

REGULAR MEETING AS POSTED
BECKER COUNTY BOARD OF COMMISSIONERS
DATE: Tuesday, January 11, 2011 at 8:15 a.m.
LOCATION: Board Room, Courthouse

Agenda:

1. Meeting presided over by Board Chair Nelson. Commissioners in attendance; also Acting Administrator, Nancy Grabanski and, Minute Taker, Kathy Ohman.
2. There were no additions, deletions or corrections to the agenda as published.
3. It was moved and seconded to approve the Minutes of December 28, 2010 with the following changes: under Administrator Vacancy change the motion to read: 'It was moved and seconded to extend a conditional offer to Mr. Tom Mortenson as County Administrator contingent to a background check and discussion of salary.' under Auditor/Treasurer number 1: change the words 'to approve' to 'for public input on'; under Environmental Services number 2 change the motion to read: 'It was moved and seconded to pass Resolution 12-10-2C to set the hours the waste collection and transfer facility located at 23330 County Highway 47 will be open to the public. The hours will be Saturday from 10:00 to 2:00 P.M. each week during the calendar year unless closed by approval by the Becker County Board of Commissioners. (Knutson, Okeson), carried.
4. It was moved and seconded to approve the Minutes of the January 4, 2011 Organizational Meeting as printed. (Knutson, Okeson), carried.

Commissioners:

1. Open Forum:
 - a) Willis Mattison, representing the Becker County Citizens For Responsible Recreational Activities spoke concerning the Recreational Plan. He stated all recreational activities affect public lands and natural resources on some level. He feels we need to determine what the acceptable level of harm to natural resources is and yet allow the use of the property for recreational purposes. He feels you need to know what you have as far as inventory of lands to meet your objective and needs. He feels the Recreational Plan doesn't address ATV/OHV usage and the harm to property. Told the Commissioners he would be willing to work with staff and other resources to assist in this process.
2. Reports and Correspondence:
 - a) Commissioner Skarie
 - i) Attended the Human Services meeting. Discussed service agreements that would be addressed when Human Services appears on the agenda. Discussed the PHER (Public Health Emergency Response) Supplemental Grant Plan, which is a plan to meet the statutory requirements for mass vaccine dispensing. Discussed the possibility of using the disabled clients for sorting out E waste for environmental services. Discussed going paperless and may go together with Clay County and other Counties to purchase software.
 - ii) Attended the Environmental Affairs Committee and Commissioner Knutson will report on that meeting.
 - iii) Attended the Becker County Extension Service meeting and sat in on performance reviews of the programs. Stated the Regional Director and local people are doing an excellent job. There were 100 youth from the Boys and Girls Club that participated in the Science event. They received \$500.00 grant from the federal government for highest on-line enrollment, and will used the money to purchase a sewing machine for the

Community Education program which 4-H would be able to use and possibly the Boys and Girls club. They discussed the Becker County Beef event participants who received 2 of the 12 heifers distributed throughout the State along with clippers, 500 pounds of feed and other necessities. The recipients must use this heifer as a 4-H project and make quarterly reports. They also discussed the Citizens Leadership conference, there are four youth that applied to go to the in Washington D.C. The fees for the conference are \$1350 of which the council paid \$500.

b) Commissioner Okeson

- i) Attended the Highway Committee meeting where they discussed cost savings and advertising concerning highway construction. Discussed the sale and value of the two out shops at Wolf Lake and Ponsford. They discussed the oil burner at the new waste collection and transfer facility, as there have been some difficulties with it running correctly, they are working on the issue. They discussed verbiage changes in the seasonal contracts and also for the upcoming dust control and what is the best venue to get the information to the people so everyone living on a particular road can participate; which would be more cost effective to the County. The Shoreham Bridge will be replaced in 2012 and Commissioner Okeson would like to see a public hearing this summer so people would know how they would be affected.
- ii) Attended the Sheriff's Committee meeting where they discussed the current process of accepting applications for a deputy pool. Reviewed the breakdown of the costs to house people in the jail and minimum security. Discussed the new radio systems.

