

BOARD MEETING AS POSTED

BECKER COUNTY BOARD OF COMMISSIONERS

DATE: TUESDAY, May 16, 2023, at 8:15 am

LOCATION: Board Room, Courthouse

Agenda/Minutes:

1. Meeting was brought to order by Board Chair Nelson. Commissioners in attendance: Nelson, Okeson, Vareberg, Jepson and Meyer, County Administrator Pat Oman, and minute taker Peggy Martin.
2. Pledge of Allegiance
3. Agenda Confirmation – Motion and second to approve agenda (Okeson, Meyer) carried.
4. Minutes – Moved and second to approve minutes of May 2, 2023, with the requested changes (Meyer, Nelson) carried.

Commissioners:

1. Open Forum:
 - None
2. Reports and Correspondence: Reports were provided on the following meetings:
 - Commissioner Jepson – Opioid Settlement, Human Services
 - Commissioner Meyer – Human Services
 - Commissioner Nelson – Sheriff, Joint Powers, Public Works Building, Sunnyside
 - Commissioner Okeson – Sheriff, Northwest Emergency Communication Board, Dunton Locks Building Kickoff
 - Commissioner Vareberg – Safety
 - Motion and second to add authorizing a maintenance/custodial position at the Highway Department to the agenda (Jepson, Okeson) carried.
 - AMC District 4 meeting June 16, 2023, in Fergus Falls.
3. Appointments:
 - Pelican River Watershed District
 - Laurie Olson – would like to be reappointed and supports Chris Jasken’s reappointment.
 - Phil Hansen – supports Laurie Olson and Chris Jasken’s reappointments.
 - Charlie Jasken – supports Laurie Olson and Chris Jasken’s reappointments.
 - Motion and second to reappoint Laurie Olson to the Pelican River Watershed District for a 3-year term (Vareberg, Meyer) carried.

- Motion and second to reappoint Chris Jasken to the Pelican River Watershed District for a 3-year term (Vareberg, Meyer) carried.

County Administrator: presented by Pat Oman.

1. Report

- Work from Home Policy Summary review at the June 6 meeting.
- Benefits Committee.
- Space needs review.
- Start Preliminary Budgets for 2024.

2. Project 412: presented by Amy Stearns

- Motion and second to enter into the wall agreements for murals on the Human Services Building and the Box Culvert on CSAH 22 (Vareberg, Meyer) carried.

Finance Committee: presented by Mary Hendrickson.

1. Regular Claims, Auditor Warrants, and Over 90 Days:

05/02/2023 in the amount of	\$13,746.50
05/09/2023 in the amount of	\$54,833.88
Total of	\$68,580.38

Over 90 Days:

Barkalow Appraisals LTD dated 02/22/23 in the amount of \$400.00, just turned in.

Chief Corner Store dated 01/10/2023 in the amount of \$224.99, invoice just received.

M. Olson dated 2022 in the amount of \$254.93, mileage reimbursement for elections.

Total of \$879.92

Motion and second to approve payment of regular claims, auditor warrants, and claims over 90 days (Okeson, Vareberg) carried.

Auditor-Treasurer: presented by Mary Hendrickson.

1. Licenses:

- Motion and second to approve Tubing Permits for Charlie's Ottertail Tubing – Charles & Kathy Pihlaja – Erie Township, K & K Tubing Inc. – Roger Klemm – Erie Township (Okeson, Vareberg) carried.

2. Motion and second to approve Resolution 05-23-2D – Repurchase of Tax-Forfeited Land Parcel Number 17.0145.000 (Okeson, Vareberg) carried.

Human Services: presented by Denise Warren

1. Motion and second to approve MOU Renewal with MSCTC (Jepson, Meyer) carried.
2. Motion and second to approve Claims for Human Services, Public Health & Transit (Jepson, Meyer) carried.

Human Resources: presented by Carrie Smith

1. Report

- Motion and second to withdraw custodial position for the Public Works Building and advertise Maintenance Position with custodial duties (Okeson, Vareberg) carried.
- Update on hiring – currently 15 open positions. Review options for advertising positions.
- Benefits Committee survey closes on Friday, May 19.
- RFQ for Insurance Broker.
- Motion and second to approve the Social Media Policy (Jepson, Okeson) carried.

Recorder: presented by Susan Syvertson

1. Motion and second to approve Resolution 05-23-2A – Digitizing Marriage Records by ISC in the amount of \$14,232.80 utilizing the Equipment & Technology Fund (Meyer, Jepson) carried.

Sheriff: presented by Todd Glander

1. Motion and second to approve Resolution 05-23-2B – Boat & Water Federal Boat Patrol Grant with the allocation of \$5,500 (Okeson, Vareberg) carried.
2. Information and discussion of the purchase of a Lenco BearCat G3 armored vehicle.

