

REGULAR MEETING AS POSTED  
BECKER COUNTY BOARD OF COMMISSIONERS  
DATE: August 22, 2006  
LOCATION: Board Room, Courthouse All Present

Agenda

1. It was moved and seconded to approve the Agenda (Salminen, Knutson), carried.
2. It was moved and seconded to approve the Minutes of August 08, 2006 (Salminen, Nelson), carried.

Commissioners

1. Open Forum:
  - a. Gerry Schram asked if all the DNR questions have been asked concerning the 70-mile ATV Trail.
  - b. Mark Veronen stated that he is not opposed to ATVs but is opposed to the trail being in his back yard. He also stated concerns about costs to the taxpayers. He wondered if current trails will be closed if this is approved.
  - c. White Earth Conservation Committee. Three members of this committee were opposed to the trail as presented. They felt the impact was too great, damage to the land was a concern, as well as the potential to transport noxious weeds. They felt that not all riders are respectful of the land.
  - d. Commissioner Bristlin asked what enforcement White Earth was using for the trails now? They answered that just the DNR was enforcing the rules and they don't have personnel to patrol all the trails.
2. Reports & Correspondence:
  - Commissioner Knutson Reports:
    - a. Natural Resources Meeting. Discussed purchasing property for access to tax-forfeit land.
  - Commissioner Nelson Reports:
    - a. Discussed Ordinance Review Committee and Board of Adjustments. Will be discussed later on the Planning & Zoning Agenda.
  - Commissioner Bristlin Reports:
    - a. Sunnyside Care Center Meeting. Janet Green gave a report on Sunnyside receiving an above average report. There is some erosion on the banks of the Sunnyside property and Brand Grant, Becker County Soil & Water, is working on a grant to help with the costs.
  - Commissioner Mulari Reports:
    - a. West Central Regional Treatment Center Meeting.
    - b. Health & Human Services Committee is reviewing the 2007 budget.

Brian C. Berg Reports:

- a. 2007 Budget discussion. The departments have completed their 2007 budget requests. We may need to schedule a day to review all the budgets.
  - b. Management Training Report: The training went well, the Departments felt this was needed, it was beneficial and the presenter was very good.
3. Appointments: None at this time.
4. Transit Building Bids:  
This project was re-bid, and the bids cannot be approved until MN/DOT signs off on them. It was the Consensus of the County Board to go with the low bid that would maximize the Grant dollars, and the Building Committee is given the authority to make the decisions.
5. West Central CD & Treatment Center Contribution
- a. It was moved and seconded to approve the payment of \$6,670 towards the Regional Pilot Study, contingent upon a (10) county participation (Salminen, Bristlin), carried.
6. MN/Dot Temporary Easements:
- a. It was moved and seconded to accept the Easement on Parcel No. 15 in the amount of \$1,500 as proposed by MN/DOT (Salminen, Nelson), carried.
  - b. It was moved and seconded to accept the Easement on Parcel No. 2 in the amount of \$2,700 as proposed by MN/DOT and to communicate with the City of Detroit Lakes on this Easement (Salminen, Nelson), carried.
7. It was moved and seconded to accept the Grant Agreement for the Airport Project Number: 3-27-0021-4-08, to be used for snow removal equipment and with the County Attorney's approval (Salminen, Bristlin), carried.

Auditor

1. No Licenses or Permits.
2. It was moved and seconded to set the date for the Truth-In-Taxation Meeting on Thursday, December 7, 2006 at 7:00 p.m. in the Upper Court Room, Courthouse (Bristlin, Knutson), carried.
3. It was moved and seconded to approve to authorize Ryan Tangen to sign the Contract for Software License Maintenance and Support Agreement between Election Systems & Software, Inc. and Becker County, dated July 26, 2006. No payments are required until 2007 (Salminen, Knutson), carried.

Finance Committee Minutes

1. It was moved and seconded to approve the Claims (Knutson, Salminen), carried.
2. Transit – Consideration of Transit Building Bids – Recommendation to accept base bid and support the Building Committee’s discussion in reference to maximizing Federal Grant.
3. Human Services – Personnel Request, recommended to approve.
4. MN/DOT Temporary Easements – recommend to approve and coordinate payment in reference to the construction change order as it deals with a deposit to City Water Department.
5. IT – Capital Improvement Expenditure Requests: It was moved and seconded to approve the following Capital Improvements: Planning & Zoning – (1) New Computer & Monitor for Front Receptionist at \$900; Sheriff – (3) New Computers/Monitors at \$2,700; Environmental – (1) New Computer/Monitor and Printer at \$1,400; Human Services – (1) New Computer/Monitor at \$900; and Auditor – (2) New Monitors at \$500 (Salminen, Nelson), carried.
6. Construction Change Order. It was moved and seconded to approve the Construction Change Order for \$4,500, reference the capping of water lines at Human Services Parking Lot (Salminen, Nelson), carried.
7. West Central CD Treatment & Correctional Center Request – Recommend support of \$6,670.

