

REGULAR MEETING AS POSTED
BECKER COUNTY BOARD OF COMMISSIONERS
DATE: Tuesday, July 23, 2013 at 8:15 a.m.
LOCATION: Board Room, Courthouse

Agenda/Minutes:

1. a. Meeting presided over by Board Chair Skarie. Present: Commissioners Don Skarie, John Okeson, Larry Knutson, Barry Nelson, and Ben Grimsley; County Administrator, Jack Ingstad; and Minute Taker, Cindy Courneya.
b. Pledge of Allegiance.
2. The agenda was approved with the following changes: Under Commissioners: Add: Number 4: Set Joint Meeting of the Planning Commission and Board of Commissioners, Number 5: Request to Purchase Beds at West Central Regional Juvenile Center and Number 6: Signatory Request for Letter of Support for the Coalition of Lake Associations (COLA) Statewide Aquatic Invasive Species (AIS) Facilities and Equipment Grant Application; Under Natural Resources Management: Add: Number 4: Request to Purchase Cable to Repair Tramway; and under Human Services: Add: Number 6: Notification of Funding and Expenditure Verification for Personnel Request to Hire Registered Nurse/Public Health Nurse. (Knutson, Grimsley), carried.
3. It was moved and seconded to approve the minutes of July 9, 2013 with the requested changes. (Knutson, Grimsley), carried.

Commissioners:

1. Open Forum:
 - a. Clarence Suvanto requested consideration of several items including a change in time on the agenda for Open Forum, the possibility of adopting a social ordinance and an animal ordinance in reference to how many animals (dogs and horses mainly), a resident should be allowed to legally keep on their property. He also commented on property tax increases and inquired as to whether Becker County has any rules or regulations in place for the installation and use of Geothermal Heating and Cooling Systems.
 - b. Willis Mattison, representing the Becker County Citizens for Responsible Recreation, reported that there is a training webinar on outdoor recreation planning scheduled for July 31st and while he is not available at that time, he has reserved a spot for re-broadcast and offered to coordinate with Becker County staff to schedule a time that is convenient for them.
2. Reports and Correspondence: The commissioners reported on the following meetings:
 - a. Commissioner Grimsley: No reports were given.

- b. Commissioner Okeson: Aquatic Invasive Species (AIS) Advisory Panel, Highway Committee, Public Works Facility Meeting with Becker County staff, Detroit Lakes/Becker County Airport Committee, Economic Development/Housing Authority, and West Central Regional Juvenile Center.
 - c. Commissioner Knutson: Environmental Affairs Committee, MN Department of Human Services and White Earth Nation, and Natural Resources Committee.
 - d. Commissioner Nelson: Natural Resources Committee, Public Works Facility Meeting with Becker County staff, Highway Committee, and Becker County Soil and Water Conservation District.
 - e. Commissioner Skarie: Environmental Affairs Committee, MN Department of Human Services and White Earth Nation, Review Board meetings, West Central/Land of the Dancing Sky Area Agency on Aging, , Becker County Children’s Initiative, Lakeland Mental Health, and Becker County Fair Board.
3. Appointments: There were none.
4. It was moved and seconded to approve the joint meeting of the Planning Commission and Becker County Board of Commissioners for Tuesday, July 30, 2013 at 10:00 a.m., in the First Floor Board Room of the Courthouse, to consider the request by Sherlene Williams to amend an existing Conditional Use Permit (Document #400269) to include overnight camping and overnight parking for the “WE Fest Concerts”. (Knutson, Okeson), carried.
5. It was moved and seconded to approve the Annual West Central Regional Juvenile Center Cooperative Annual Agreement for calendar year 2014, for the use of the juvenile detention facility at the West Central Regional Juvenile Center, and for the purchase of 3.5 beds, at a total cost of \$269,500, as outlined in said agreement. (Okeson, Nelson), carried.
6. It was moved and seconded to approve the letter of support to Members of the Lessard-Sams Outdoor Heritage Council for the Minnesota Coalition of Lake Associations (COLA) grant request proposal for Statewide Aquatic Invasive Species (AIS) Facilities and Equipment, in the amount of \$25.2 million from the Legacy Fund, which would provide one-time capital grants for local governments. (Grimsley, Nelson), carried.

Auditor-Treasurer: Ryan Tangen presented:

1. Licenses and Permits: There were none.

Finance Committee: Ryan Tangen presented:

1. It was moved and seconded to approve the regular claims, over 90-day claims, and Auditor’s Warrants:
- a. Over 90-Day Claims:
 - i. Farnams in the amount of \$126.44 due to missing invoice.