c) Commissioner Knutson

- i) Attended the Environmental Affairs Committee meeting. There was a demo of the new front loader compactor truck at the landfill. The new dumpsters are getting close to being delivered and the company has agreed to add the logo if the County provides it. Discussed the Joint Powers Bonding Agreement and this was also discussed and approved through Finance. George Zimmerman is working with the White Earth Tribe concerning solid waste, and is trying to get White Earth involved with our solid waste, which would be beneficial to them and us.
- ii) Attended the Ordinance Review Meeting and sub committees are discussing septic and resorts. This will be a long process and involve many meetings.

d) Commissioner Schram

- i) Complimented Commissioner Okeson and Commissioner Skarie on their reports and correspondence.
- ii) Attended the Sheriff's Committee meeting where Sheriff Gorden discussed the need for the Enforcement pool that enables him to refer back to applications and background checks for a replacement when he has a job opening.
- iii) Attended the Highway meeting. They are using GPS on the maintainers on a trial basis and will use more but it will take awhile to convert to that.
- iv) The snowmobile trails are in excellent condition except the ditches and swamps. Commissioners Nelson stated he spoke with a groomer from an Ottertail County snowmobile Club. They use a tractor to groom trails and it is working very well. Commissioner Schram stated the Two Inlets Township, uses a tractor groomer and they found there are more maintenance issues with the tractor than their other groomers. Felt the maintenance issue depends on the situation and where the equipment is being used.
- v) Attended the Heartland Multi-purpose Recreational Trail meeting. Hawley and Glyndon also attended the meeting. Discussed multi use trails and that sometimes the trails in Buffalo State Park are temporarily closed but will be posted.

- e) Commissioner Nelson
 - i) Attended the Ordinance Review Committee meeting and the topics discussed were the point of sale, septic inspections and string lines. He felt this committee brings together a group of people with the best interests to the County with common goals to achieve and good solutions to meet those common goals. Commissioner Knutson added he was very impressed with the knowledge the group of people have.
 - ii) Attended the Sunnyside meeting. A new administrator with good people skills has been hired and Commissioner Nelson thinks he will fit in very well.
3. Commissioners Appointments:
- a) It was moved and seconded to approve Commissioner Okeson and Commissioner Skarie to attend the AMC training January 26 through January 27. (Knutson, Schram), carried.
 - b) It was moved and seconded to reappoint Monique Anderson to the Extension Board. (Nelson, Knutson), carried.
 - c) It was moved and seconded to approve the reappointment of Jim Kovala to the Planning and Zoning Board. (Knutson, Skarie), carried.
 - d) It was moved and seconded to approve the reappointment of Al Chirpich to the Board of Adjustments. (Knutson, Okeson), carried.
 - e) It was moved and seconded to approve the reappointment of Gertrude Maninga to the Extension Board. (Knutson, Okeson), carried.
 - f) It was moved and seconded to approve the reappointment of Jeff Moritz to the Planning and Zoning Board. (Nelson, Knutson), carried.
 - g) It was moved and seconded to approve the appointment of David Blomseth to Planning and Zoning. (Skarie, Schram), carried.
 - h) It was moved and seconded to approve to add Commissioner Okeson to the Assessor's Committee to review language. The appointment will end upon completion of review. (Schram, Knutson), carried.
 - i) It was moved and seconded to appoint John Bellefeuille to attend the first meeting of the Regional Radio Board with Commissioner Okeson with per diem of \$50 plus mileage. (Knutson, Schram), carried.
 - j) It was moved and seconded to appoint Commissioner Okeson as representative to the WesMin Resource Conservation and Development Council for 2011 replacing Commissioner Skarie. (Knutson, Nelson), carried.

