
A TRANSCRIPT OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE HUBBARD COUNTY BOARD OF COMMISSIONERS HELD ON FEBRUARY 3, 2015, AT 9:00 O'CLOCK A.M.

The regular meeting of the Hubbard County Board of Commissioners was held on February 3, 2015, at 9:00 a.m. with all the Commissioners and County Coordinator, Debbie Thompson.

The Pledge of Allegiance was said by all.

The meeting was called to order by Chairman, Dan Stacey.

On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, the agenda was approved, including the following: provision of Purchase of Service (POS) Dive Team agreement and addition of Gambling License application from Lake George Area Seniors.

Public Input: None.

Public Works Department: On motion of Mr. Massie, seconded by Mr. Johannsen and carried unanimously, the following Waste Hauler license applications were approved, as recommended by the Solid Waste Administrator, with the understanding they will be provided under the consent agenda in the future: Tom's Sanitation – Tom Hallett; City Sanitary & Roll Off – Dale Anderson; City Sanitary Service, LLC – Nicholas Davis; City Sanitary Service – Dan Ihrke; American Disposal – David Villeneuve; and Northern Pines Sanitation – Mitchell Nelson.

On motion of Mr. Dotta, seconded by Mr. Massie and carried unanimously, the following Junkyard/Scrap Dealer renewal license applications were approved, as recommended by the Solid Waste Administrator, with the understanding they will be provided under the consent agenda in the future: Dick's Auto Wrecking, LLC and C.A.R.S. North.

Solid Waste Administrator, Jed Nordin provided a review of the Solid Waste Department operations including the basis used for development of recent commercial assessment adjustments implemented.

On motion of Mr. Johannsen, seconded by Mr. Dotta and carried unanimously, the following were accepted/approved: resignation of Maintenance II/Signman II, Mike Boettcher with regrets, effective February 18, 2015; the re-filling of the position, per proper procedure; the acknowledgement of his service to the county; and the signature of same by the Chair.

On motion of Mr. Johannsen, seconded by Mr. Smith and carried unanimously, the following **consent agenda** items were approved, as submitted:

- Approved the minutes of the January 20, 2015, Regular Meeting;
- Approved the bills & Auditor's Warrants dated January 23 and January 30, 2015;
- Approved the Social Services bills;
- Reviewed the Departmental Overtime Report, January 2015;

- Adopted the following resolution:

RESOLUTION NO. 02031501

WHEREAS, Minnesota Statutes §465.03 provides for acceptance of gifts by the County by resolution of the County Board adopted by a two-thirds majority of the Board and expressing the terms of the gift, and

WHEREAS, Hubbard County's Sheriff's Department has received gifts as follows:

Name	Amount	Donation
Ike's Heating & Cooling	\$300.00	K-9 Vest Donation
Charles & Sheila Rognstad	\$10.00	K-9 Vest Donation
Crystal Brown	\$10.00	K-9 Vest Donation
Northern Lights Council Boy Scouts of America	\$500.00	STS Equipment Donation

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid gifts are hereby gratefully accepted.

- Approved the following license applications: **Tobacco** – Cowboys General Store, Laporte, MN and Nick's Service of Park Rapids, Park Rapids, MN

Sheriff: On motion of Mr. Dotta, seconded by Mr. Smith and carried unanimously, the Purchase of Service (POS) agreement with the Lakes Area Dive Team was approved in the amount of \$5,000, as recommended by the Sheriff, with payment to be from Boat & Water monies.

On motion of Mr. Johannsen, seconded by Mr. Massie and carried unanimously, the Boat & Water inter-departmental purchase of the Natural Resource Management (NRM) 2010 Chevrolet pickup was authorized in the amount of \$10,000 as recommended by the Sheriff and Land Commissioner, with payment to be from Boat & Water monies.

Sheriff Cory Aukes presented the quotes received for the purchase of two Ford Police Interceptor SUV's and two Ford Police Interceptor Sedans, including the purchase of necessary equipment and installation of same. Discussion followed. By consensus of the Board, the consideration of the above named purchases were tabled to February 17, 2015, for further consideration and to permit further review of a funding source, as discussed.

