried.
- 5) **FIFTH ORDER OF BUSINESS:** Shoreham Investment Group. Cormorant Twp. Tabled. A meeting has been called for April 29, 3:30 p.m.
- 6) **SIXTH ORDER OF BUSINESS:** Brian Smith. Burlington Twp. It was moved and seconded to concur with the PC findings and recommendations to approve a change of zone from agricultural to residential based on the fact that the use is compatible with the current residential zoning and will compliment the City's long-range plans (Engebretson, Salminen), carried.
- 7) **SEVENTH ORDER OF BUSINESS:** Dennis Johnson. Height of Land Twp. It was moved and seconded to concur with the PC findings and recommendations to approve the change of zone from agricultural to residential and approve the certificate of survey to allow two tracts of land; one tract being 1.7 acres in size and one tract being 40,300 sq. ft. in size based on the fact that the request does meet the criteria of the Zoning Ordinance and Subdivision Ordinance and is compatible with the area and the fact that a request cannot be denied on uncertainties of a private agreement (Bristlin, Salminen), carried. Engebretson voting nay.
- 8) **EIGHT ORDER OF BUSINESS:** Dean Johnson. Osage Twp. It was moved and seconded to concur with the PC findings and recommendations to approve the change of zone from agricultural to residential and to approve a preliminary plat consisting of four lots based on the fact that it meets the criteria of the Zoning Ordinance and Subdivision Ordinance (Bristlin, Salminen), carried.
- 9) **NINTH ORDER OF BUSINESS:** Bruce Jacobs. Burlington Twp. It was moved and seconded to concur with the PC to approve the change of zone and certificate of survey for one tract of land being 1.8 acres in size based on the fact that the request meets the requirements of the Zoning Ordinance and Subdivision

- Ordinance and is compatible with the surrounding area (Salminen, Bristlin), carried.
- 10) TENTH ORDER OF BUSINESS: Mike & Robyn Engel. Shell Lake. Moved to the end of the agenda.
  - 11) ELEVENTH ORDER OF BUSINESS: Robert Sandgren, Two Inlets Twp. It was moved and seconded to concur with the PC to approve the change of zone from agricultural to residential and certificate of survey for three lots (28.20 acres in size; 70,159 sq. ft. in size; and 50,678 sq. ft. in size) based on the fact that the request meets the requirements of the Zoning Ordinance and Subdivision Ordinance and is compatible with the surrounding area (Bristlin, Seaberg), carried.
  - 12) TWELVTH ORDER OF BUSINESS: Bruce Paakh. Lake Park Twp. It was moved and seconded to concur with the PC to deny the conditional use permit to allow a two story accessory structure based on the fact that it is not compatible with the area and that the lower floor of the structure is too close to the water table, which could create water pollution (Bristlin, Seaberg), carried. Engebretson voting nay.
  - 13) THIRTEENTH ORDER OF BUSINESS: Dennis Fulmer. Holmesville Twp. It was moved and seconded to concur with the PC to approve the certificate of survey to allow two tracts of land, one being 3.3 acres in size and one being 1.75 acres in size, Based on the fact that the request meets the criteria of the Zoning Ordinance and Subdivision Ordinance (Engebretson, Bristlin), carried.
  - 14) FOURTHEENTH ORDER OF BUSINESS: John Bergstrom. Height of Land Twp. It was moved and seconded to concur with the PC to approve the change of zone from agricultural to residential and approve a certificate of survey to allow two parcels of land, one being 56,914 sq. ft. in size and one being 50,200 sq. ft. in size, based on the fact that the request meets the criteria of the Zoning Ordinance and Subdivision Ordinance (Engebretson, Salminen), carried.
  - 15) FIFTEENTH ORDER OF BUSINESS: Shell Lake Twp. Mike and Robyn Engel. It was moved and seconded to concur with the PC to deny the conditional use permit for a two-story garage with living quarters based on the fact that the lot is not large enough to allow a guest cabin and the Zoning Ordinance prohibits accessory structures with living quarters (Bristlin, Salminen), carried.
  - 16) SIXTEENTH ORDER OF BUSINESS: Election of Officers. Appointments: Kovala will be Chairman for 2004; Brufloft will be Vice-Chairman for 2004; Moritz will be Secretary for 2004.
  - 17) SEVENTEENTH ORDER OF BUSINESS: Informational Meeting. The tentative date for the next informational meeting is Thursday, May 13, 2004 at 8:30 a.m.

2. An appointment for the Board of Adjustments to replace Naomi Champ is needed. This could be an appointment at large.
3. Strata Co. & Glacier Resources Court Resolution – EIS Needs Decision. Discussion only.
4. Sandy Beach Estates, Lake View Twp, Paces Lodging Corporation, EAW Review Committee EIS Declaration Recommendation. It was moved and seconded to pass Resolution No. PZ 04-04-2A, making a Negative Declaration for the EIS needs on Sandy Beach Estates Preliminary Plat located in Sections 31 & 32, Lake View Twp. (Bristlin, Seaberg), carried. Commissioner Salminen noted that there was a lot of work done by the EAW Committee and also commended Pace Lodging for their work. He also stated that there is still other work that could come up and would hope that this is remembered.

#### Commissioners

1. Reports & Correspondence:
  - a. BCCI Meeting, Commissioner Engebretson
2. Appointments:
  - a. It was moved and seconded to appoint Lori Laine (Engebretson) and David Knopf (Bristlin) to the Tru-County Assessment Committee (Bristlin, Salminen), carried.
3. Commissioner Engebretson asked if Cyndi Anderson, BCCI, could come in to explain the \$5,000 Fiscal Agent Fee, and brought up the issue of interest on money being held by Becker County. Brian C. Berg, County Administrator, explained that this fee was reduced to \$2,500 last fall. Commissioner Engebretson stated that BCCI was requesting that the fee be eliminated. Brian stated that this fee is paid to the Auditor's Office and is included in that budget.
4. It was moved and seconded to approve any Commissioner's attendance at the LMC Cleanup of Hwy 21 on Thursday, April 29, 2004 at 5:00 p.m. (Engebretson, Bristlin), carried.
5. It was moved and seconded to approve any Commissioner's attendance at the AMC Spring District Meeting on May 21, 2004, 8:00 a.m to Noon at Fergus Falls, MN. (Engebretson, Seaberg), carried.
6. It was moved to re-appoint the Pelican River Watershed Board Positions (Bristlin). After discussion, the motion died for lack of a second. The appointments will be made at the May 11, 2004 Board Meeting.
7. Clandestine Drug Lab Clean-Up Ordinance. Joe Evans, County Attorney, and the Ordinance Committee have been working on a County Ordinance. They have



recommended an ordinance for review. The Becker County Board has scheduled a Public Hearing to be set on Tuesday, May 25, 2004 at 7:30 p.m. in the County Board Room, Courthouse (Bristlin, Seaberg), carried.

There being no further business, the meeting was recessed for lunch and will adjourn after lunch.

/s/ Brian C. Berg  
Brian C. Berg  
County Administrator

/s/ Roger Winter  
Roger Winter  
Board Chair