Sheriff

1. It was moved and seconded to accept the State & Federal Traffic Enforcement Grant Agreement in the amount of \$50,000 for 2007 (Salminen, Bristlin), carried.

Assessor

1. It was moved and seconded to approve the following Abatement (Knutson, Salminen), carried.

Parcel No.	Tax District	Request for Abatement	Amount
R06.0800.201	Cormorant	Assessment Error	\$486

2. It was moved and seconded to approve Assessment Contracts with the following Townships: Height-of-Land, Audubon, Erie, Detroit, and Lake Eunice (Salminen, Bristlin), carried.

## Human Services

1. It was moved and seconded to accept the Public Assistance Applications (Salminen, Nelson), carried.
2. It was moved and seconded to accept the Case Load Trends Report (Salminen, Bristlin), carried.
3. It was moved and seconded to approve the Human Services Claims (Bristlin, Knutson), carried.
4. It was moved and seconded to accept the Family Group Decision Making Grant to reimburse for expenditures for reunification, family support and family preservation for 10 counties and Indian Child Welfare in the amount of \$151,410, with Becker County as the fiscal host (Salminen, Bristlin), carried.
5. It was moved and seconded to pass Resolution No. 08-06-2A, requesting to reclassify the full-time Support Enforcement Aide position to two part-time positions due to a resignation of a Child Support Enforcement Aide (Salminen, Nelson), carried.
6. It was moved and seconded to approve the Community Health Claims (Salminen, Knutson), carried.
7. It was moved and seconded to approve the Purchase of Service Agreement with the Detroit Lakes Early Childhood Family Education to teach the SIDS and Shaken Baby classes. This is a renewal and is in the amount of \$112.50 (Nelson, Bristlin), carried.
8. It was moved and seconded to approve the funding request for \$16,066 to provide immunization registry services (Salminen, Bristlin), carried.
9. It was moved and seconded to approve the Transit Claims (Salminen, Nelson), carried.
10. It was moved and seconded to accept the Transit Ridership Report (Salminen, Bristlin), carried.

## US Fish & Wildlife

1. It was moved and seconded to approve a waterfowl easement secured from Stewart Hofland and others on the following described lands: T.138N., R.38W., 5<sup>th</sup> P.M., Section 16, W1/2NE1/4, NW1/4SE1/4, SE1/4NW1/4, N1/2SE1/4, SW1/4SW1/4 (Bristlin, Salminen), carried.

## Planning & Zoning

1. Becker County Planning Commission (PC) of August 15, 2006:

- 1) **FIRST ORDER OF BUSINESS:** Brad Solhiem, Tabled.
- 2) **SECOND ORDER OF BUSINESS:** Tom Kleven, Cormorant Twp. It was moved and seconded to concur with the PC findings and recommendations to approve the certificate of survey to allow two lots in an agricultural zone based on the fact that it does meet the criteria of the Zoning Ordinance and Subdivision Ordinance (Salminen, Knutson), carried.
- 3) **THIRD ORDER OF BUSINESS:** Erlene and Jack Davis, Lake View Twp. It was moved and seconded to concur with the PC findings and recommendations to approve a conditional use permit to allow a commercial use consisting of crafting retreat center based on the fact that the use would not be detrimental to the surrounding area (Salminen, Bristlin), carried.
- 4) **FOURTH ORDER OF BUSINESS:** John Onstad, Lake Eunice Twp. It was moved and seconded to concur with the PC findings and recommendations to approve a change of zone from agricultural to residential and approve the certificate of survey for one lot based on the fact that the application meets the criteria of the Zoning Ordinance and Subdivision Ordinance (Nelson, Salminen), carried.
- 5) **FIFTH ORDER OF BUSINESS:** Rolf Christiansen, Forest 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 for one lot based on the fact that it does meet the criteria of the Zoning Ordinance and Subdivision Ordinance (Salminen, Bristlin), carried.
- 6) **SIXTH ORDER OF BUSINESS:** Shelly and Curt Ulrich, Audubon Twp. It was moved and seconded to concur with the findings and recommendations of the PC to approve the certificate of survey for three lots based on the fact that the application meets the criteria of the Zoning Ordinance and Subdivision Ordinance with the stipulation that Tracts A&B be accessed from the West, with the easement terminating at the lot line separating Tract A & Tract B; and access to Tract C be from the East (Knutson, Nelson), carried.
- 7) **SEVENTH ORDER OF BUSINESS:** Lowell Schlauderaff, Detroit Twp. It was moved and seconded to concur with the findings and recommendations of the PC to approve the certificate of survey based on the fact that the application meets the criteria of the Zoning Ordinance and Subdivision Ordinance (Bristlin, Knutson), carried.
- 8) **EIGHTH ORDER OF BUSINESS:** Ronald Hanson, Cormorant Twp. It was moved and seconded to concur with the PC findings and recommendations to approve the certificate of survey based on the fact that it meets the criteria of the Zoning Ordinance and Subdivision Ordinance (Salminen, Bristlin), carried.
- 9) **NINTH ORDER OF BUSINESS:** Neil Lewes Aaxis Development LLC, Detroit Twp. Tabled.
- 10) **TENTH ORDER OF BUSINESS:** Final Plat of Creek View Acres, Leslie Heimark. It was moved and seconded to concur with the PC findings and recommendations to approve the Final Plat of Creek View Acres based on the fact that the final plat meets the criteria of the Zoning Ordinance and Subdivision Ordinance (Knutson, Nelson), carried.