On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the purchase of LEC repairs to equipment per the Stanley Convergent Security Solutions quotation QS2015-024 was approved in the amount of \$3,415, as recommended by the Sheriff with the payment to be as follows: \$2,500 from the LEC Building & Maintenance budgeted monies and \$915 for the touch screen to be paid from the Corrections budgeted monies.

Aquatic Invasive Species (AIS): AIS Task Force member, Ken Grob provided an update on AIS work completed and preparations being made for the upcoming summer season. Discussion followed.

On motion of Mr. Dotta, seconded by Mr. Massie and carried unanimously, the AIS Task Force Chairperson was appointed to act as the Hubbard County AIS Coordinator.

The Board expressed support for development of an AIS Executive Board, as discussed, with a report to the Board upon finalization.

Land Records – Environmental Services: On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the application for Conditional Use Permit 1-CU-15, Mantrap Township, Parcel #20.36.00710 was approved, as recommended by the Planning Commission, including the six conditions and the Planning Commission Findings of Fact were adopted, as presented.

Coordinator: By consensus of the Board, the topics of the February 10, 2015, Board Work Session were established as follows and the Public Works Coordinator, Sheriff, and Auditor/Treasurer were invited to attend the meeting as well: Review of establishment of Sales Tax procedures, review of Account 806, and Hubbard County future planning discussions.

On motion of Mr. Dotta, seconded by Mr. Massie and carried unanimously, the payment of the 2015 AIS allocation in the amount of \$35,000 was approved, by auditor's warrant.

Coordinator, Debbie Thompson presented the following quotes for **the Board picture**, as follows: Max Bailey, Park Rapids, MN - \$325 for location sitting with mat and frame for additional \$150 and Studio 64 Photography, - \$565 for 11x14 framed and matted non-glare glass & \$468.75 for five headshots (digital images only) \$93.75/file. Others quotes sought included Blue Lake Studio, Park Rapids, PikClicks, and Hubbard Studio with either no response or no interest. Discussion followed regarding the potential of an extra frame purchased previously that may be stored due to the construction project. On motion of Mr. Dotta, seconded by Mr. Smith and carried unanimously, the project listed in bold by underlined low quote above was approved including the frame purchase if needed, with payment to be from budgeted monies.

On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the following resolution was adopted:

RESOLUTION NO. 02031502

BE IT RESOLVED, that the final budgets of the County of Hubbard for the year beginning January 1, 2015, have been adjusted and be given approval as follows:

Fund	Revenues	Expenditures
General Revenue	10,901,656	10,698,843
Solid Waste	3,205,969	3,204,353
Tax Forfeited Lands	2,043,656	978,958
Road & Bridge	7,810,800	8,670,499
Social Services	6,609,819	7,702,501
TOTAL 2015 COUNTY BUDGET	30,571,900	31,255,154

BE IT FURTHER RESOLVED, that departmental revenue fund budgets approved as presented at the December 16, 2014, Board meeting be adjusted as presented on February 3, 2015.

Ms. Thompson provided information regarding a Department of Corrections (DOC) proposal and related building renovations suggested, including a potential funding source. Discussion followed. On motion of Mr. Dotta, seconded by Mr. Smith and carried unanimously, the Construction Committee representatives (Chairman and Vice Chairman) were authorized to investigate the potential for DOC lease agreement including renovation of the area, as presented.

Public Hearing: At 11:02 a.m. the public hearing regarding proposed Amendment #17 of Shoreland Ordinance 17 was called to order. On motion of Mr. Dotta, seconded by Mr. Massie and carried unanimously, the reading of the official notice was waived. Land Records – Environmental Services Officer, Eric Buitenwerf provided a summarization of the contents of the proposed amendment and four comments received from the public were read into the record. Discussion followed regarding the proposed amendment. The public hearing was concluded at 11:16 a.m.

Discussion followed with regard to Table 1 included in Section 401 of the proposed amendment. A motion was made by Mr. Dotta and later withdrawn to adopt Amendment #17, Shoreland Ordinance #17 including the requirement of a conditional use permit for a group home on a natural environment lake with publication of the amendment to be included in the regular board meeting minutes.