Highway: presented by Brian Shepard

1. Motion and second to approve Resolution 05-23-2C – State Aid Funding Advance in the amount of \$3,879,085.09 (Okeson, Vareberg).
2. Motion and second to approve Capital Purchase Request for a rolling toolbox in the amount of \$5,559 and a press in the amount of \$5,395 for a total of \$10,954 from the Special General Fund (Okeson, Vareberg) carried.

Planning & Zoning: presented by Kyle Vareberg

1. Motion and second to approve Applicant Sarah R Bachmann - Conditional Use Permit for a Non-Shoreland Multi-Unit Development consisting of 15 units (Okeson, Jepson) carried.
2. Application by William L & Karolyn K Zurn – Conditional Use Permit to operate a feed lot.
 - Findings received by the Board on Monday, May 15, 2023 were not changed during the Planning & Zoning Committee Meeting on Tuesday, May 16, 2023 prior to the Board of Commissioners Meeting as noted by Kyle Vareberg.
 - Testimony in support of feedlot.
 - William Zurn – permittee – would not like the decision to be made later.
 - Sarah Duffy – lawyer for William & Karolyn Zurn
 - Conditional Use Permit is to operate a maximum of 2400 head swine commercial feed lot. Conversion ratio is .4 animal units/head which is approximately 960 animal units, less than the 1,000 animal units.
 - MPCA has authority for the feedlot regulation including location, design, construction, and operation and management. Becker County is not a county that has delegated authority from the MPCA.
 - 5 Factors in the Becker County Zoning Ordinance when granting the Conditional Use Permit have been met.
 - Rick Muff – Hog farmer in Becker County in support of the feedlot
 - Testimony in opposition of feedlot.
 - Bill Henke – Landrum Lake Gun Club – significant concerns with the feedlot.
 - Steve Quam – lawyer for the Landrum Lake Gun Club – process hasn't been fair. Should extend the process for 60 days.
 - Jamie Konopacky – Environmental Attorney for White Earth Tribe – request the County Board suspend the decision on the feedlot or deny the permit entirely. Failing to address the federal property rights of the Band.
 - Willis Mattison – Issac Walton League of America – take the time to specifically gather the information that is negative, to show the balance between the positive and negative.
 - Jim Blair – Swine Vet Center – Growth hormones are not used in these barns. Minimal antibiotic use in the animals. Encourage a decision today.
 - Steve Lindow – Member of the Planning Commission – Technical committee should have been pulled together. Think it would be wise to postpone the decision.

- Joe Stenger – In favor of the feedlot.
- Sarah Duffy – Lawyer for the Zurn’s – Common tactics in lawyering use fear and intimidation or throw out a lot of issues that try to confuse the issue at hand. No concrete evidence of how the use and enjoyment of adjacent property will be impacted. This process has been fair based on the record. Request the decision is made today.
- William Zurn- If asked allows members of the gun club to hunt on his land. Maintains the road with no issues from farm equipment. His land is off the White Earth Reservation.
- Brian McDonald – Mr. Lindow brought up the tabling possibility by the planning commission, Mr. McDonald owns that he should have spoken up, but he did not advise them that they had to make a decision. Mr. McDonald did not send the proposed findings to anybody; he wouldn’t have sent them until it was discussed and official at the planning commission. If people got copies of the findings, it wasn’t from Mr. McDonald.
- Motion and second to amend the application the buildings would be 500 ft from the ordinary high-water mark of the east body of water property line (Nelson, Meyer) carried.
- Motion and second to approve William & Karolyn Zurn’s Conditional Use Permit to operate a feed lot (Vareberg, Okeson) carried.

3. Community Based Comprehensive Plan Budget discussion.

Motion and second to close the meeting at 12:03 pm pursuant to Minn. Stat. Section 13D.03 Subd. 1(b) The governing body of a public employer may by a majority vote in a public meeting decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25 (Okeson, Meyer) carried.

Motion and second to come out of closed session at 12:21 pm (Jepson, Meyer) carried.

Motion and second to accept Teamsters 320 – Human Services Contract as proposed with authorization to make grammatical changes (Meyer, Okeson) carried. Roll call vote called by Commissioner Vareberg: Okeson – In favor, Jepson – In favor, Meyer – In favor, Nelson – In favor, Vareberg – Opposed.

Motion by Commissioner Vareberg to amend contracts so all units receive the same benefits.
Died due to lack of a second.

Motion and second to accept Teamsters 320 – Courthouse contract as proposed with authorization to make grammatical changes (Okeson, Jepson) carried. Roll call vote called by Commissioner Vareberg: Okeson – In favor, Jepson – In favor, Meyer – In favor, Nelson – In favor, Vareberg – Opposed.

Being no further business, Chair Nelson adjourned the meeting at 12:27 pm.

/s/

Pat Oman
County Administrator

/s/

Barry Nelson
Board Chair