- 11) ELEVENTH ORDER OF BUSINESS: Final Plat of Smokey Hills Estates, Steven Pachel, developer. It was moved and seconded to concur with the PC findings and recommendations to approve the final plat of Smokey Hills Estates based on the fact that the final plat meets the criteria of the Zoning Ordinance and Subdivision Ordinance (Bristlin, Knutson), carried.
  - 12) TWELVETH ORDER OF BUSINESS: Final Plat of County 17 Store & More Condos, Bill Jordan, developer. It was moved and seconded to concur with the findings and recommendations of the PC to approve the final plat of County 17 Store and More Condos based on the fact that the plat meets the criteria of the Zoning Ordinance and Subdivision Ordinance (Salminen, Knutson), carried.
  - 13) THIRTEENTH ORDER OF BUSINESS: Informational Meeting scheduled for Thursday, September 14, 2006 at 8:30 a.m. at the Planning & Zoning Office.
2. Commissioner Nelson asked Patty Johnson, Planning & Zoning Administrator, about the Ordinance Review Committee and Board of Adjustment meetings and the items they can approve. Patty stated that all things are considered including Township, COLA, and DNR statements. Commissioner Knutson stated that the ultimate goal is to make the right decision for the lake.

The Meeting was Recessed until 1:30 p.m.

LOCATION: Upper Courtroom, Courthouse                      All Present

#### ATV Trail Contract Consideration

1. Natural Resource Management Director Chip Lohmeier introduced Representative Tom Hackbarth; Bill Johnson, the Regional OHV Planner with the DNR Division of Trails & Waterways; and Ron Potter, the State OHV Program Supervisor
  - a. Rep. Hackbarth presented background on the dedicated account for ATV Trails, including how and when the bill was written and passed into law. Rep. Hackbarth indicated that the main goals of this trail system were to provide families with new vacation destinations, thereby bringing more tourism dollars into Becker County, and curb the misuse of ATV's. He also stated that this project would enable the State and County to locate and inventory trails, mark trails with appropriate signage, keep people on the designated trails, and create a huge financial impact for the State by greatly increasing tourism.
  - b. Bill Johnson spoke about the ongoing process of State forest and trail reclassification and designation, breaking the forests and trails into three (3) categories: managed, limited, and closed. Mr. Johnson passed out information which explained the process in three (3) detailed phases. He indicated that while many existing trails would remain and be used, a significant number of new trails would be constructed.
  - c. Ron Potter discussed the terms of the ATV Trail agreement, reminding the Board members that the agreement is a concept only. He stressed that the agreement should be carefully considered, and that the County can opt out at any time during the process. An environmental review will be conducted on the area. Since ATV-OHV use is on the incline rather than the decline, he stressed that the

County provide a sustainable, planned route to avoid misuse of natural resources. Mr. Potter also noted that the residents of Gilbert have no issues or complaints about their ATV trail system.