4. Commissioners: County Administrator Position:

It was moved and seconded to send the final offer to Tom Mortenson for the position of County Administrator to include: Starting date on or before February 1, 2011; Starting pay will be Step 5 of the County Administrator's pay scale, \$88,521 and after 6 months adjust to Step 6 based on performance; Seven (7) bank vacation days which can be used in the first 6 months and five (5) bank sick leave days, these days will be paid back if employment ends prior to 2year for vacation and 10 years for sick leave. Other benefits will follow the other management personnel. The County Board Chair will sign the final offer. (Knutson, Okeson), carried.

Auditor-Treasurer, License & Permits, Ryan Tangen Presented

- 1. There were no licenses or permits.
- 2. Public Hearing:
 - a) Auditor/Treasurer Ryan Tangen stated the public hearing was to determine if an off-sale liquor license should be issued to 10,000 Lakes Liquor located on Parcel #19.0644.000. His office has received 1 letter in favor of the license and Planning and Zoning has received several letters in favor of the license. The Auditor/Treasurer was contacted by the city regarding the 3-

mile route from the boundary of DL. According to the Alcohol and Gambling Enforcement Division at the State of Minnesota their determination is the most direct route via a road measures the distance. Ryan Tangen, Auditor/Treasurer presented a map with three different routes and they measure 4.25 miles, 3.80 miles and 3.70 miles.

b) It was moved and seconded to open the Public Hearing. (Knutson, Okeson), carried.

i) Charles Magnuson who lives on County Highway 17 north of the proposed off sale liquor store spoke against issuing a liquor license for the following reasons: 1) Felt there was a hazard created because of the three intersections. 2) There are a number of children that live or visit in that area. 3) Felt the off sale liquor store would generate more traffic especially in the summertime and during We Fest. 4) He is a retired Engineer from MNDOT and has a background involving many years with traffic intersections and felt the angle should have been different for these intersections. 5) Zoning requires an 85' setback from State Highway right of way and Mr. Magnuson was turned down for a building request citing that reason and has concerns as to if those requirements are being met on this project. 6) He feels there is not enough room for a liquor store because there is limited parking and feels the site is not adequate for any business that generates that kind of traffic.

ii) Bob Louiseau, City Administrator for the City of Detroit Lakes, stated the city learned of the application for the liquor license on Thursday, January 6th and the city objects to the issuance of this liquor license because they feel the establishment is located less than 3 miles by the most direct route from the boundary of the City of Detroit Lakes. The City feels the proposed site of the 10,000 Lakes Liquor Store is 2.94 miles from the nearest point of the city boundary. Mr. Louiseau cited Minnesota Statutes and provided exhibits to document the City of Detroit Lakes position on this issue. In reviewing the matter with the League of Minnesota Cities Research Office and City Attorney, Bill Briggs, they were unable to find any opinions from the Minnesota Attorney General's Office or Appellate Court decisions, which defines the term of the most direct route. He further stated that Minnesota Statutes indicates one of the items the County is to consider in issuing the license is "its impact on any Community". The City of Detroit Lakes believes issuing the liquor license will adversely affect the City of Detroit Lakes and residents of the surrounding area. They feel the proceeds from the City's Municipal Liquor Store provides significant benefits to residents as well as those living in the surrounding area. In the past five years the liquor store has provided funds to help many organizations in the area. Mr. Louiseau feels it is important to work within the law that is available and the County should base their decision on the criteria they have used in past decisions.

iii) Jill McNamara owner of the County 17 Club, which is a bar, restaurant and off-sale business spoke concerning the issuance of a liquor license for the proposed 10,000 Lakes Liquor Store. She is not opposed to another liquor store in this area but is opposed to the location to establish this business on because of the dangerous corner and the factor of safety because a liquor store generates a lot of in and out traffic.

iv) Marsha Hall the applicant for the liquor license for the 10,000 Lakes Liquor Store stated the building is 900 square feet and sits on a 5-acre tract of land. She understands the concerns about accidents and suggested a flashing light be installed at the intersection.

v) Brad Wentz, Highway Department, was asked if the County was planning any work on County Road 17. He stated they are doing plans on the north part of County Road 17 that meets State Highway 59. He can ask MNDOT to do a traffic evaluation for the area in question.

c) It was moved and seconded to close the public hearing. (Knutson, Okeson), carried.