A comment was received from the public encouraging clarification of the ordinance regulations being helpful and appreciated by contract builders.

On motion of Mr. Massie seconded by Mr. Dotta and carried unanimously, Amendment #17 of Shoreland Ordinance #17 was adopted as reviewed striking the change regarding group homes included in Section 401 Table 1 maintaining a conditional use provision for all lake classifications; a summarization of the amendment in the regular board minute publication as follows was approved and the Planning Commission was asked to review the group home issue for further recommendation to the Board:

Notice of Adoption of Amendment 17 to Hubbard County Ordinance No. 17 – Shoreland Management Ordinance

Per Minnesota Statute 375.51, this notice is hereby given that the Hubbard County Board of Commissioners adopted Amendment 17 to Hubbard County Ordinance No. 17 – Shoreland Management Ordinance on Tuesday, February 3, 2015 and said amendment shall be effective upon this notice’s publication in the *Northwoods Press* – the official County newspaper for legal notice publication. Please note: this published notice is only a summary of Amendment 17 to the Hubbard County Shoreland Management Ordinance. A printed copy of the full text of said ordinance is available for inspection by any person during regular office hours at the office of the County Coordinator. A copy of said ordinance is also available for viewing on the “Ordinances” page of the County website (www.co.hubbard.mn.us/masterordinance.htm).

Section 111. Definitions – several definitions were modified, added, or deleted.

Section 401. Permitted, Conditional, Special and Non-Permitted Uses – An Interim Use Permit option was added and applied to extractive uses. The following five conditional uses were deleted: parks and waysides with no overnight facilities, hiking and riding trails, historic sites, controlled access lot, and public waters excavation. The retail shop use was changed from a conditional use to a non-permitted use on natural environment and special protection public waters classifications.

Section 402. Special Provisions – Language changes were made to the provisions concerning mobile home parks, recreational vehicle camping, home occupations, and subdivisions of property that create duplex, triplex, and quad-sized lots.

Article V. Height and Placement Regulations; Zoning Provisions – Language was added that allows units in residential planned unit developments to be smaller in size than the minimum lot size standards contained in this Article.

Section 501.9. Minimum Residential Lot Suitable Area of River Lots – The residential lot suitable area (RLSA) requirement was changed from a single, standard number of square feet required for any river lot to unique RLSA requirements for each river classification and lot size.

Section 504. Height of Structures – Language concerning guest cottage height was deleted. Language concerning structure heights in the Special Protection River Segment classification was added.

Section 506. Guest Cottages – The minimum required lot size was reduced from the duplex to the single lot area and permit application criteria were modified.

Section 507.1. High Water Elevations – This regulation was applied to crawlspaces.

Section 507.2. Stairways, Sidewalks, Lifts and Landings – Language was added that regulates the number of stairways, sidewalks, or lifts allowed on a given property. Language concerning stairways, sidewalks, and accompanying landings on slopes exceeding 18% was deleted.

Section 507.3. Boardwalks – Language was added requiring boardwalks to be constructed high enough above the ground to allow vegetation to grow beneath the boardwalk.

Section 510. Building Repairs and Maintenance – This section was deleted.

Section 511. Temporary Structures – The length of time a temporary structure is allowed to be on a property without a land use permit was reduced from 180 to 120 consecutive days.

Section 512. Recreational Vehicles – Language concerning the length of time a recreational vehicle (RV) can be on a lot without a land use permit, the number of RVs allowed on a lot at a given point in time, and eligibility criteria was modified.

Sections 701, 702, and 703. - These sections concerning nonconforming uses of land were deleted and replaced with new language regarding nonconforming uses.

Sections 704 and 705. – The language in these sections was modified to bring it into conformance with Minnesota Statute 394.36 subd. 4.

Section 706. Deck and Platform Additions – The existing platform regulations were deleted and platforms were placed under the deck regulations. A limit of only one deck/platform being allowed per this section was created.

Sections 707.1, 707.2 – These sections were deleted and replaced with a single new section that contains regulations on the development of nonconforming lots of record.

Section 708. Failing Sewage Treatment Systems – Outdated language describing former County procedure in upgrading failing septic systems was deleted.