- ii. Regions Hospital in the amount of \$205.00 due to required process for coroner's bills.
 - iii. Hennepin Healthcare Systems in the amount of \$125.00 due to required process for coroner's bills.
- b. Auditor's Warrants: (Tuesday Bills):
- i. 07/09/2013 in the amount of \$18,264.16
 - ii. 07/16/2013 in the amount of \$27,681.69
- (Okeson, Nelson), carried.
2. It was recommended to approve when presented, to enter into a contract with CodeRed for a reverse 911 system, at an estimated cost of \$7,000 for the first year and \$14,000 for subsequent years, and with funding from the 911 designated account.

County Administrator: Jack Ingstad, County Administrator presented:

1. It was moved and seconded to approve Resolution 07-13-2G, to ratify the personnel decision to hire a part-time Security Screener. (Nelson, Okeson), carried.

Emergency Management: Craig Fontaine and Guy Fischer presented:

1. It was moved and seconded to authorize entering into a contract with CodeRed to provide Reverse 911 Services, effective through December 31, 2013. (Nelson, Okeson). A roll call vote was taken and the motion carried, with 4 Yeas and 1 Nay.
2. It was moved and seconded to approve entering into an agreement with Integrated Solutions Consulting (ICS), for Hazard Mitigation planning, at an estimated cost of \$25,000. (Grimsley, Nelson), carried.

Natural Resources Management: Marty Wiley presented:

1. It was moved and seconded to approve Resolution 07-13-2D, to accept the Northwoods Trail Reapers Grant Award, if received, from the MN Department of Natural Resources for the Federal Recreational Trail Program – Equipment Grant at an amount up to \$58,000, with funds used to replace the 1995 LMC Groomer with a new groomer, and with a 25% match from Northwood Trail Reapers Snowmobile Club, and as outlined in said resolution. (Knutson, Nelson), carried.
2. It was moved and seconded to approve moving forward in utilizing county wetland credits of approximately .485 acres, for establishing an access to the Shell Lake Land Block as presented. (Nelson, Okeson), carried.
3. It was moved and seconded to approve the addition of 15 acres at an amount of \$1,185 to the existing 2013 Site Prep Contract, and 15,000 trees at an amount of \$1,860, to the 2014 Tree Order, at the approved rate, for a total of \$3,045 added to the existing contracts. (Knutson, Nelson), carried.
4. It was moved and seconded to replace the drive cable on the tram at Dunton Locks, as presented. (Okeson, Nelson), carried.

Drug Court Update: Judge Borgen and Don Kautzmann, Drug Court Coordinator, presented:

1. Judge Borgen and Mr. Kautzmann presented a summary and overview on the Clay/Becker County Drug Court. It was noted that since its inception in 2008, Becker County has not had any graduates of the program that have re-offended. The drug court budget for 2013-2014 was also provided and Judge Borgen requested consideration for continued funding, as Becker County prepares the 2014 budget. Judge Borgen also reported that training for Veterans Court will now be held in Moorhead at the Courthouse, rather than in Oklahoma. In the future, Veterans Court and Drug Court will operate as a dual court system. Board Chair Skarie thanked Judge Borgen and Mr. Kautzmann for their dedication and commitment to the Drug Court system, noting the benefits of this investment.

Highway: James Olson presented:

1. It was moved and seconded to approve Resolution 07-13-2A, to approve Amendment Number 1 to the Joint Powers Agreement between the four MN/DOT District 4 counties of Becker, Clay, Douglas, and Otter Tail, for Project Number S.P. 088-070-034, to provide that each County agency will perform required field inspection of the contract work in their jurisdiction and provide documentation to Otter Tail County. (Okeson, Nelson), carried.
2. a. Mr. Olson provided a Power Point presentation in reference to the proposed \$10.00 Wheelage Tax and up to a ½ Cent Sale Tax for Transportation and Transit Funding.
b. Board Chair Skarie opened the Public Hearing. Discussion followed with citizen input.
c. Board Chair Skarie closed the public hearing. Following further discussion, the commissioners did not adopt either the \$10 Wheelage Tax or up to a ½ Cent Sales Tax at this time. It was noted that Counties that intended to enact the Wheelage Tax needed to notify the State by August 1, 2013. There will be continued discussion on the Sales Tax in the future. Implementation of the Sales Tax requires at least a 90-day notification and must be designated for a specific transportation project.

