

REGULAR MEETING AS POSTED
BECKER COUNTY BOARD OF COMMISSIONERS
DATE: Tuesday, November 24, 2009 at 8:15 a.m.
LOCATION: Board Room, Courthouse

Agenda

1. Meeting presided over by Chair Salminen. Commissioners in attendance, also Administrator, Brian C. Berg and Minute Taker, Kathy Fingalson.
2. It was moved and seconded to approve the Agenda (Bellefeuille, Knutson), carried.
3. It was moved and seconded to approve the Minutes of November 17, 2009 (Knutson, Bellefeuille), carried.

Commissioners

1. Open Forum:
 - a) Bill Sherlin spoke against the proposed zoning changes and requested sending them back to committee for more review.
 - b) Fred Tuominen spoke against the proposed zoning changes relating to the short term wording and submitted documentation reference the opposition.
 - c) Clark Lee spoke against the proposed zoning changes relating to the number of structures and time limit and submitted documentation reference the opposition.
2. Reports & Correspondence:
 - a) Commissioner Knutson Reports:
 - i) Attended the Fair Board meeting. Discussed new entertainment for next year.
 - ii) Attended the Highway Committee meeting; discussed complaints received regarding road construction, combining out shops, and the five year plan in December.
 - iii) Attended the land auction; Finance will furnish the results.
 - b) Commissioner Bellefeuille Reports:
 - i) Attended the Regional Juvenile Detention Center meeting. Discussed the annual purchase agreements for usage to be addressed at the next meeting.
 - c) Commissioner Salminen Reports:
 - i) Attended the Lakeland Mental Health Committee meeting. Discussed the zero increase to our yearly rate and the new building scheduled to open in Fergus Falls the middle of January 2010.
 - ii) Attended the Airport meeting; discussed new construction and the increase in air traffic.
 - d) Commissioner Schram Reports:
 - i) Attended the Labor Management Committee meeting; discussed the By Laws and cell phone etiquette.
 - ii) Attended the Winter Trails meeting; discussed signage, brushing trails, and Tribal permit fees.
 - iii) Attended the Historical Society meeting; discussed new building, money sources, and membership count.
 - iv) Reported on the Development Achievement Center; discussed client job locations, bus grants, and independent living.
 - v) Attended the Mahnomen Joint Powers meeting for Commissioner Nelson; discussed watershed management policy, electing officials, legacy funds for water projects, and a Wild Rice Watershed report was given.
 - vi) Attended a meeting in Fergus Falls to discuss the nutrition contract.

- vii) Attended the 4-H Achievement Program. Appreciation to the County was expressed.
- e) Commissioner Nelson Reports:
 - i) Attended the Sunnyside Care Center meeting with Commissioner Schram; met with Ecumen and discussed how to moved forward and continue the relationship.
- 3. Commissioner Bellefeuille reported on the Federal Engineering presentation at the last Board meeting. Option #2 (P25 Compliance) appears to be the best for Becker County and the Sheriff is prepared for P25 compliance with many advance purchases already. The Fire Departments have already purchased P25 equipment using their grant monies.
- 4. Appointments:
 - a) It was moved and seconded to table the Cormorant Lake's Watershed District Manager appointment (Nelson, Knutson), carried.
- 4. Brian Berg discussed the budget and the upcoming final approval for 2010.
- 5. The Ag Forum will be held in Callaway on Thursday, December 3, 2009.

Auditor-Treasurer

- 1. There were no licenses or permits.
- 2. Ryan Tangen opened the Public Hearing.
- 3. Discussion was presented by Rich Curley, Gerald Zirbel and Aaron Aslesen at the Public Hearing for the new Off Sale Liquor License for Lakes Corner Liquor.
- 4. It was moved and seconded to close the Public Hearing (Bellefeuille, Schram), carried.
- 5. It was moved and seconded to approve the new Off Sale Liquor License for Lakes Corner Liquor LLC – dba Lakes Corner Liquor, c/o Aaron Aslesen in Erie Township (Knutson, Bellefeuille), carried.