- d) There was discussion by the Board members regarding the input from the public. Some of the issues such as setbacks, parking, and traffic flow safety would need to be addressed through the Planning & Zoning Committee and the request for conditional use permit. The County Attorney opinion regarding the three-mile threshold would be taken into consideration for the conditional use permit.
 - e) It was moved and seconded to approve the liquor license for the 10,000 Lakes Liquor Store located on Parcel #19.0644.000. (Schram, Knutson), carried.
3. It was moved to pass Resolution 01-11-1A, that the Detroit Lakes Sunday paper is hereby designated by the Board of County Commissioners of the County of Becker and State of Minnesota as the official county newspaper for 2011 in which the notice and list of real estate taxes remaining delinquent on the first Monday of January 2011, shall be published and that the Detroit Lakes Sunday paper is hereby designated as the newspaper in which the proceedings and other notices of the County Board shall be published and that the Detroit Lakes Sunday paper is hereby designated as the newspaper in which the first publication of the financial statement will be published and the Frazee Forum is hereby designated as the newspaper in which the second publication of the financial statement will be published as required by MN Statute Section 375.17. (Knutson, Skarie), carried.

Finance Committee Minutes:

1. It was moved and seconded to approve the regular Claims, over 90 day claims (1) Regional Native Public defense in the amount of \$100.00 due to processing error; the Auditor's Warrants for 12/28/10 in the amount of \$9,651.66, and 12/31/10 in the amount of \$1,540.00, and 1/4/11 in the amount of \$15,761.34. (Okeson, Schram), carried.
2. It was moved and seconded to approve the year-end claims in the amount of \$775,939.30. (Knutson, Schram), carried.
3. The Human Services claims were reviewed and it was recommended to approve when presented.
4. It was recommended by the Finance Committee to approve when presented the Medica Foundation Grant Acceptance.
5. It was recommended by the Finance Committee to approve when presented the PHER (Public Health Emergency Response) Supplemental Grant Plan.
6. It was recommended by the Finance Committee to approve when presented Resolution 01-11-1B that authorizes the Becker County Human Services Director or the Becker County Board Chair to execute the Agreement with the State of Minnesota to provide public transportation services in Becker County, Minnesota and any Amendments thereto.
7. It was moved and seconded to advertise and accept applications for a deputy pool. (Schram, Okeson), carried.
8. It was recommended by the Finance Committee to approve Resolution 01-11-1C to transfer excess municipal funds to regular funds.
9. It was moved and seconded to continue the process of the sale of the two vacated shops and recommend to advertise for sale by live auction setting a minimum bid at 80% of the assessed value further adjusting the value of the Ponsford property by \$10,000 due to a faulty sewer. (Knutson, Skarie), carried.
10. It was moved and seconded to approve the Prairie Lakes Municipal Solid Waste Authority Joint Powers Financing agreement. (Knutson, Schram), carried.
11. It was moved and seconded to approve the cost estimate of up to \$2,600 to continue analysis of the possibility to use Geo-technical heating in the new transfer station. (Okeson, Knutson), carried.