Commissioner Bristlin inquired of the panel as to how much of the 35,000 acres of State land were ATV's allowed on. He also questioned how far the State had progressed in the reclassification and designation process, and what kind of latitude and flexibility the County has in the number of miles in the trail and the process at large. He indicated that it would be more prudent to know what we have for existing trails, and what their designations are, before constructing new trails. Rep. Hackbarth indicated that there was a deadline of April 2007 to be met, and it would be unfair to change the criteria now. Commissioner Knutson remarked that several entities, including the White Earth Tribal Council and several townships, were vehemently opposed to the process, even with the assurances that this would be an environmentally friendly trail system. Commissioner Nelson asked if the existing trails would be the primary system, with new trails as the connecting factor. Rep. Hackbarth indicated that a little over 50% of the existing trails are closed, so there would be significant new construction, although Mr. Johnson remarked that it was too early to tell how many new trails would be constructed. Rep. Hackbarth stated that everything south of Highway 2 will be limited, and individuals will not be able to ride wherever they want.

#### Citizens for Responsible/Reasonable ATV Use

1. Ruth Bergquist distributed a handout explaining the group's position on the trail issue.
2. Doug Schumann of Little Rainbow Resort indicated his opposition to the trail system due to the problems of noise, mud, etc., and how guests came to his resort for quiet and the enjoyment of nature.
3. Judith Hoiriis spoke in opposition to the 70-mile ATV Trail system.
4. Willis Mattson spoke in opposition to the 70-mile ATV Trail system.
5. Steve Scott, Vice President of the Juggler-Big Elbow-Little Bemidji Lake Association distributed copies of a resolution passed by the association in opposition to the proposed trail system.
6. Chuck Church distributed a letter in opposition to the proposed trail system.

#### Sheila Blanford, Tamarac Resort & Campgrounds

1. Ms. Blanford spoke in favor of establishing a trail system to prevent further damage to the environment.

#### Jeff Moritz, Woods & Wheels ATV Club

1. Mr. Moritz indicated his organization's support of the proposed trail system, and explained his group's efforts to educate and promote responsibility in the use of ATV's.

## Open Forum

1. Ruth Bergquist spoke in opposition to signing of the Joint Powers Agreement.
2. Ray Vlassak spoke in opposition to signing of the Joint Powers Agreement.
3. Lanny Waalen spoke in opposition to signing of the Joint Powers Agreement.
4. Leah Prussia, Deputy Director of the WELRP, spoke in opposition to signing of the Joint Powers Agreement.
5. John Shimek, WELRP, spoke in opposition to signing of the Joint Powers Agreement.
6. Cheryle Young, Coon Rapids, President of the North Metro Trail Riders, spoke in favor of signing the Joint Powers Agreement.
7. Phill Morud, Newfolden, President of the ATV Association of Minnesota, spoke in favor of signing the Joint Powers Agreement.
8. Les Schermerhorn spoke in favor of signing the Joint Powers Agreement.
9. Gary Thompson, President of Woods & Wheels ATV Club, spoke in favor of signing the Joint Powers Agreement.
10. John Reynolds spoke in opposition to signing of the Joint Powers Agreement.
11. Barbara Boyle, Tamarac Refuge Manager, spoke in opposition to signing of the Joint Powers Agreement.
12. Donna Dustin of the Isaac Walton League spoke in opposition to signing of the Joint Powers Agreement.
13. Edie Watson spoke in opposition to signing of the Joint Powers Agreement. She also stated that it appears a parking area and part of a trail has already been started in an area that coincides with the proposed trail.
14. Sue Scott spoke in opposition to signing of the Joint Powers Agreement.
15. Dave Sharbo spoke in opposition to signing of the Joint Powers Agreement.
16. Barry Babcock of the Jackpine Coalition spoke in opposition to signing of the Joint Powers Agreement.
17. Dick LeSage of Icecracking Lodge spoke in favor of signing the Joint Powers Agreement.
18. Leslie Fain, Director of the Anishiiinabe Center, spoke in opposition to signing of the Joint Powers Agreement.
19. Dawn Kier, White Earth Natural Resources, spoke in opposition to signing of the Joint Powers Agreement. She also addressed the problems of enforcement and trail layout.

Commissioner Knutson remarked that too many dollars were being diverted from crucial highway projects to the trail system. Commissioner Salminen said that the County should at least start having a system with regulations. Rep. Hackbarth said the County can request an extension if progress is being made, and there is flexibility in the 70 mile figure.

It was moved and seconded to not enter into a Joint Powers Agreement regarding the proposed ATV Trail System, with the DNR and the State of Minnesota (Knutson, Bristlin), carried.



There being no further business, the meeting was adjourned.

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

/s/ Karen Mulari  
Karen Mulari  
Board Chair