Human Services: Nancy Nelson presented:

1. It was moved and seconded to approve the grant project agreement from the MN Department of Health, and Becker County's partnership with Mahube-OTWA for pre-pregnancy family planning services in the amount of \$59,455. (Grimsley, Nelson), carried.
2. It was moved and seconded to approve the Public Health Emergency Preparedness grant from the MN Department of Health, in the amount of \$19,000. (Grimsley, Knutson), carried.
3. It was moved and seconded to approve the grant from the MN Department of Human Services to purchase additional LexisNexis licenses for child protection workers, in the amount of \$8,352. (Knutson, Grimsley), carried.
4. It was moved and seconded to approve Resolution 07-13-2C, to authorize the transfer of administration of Child Care Subsidy Programs to Lakes and Prairies Community Action Partnership. (Grimsley, Okeson), carried.
5. It was moved and seconded to accept the Human Services reports for Adult Services, Children and Family Services, Community Health, Financial Services, Mental/Chemical

Dependency, and Transit. (Nelson, Knutson), carried. It was the consensus of the Board that moving forward, the Human Services reports can be provided quarterly.

6. It was moved and seconded to approve the Human Services claims for Human Services, Community Health, and Transit. (Knutson, Okeson), carried.
7. Jack Ingstad, County Administrator, reported that at the meeting on July 9, 2013, the Board approved through Resolution 07-13-2F, the hiring of a Registered Nurse/Public Health Nurse, pending program funding and expenditure verification. He reported that the information has been provided and verified and that this serves as an official notification of compliance.

Information and Technology (IT): Rick Kelsven presented:

1. Mr. Kelsven presented the draft of the proposed Cell Phone Policy. Discussion followed with a request to return to the Board for final approval with the requested changes to the policy.

Planning and Zoning: Patty Swenson presented:

1. It was moved and seconded to concur with the Planning Commission, to deny the request as submitted by Thomas and Sally F. Nelson, for an after-the-fact Conditional Use Permit, to replace an existing retaining wall with expansion, located at 39642 Bald Eagle Haven Road in Eagle View Township, Tulaby Lake Lot Ten (10), Block Number One (1), Bald Eagle Haven, based on the fact the request does not meet the requirements of Chapter 6, Section 8 of the Ordinance. (Knutson, Skarie), carried. It was noted that this application had been tabled at the Board of Commissioners meeting on March 26, 2013 and the applicant requested to be referred back to the Planning Commission with updated/ additional information added to the original request.
2. It was moved and seconded to concur with the Planning Commission to approve the request by Leroy and Lavonne Kostrzewski, for a change of zone from Commercial to Residential, for property located at 17473 Highland Drive in Detroit Township, as the change will coincide with the use of the property. (Knutson, Okeson), carried.
3. It was moved and seconded to concur with the Planning Commission, to approve the request, as submitted by Dennis Richter, for a Conditional Use Permit for a used auto dealership in an Agricultural Zone, located at 15982 U.S. Hwy. 10 in Lake Park, MN, as the request meets the criteria of the Ordinance and is not detrimental to the surrounding area, and with a maximum number of ten (10) cars on the property at one time noted. (Knutson, Okeson), carried.
4. a. The Planning Commission met on July 16, 2013 and denied the request, as submitted by James Elliot, to amend an existing Conditional Use Permit Document #559074 to include operation of a portable ready-mix plant to the existing Jim Elliot Pit, based on the fact that Mr. Elliot was not at the public hearing to represent the application and address concerns of the Board regarding the original Conditional Use Permit stipulations.
b. James Elliot of Rollag Hills Aggregate was present today to address the Board in reference to his request, along with Dean Engebretson of Knife River Materials, and to request approval to amend his existing Conditional Use Permit Document #559074, as

submitted. Mr. Elliot reported that he has complied to the requests made and that the gravel pit is maintained.

- c. Everette Paulson was also present and spoke against the approval of the application, reporting that he owns land adjoining the gravel pit and that all the stipulations of the original permit have not been met.
 - d. Mr. Elliot was offered the option of returning to the Planning Commission with his request on August 20, 2013 and then to the Board of Commissioner's meeting on August 27, 2013 for consideration.
 - e. Patty Swenson, Director of Planning and Zoning, noted that Planning and Zoning has inspected the property and the trees are not considered sufficient for the sound barrier or adequate for dust control.
 - f. The applicant, Mr. Elliot, requested to table his application at this time.
5. The next informational meeting is scheduled for Thursday, August 15, 2013 at 8:00 a.m. in the Third Floor Meeting Room of the Courthouse.

It was moved and seconded to close the session for Negotiations. (Knutson, Grimsley), carried.

Closed Session: Negotiations. Nancy Grabanski presented.

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

Chair Skarie adjourned the meeting.

Lunch Bunch was held at the Sunlight and provided by Steve Skoog.

/s/ Jack Ingstad
Jack Ingstad
County Administrator

/s/ Don Skarie
Don Skarie
Board Chair