12. It was moved and seconded to approve the amended grant agreement utilized for the recycling dumpsters. (Skarie, Knutson), carried.
13. It was moved and seconded to accept the cash comparison and investment summaries for October and November of 2010. (Okeson, Knutson), carried.
14. It was recommended by the Finance Committee to select the Sunday edition of the Detroit Lakes paper as the official newspaper for 2011.
15. It was moved and seconded to approve the new credit card/purchase card users agreement. (Okeson, Schram), carried.
16. It was moved and seconded to pass Resolution 01-11-1E to advertise, interview and hire a part-time Administrative Assistant position due to a resignation. (Knutson, Schram), carried.
17. It was moved and seconded to authorize the Board Chair to sign the \$250 per year membership to the Lakes Country Service Co-op. (Schram, Skarie), carried.
18. It was moved and seconded to allow Lauri Brook to attend a meeting in Washington D.C. for training and to authorize and accept the grant that will cover the cost of travel and room. (Schram, Okeson), carried.
19. It was recommended by the Finance Committee to form an Ad Hoc committee to review the abatement policy.

Assessor: Steve Skoog Presented:

1. There were no abatements.

Highway, Brad Wentz Presented:

1. There were no additions to the agenda.
2. It was moved and seconded to pass Resolution 01-11-1C that the Commissioner of Transportation transfers from the Municipal Construction Account all funds in excess of two years apportionment into the Regular Construction Account. (Schram, Okeson), carried.
3. It was moved and seconded to authorize the County Engineer to advertise as follows: Initial advertisements in the Detroit Lakes Tribune stating the intent to utilize advertising and all highway construction advertising for 2011 will be placed on the official Becker County web page and on the MNDOT site of www.dot.state.mn.us/stateaid using the Eadvertlink. (Schram, Okeson), carried.

Human Services, Nancy Nelson presented:

1. It was moved and seconded to amend the agenda to add under number 2a) viii 'amendment to Stellher Human Services Agreement'. (Knutson, Skarie), carried.
2. It was moved and seconded to approve the purchase of Service Agreements for Mosiac Consulting, The Village, Recovery Works, Drake Counseling Services, Lakes Counseling Center, Solutions Behavioral Health Care Professionals, Inc, Perham Memorial Home Care and Amendment to Stellher Human Services, Inc. (Skarie, Schram), carried.
3. It was moved and seconded to accept the Medica Foundation Grant. (Schram, Knutson), carried.
4. It was moved and seconded to approve the Human Services Claims. (Knutson, Okeson), carried.

Community Health, Nancy Nelson presented:

1. It was moved and seconded to approve the process of the PHER (Public Health Emergency Response) Supplemental Grant Plan. (Skarie, Schram), carried.
2. It was moved and seconded to approve the Community Health Claims. (Knutson, Skarie), carried.

Transit, Nancy Nelson presented:

1. It was moved and seconded to pass Resolution 01-11-1B that authorizes the Becker County Human Services Director or the Becker County Board Chair to execute the Agreement with the State of Minnesota to provide public transportation services in Becker County, Minnesota and any amendments thereto. (Knutson, Okeson), carried.
2. It was moved and seconded to approve the Transit Claims. (Schram, Skarie), carried.

Recreation Plan Workshop: Presented by Nancy Grabanski, Guy Fischer and Tony Brahmer.

1. Nancy Grabanski, Guy Fischer, and Tony Brahmer presented an overview of the Recreation Plan changes that have occurred since the informational meeting and last presentation to the Board. The presentation also included an example of how the plan would be utilized. This included viewing the website inventory. The Board recognized the work that has went into the plan and felt the County has benefitted from this process. There was discussion on scheduling a meeting with the White Earth Tribal Council to discuss the plan that may provide additional information. Nancy Grabanski believed the Steering Committee has taken the plan as far as they can as of now. The Committee is not asking for approval as of now but wanted to give the Board a view of how the committee sees the plan being utilized and to make sure they were on the right track.
2. Willis Mattison addressed the group and complimented the Committee for the hard work they put in to creating the Recreational Plan for Becker County. He felt the needs assessment was a good step but also wanted to know what the acceptable level of damage to ditches and county owned lands would be.

There being no further business, the meeting was recessed for lunch.

/s/ Nancy Grabanski

Nancy Grabanski
Acting County Administrator

/s/ Barry Nelson

Barry Nelson
Board Chair