Finance Committee Minutes

- 1. It was moved and seconded to approve the Claims with one change; remove payment to G&R Controls for \$379.65 and the Auditor's Warrants for 10/27/09 in the amount of \$21,136.82; 10/28/09 in the amount of \$3,025,000; 11/3/09 in the amount of \$50,087.41; 11/10/09 in the amount of \$24,359.32 and 11/17/09 in the amount of \$36,025.75 (Bellefeuille, Nelson), carried.
- 2. The Human Services claims were reviewed.
- 3. It was recommended by the Finance Committee to approve the Sheriff's requests to accept the Minnesota Snowmobile Safety Grant.
- 4. It was moved and seconded to approve the Recorder's request to purchase a replacement scanner/printer in the amount of \$13,300 after a net of \$9,000 trade in credit to be funded by the Equipment Fund after timely receipt of a second bid (Bellefeuille, Nelson), carried.
- 5. The Auditor-Treasurer gave a report on the tax forfeited land sale. Three properties did not sell; there was \$517,500 in gross revenue.

Sheriff

- 1. It was moved and seconded to remove replacement of a part time jailer, Resolution 11-09-2B from the agenda (Nelson, Knutson), carried.
- 2. It was moved and seconded to approve acceptance of the 2010-11 Minnesota State Snowmobile Grant in the amount of \$6,192 annually for a total of \$12,384 for snowmobile equipment and enforcement (Bellefeuille, Schram), carried.

Environmental Services

- 1. It was moved and seconded to close the session, Resolution 11-09-2A to discuss an offer reference property located at 23305 Co Hwy 47 (Knutson, Bellefeuille), carried.

2. It was moved and seconded to open the session (Nelson, Knutson), carried.

Human Services

1. It was moved and seconded to approve the agenda with the addition of (1) MCARPT (Minnesota Consortium for Advanced Rural Psychology Training), (2) Comprehensive Crisis Grant Agreements (Solutions Behavioral Health, Lakes Crisis and Resource Center, and Mosaic Consulting, and (3) Community Health Early Hearing Detection Follow-up Grant, (Knutson, Bellefeuille), carried.
2. It was moved and seconded to approve the Memorandum of Understanding with OtterTail County for Corporate Foster Home Licensing (Knutson, Schram), carried.
3. It was moved and seconded to approve the Purchase of Service Agreement – Perham Hospital District (Bellefeuille, Knutson), carried.
4. It was moved and seconded to approve the MCARPT (Minnesota Consortium for Advanced Rural Psychology Training) (Schram, Knutson), carried.
5. It was moved and seconded to approve the Purchase of Service Comprehensive Crisis Grant Service Agreement with Mosaic Consulting (Knutson, Bellefeuille), carried.
6. It was moved and seconded to approve the Purchase of Comprehensive Crisis Grant Service Agreement with Solutions Behavioral Health (Schram, Bellefeuille), carried.
7. It was moved and seconded to approve the Purchase of Service Comprehensive Crisis Grant Service Agreement with Lakes Crisis and Resource Center (Bellefeuille, Schram), carried.
8. It was moved and seconded to accept the Adult Services Report, Family and Child Services Report, and Financial Support Services Report (Bellefeuille, Schram), carried.
9. It was moved and seconded to approve the Human Services Claims (Knutson, Nelson), carried.
10. It was moved and seconded to approve acceptance of the Early Hearing Detection Follow-up Grant Amendment (Bellefeuille, Schram), carried.
11. It was moved and seconded to approve acceptance of the Community Health Emergency Response Amendment (Schram, Bellefeuille), carried.
12. It was moved and seconded to accept the Community Health Report (Nelson, Knutson), carried.
13. It was moved and seconded to approve the Community Health Claims (Bellefeuille, Knutson), carried.
14. It was moved and seconded to accept the Transit Ridership Report (Knutson, Nelson), carried.
15. It was moved and seconded to approve the Transit Claims (Knutson, Bellefeuille), carried.
16. An update was presented on the General Assistance Medical Care (GAMC) unallotted money and the effect on Becker County.

Planning and Zoning

1. It was moved and seconded to concur with the Planning Commission Recommendations to Amend Becker County Zoning Ordinance Chapter 8, Section 7, Subd. C to read as follows: Shoreland conservation subdivision developments consisting of sites or units that are sold, leased for purposes of establishing the residence of the occupant, or any other method of transferring long term rights to lodging spaces, rooms, recreational vehicle sites, or parcels shall be considered residential and must comply with this section of the Ordinance; to Amend Chapter 8, Section 9, Subd. C to read as follows: Commercial/transient multi-unit developments consist of sites or units that allow transient occupancy of short-term lodging spaces, rooms, RV sites or parcels. “Transient occupancy” means occupancy when it is the intention of the parties that occupancy will be temporary. There is a rebuttable presumption that, if the unit occupied is the sole residence of the guest, the occupancy is not transient. There is a rebuttable presumption that, if the unit occupied is not the sole residence of the guest, the occupancy is transient; and to Amend Chapter 8, Section 9, Subd. Q to read as

follows: The provisions in this subsection are applicable only to proposed unit or area expansion or replacement for existing licensed resorts (Minnesota Department of Health license list as of April 26, 2005) so long as they continue to maintain licensed status and continue to operate as a resort at their present location. Expansion to an existing licensed resort involving six (6) or more additional units, at once or cumulatively, shall be processed as a conditional use. (Knutson, Schram), carried.

2. It was moved and seconded to concur with the Planning Commission Recommendations to Amend Becker County Zoning Ordinance Chapter 8, Section 10, Subd. I to read as follows: If two years after the date that the conditional use permit is granted and the use has not been implemented, the conditional use permit shall be null and void, unless a request for extension of time in which to complete the work has been granted by the Board of Commissioners. The request must be placed on the Board of Commissioners agenda prior to the expiration of the conditional use permit to request a one year extension with no limit on extension requests. The request for extension shall state facts showing a good faith attempt to complete the work permitted in the conditional use permit. If the permitted use was implemented, but the use has been discontinued for a period of two years, the conditional use permit shall also be null and void. This does not pertain to conditional use permits issued prior to December 1, 2009; and to Amend Chapter 8, Section 10, Subd. M to read as follows: If two years after the date of the variance was granted, a zoning permit was not obtained and construction did not begin, the variance shall become null and void, unless a request for extension of time in which to complete the work has been granted by the Board of Adjustment. The request must be placed on the Board of Adjustment agenda prior to the expiration of the variance. The request for extension shall state facts showing a good faith attempt to complete the work permitted in the variance. This does not pertain to variances issued prior to December 1, 2009. (Nelson, Knutson), carried.
3. It was moved and seconded to approve rescinding the resort moratorium on expansion or replacement per Resolution 07-09-2E (Knutson, Bellefeuille), carried.
4. Planning Commission Recommendations, November 17, 2009: First Order of New Business: BM Transport, Robin Vogt/Brad Mack. It was moved and seconded to concur with Planning and Zoning to approve the conditional use permit to allow a commercial business to park, display and sell truck and trailer equipment for the property located at 30358 US Hwy 10 in Burlington Township based on the fact that the use is consistent with the surrounding area (Bellefeuille, Knutson), carried.
5. Second Order of New Business: Janice Bauer. It was moved and seconded to concur with Planning and Zoning to approve a conditional use permit to allow a home business consisting of a hair salon for the property located on Pearl Lake at 21795 N Pearl Lake Rd in Lake Eunice Township based on the fact that the use would not be detrimental to the surrounding area (Nelson, Bellefeuille), carried.
6. Third Order of New Business: Carl Kavolak. It was moved and seconded to concur with Planning and Zoning to approve the certificate of survey to allow two tracts of land (4.34 acres and 4.65 acres) for the property located on Boot Lake at 33750 535th Ave in Two Inlets Township based on the fact that the application meets the criteria of the Zoning Ordinance with the stipulation that the wetlands be crossed by a boardwalk and there is a shared access between Tracts A and B with one dock (Schram, Bellefeuille), carried.
7. Fourth Order of New Business: Don Kaiser. It was moved and seconded to concur with Planning and Zoning to approve the certificate of survey to allow a five (5) acre tract for the property located on Birch Lake at 33427 Co Hwy 21 in Callaway Township based on the fact that it meets the criteria of the Zoning Ordinance including the stipulation of receipt of documentation giving Don Kaiser authority to make the application (Bellefeuille, Knutson), carried.

8. Fifth Order of Business: Informational Meeting. There will be no meetings during the winter months.

There being no further business, the meeting was adjourned.

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

/s/ Harry Salminen
Harry Salminen
Board Chair