Section 801. Sewage Treatment Standards – Language concerning privies was modified.

Section 901. Vegetative Alterations – Clarifications were made in language regulating vegetative alterations.

Section 902. Topographic Alterations/Grading and Filling – Minor clarifications were made to language concerning the calculation of volume of material and which regulations apply to which regulated shoreland areas.

Section 906. Special Provisions for Agricultural Uses – The pasture size calculation was clarified and allowances were added that permit incidental agricultural uses such as raising chickens.

Section 1001. Applicability – This section was rewritten to state that all subdivisions must comply with the Hubbard County Subdivision Ordinance.

Section 1003. Consistency with other Controls – The regulations on subdivisions of duplex, triplexes, and quads were moved from this section to Section 402.

Section 1005. Controlled Access or Recreational Lots – This section was deleted.

Section 1011. Planned Unit Development Review – Allowances for mixed commercial/residential uses on the same property were deleted.

Section 1012. PUD Site Suitability Evaluation – Language was added that requires suitable area calculations to exclude bluff impact zones, easements, and road right-of-ways.

Section 1013. Residential and Commercial PUD Density Evaluation – Item 2.F was deleted.

Section 1103. Variances and Appeals – Language concerning the variance application resubmittal criteria and process was modified.

Section 1104. Permits – Building permits were renamed land use permits. A permit is now required to alter vegetation in the shore impact zone. A list of excepted items (such as small swing sets) from the land use permit requirement was added. Language was added that states no contractor or individual shall perform work that requires a permit unless the permit has been issued and posted on the premises.

New Section 1106. Interim Use Permits – A new section was added that allows interim use permits to be issued and establishes the procedures for such.

Old Section 1106. Amendments – This section was renumbered as Section 1107 and language concerning application processing timelines was deleted to allow Minnesota Statute 15.99 to govern said timelines.

Section 1109. Fees – Language was added that states no zoning applications will be accepted unless and until all required fees have been paid. Language was also added that states that application fees on denied applications will not be refunded.

Coordinator: On motion of Mr. Johannsen, seconded by Mr. Smith and carried unanimously, the following resolution was adopted:

RESOLUTION NO. 02031503

WHEREAS, an LG240B Application to Conduct Excluded Bingo License has been received from the Lake George Area Seniors, P O Box 1655, Lake George, Minnesota 56458, for the conducting of bingo at the Lake George Senior Center in Lake George Township in the County of Hubbard on June 26, July 10, July 25, and August 7, 2015.

WHEREAS, the Hubbard County Board of Commissioners has no objection to the granting of such application, now, therefore,

BE IT RESOLVED, that the aforesaid request be, and the same hereby is, approved, and

BE IT FURTHER RESOLVED, that the waiting period prior to consideration of this application, if any, be waived.

The completion of 2015 Joint Legislative Conference registration was addressed

with the board. Discussion followed. By consensus of the Board, the Coordinator was requested to complete 2015 Joint Legislative Conference registration for the Board and re-address attendance on February 17, 2015.

County Attorney, Don Dearstyne addressed the Board reporting that former Assistant County Attorney, Jonathan Frieden’s availability to provide the Administrative Authority duties outlined in Ordinance 42 as well as the hourly rate that would be charged. Mr. Dearstyne reported that the County Sheriff was also in agreement with this arrangement. Discussion followed with the Board expressing their interest in a back-up representative in the event of unavailability or conflict of interest. Additional suggestion for possible representatives was requested for report on February 17, 2015.

Closed Session: On motion of Mr. Dotta, seconded by Mr. Johannsen and carried unanimously, the meeting was closed pursuant to M.S. §13D.03 at 11:51 a.m. The meeting was re-opened at 12:39 p.m.

Committee Reports: Information was shared regarding meetings attended while the Board ate lunch. No action was taken.

There being no further business before the board, the Chair adjourned the meeting at 1:25 p.m.

GENERAL REVENUE:

A’Viands LLC	13,370.84	Streicher’s Inc.	2,106.71
Association of Minnesota Counties	10,580.00	Systems Furniture Inc.	2,480.07
Coborns Pharmacy 2030	4,059.41	Turnkey Corrections	3,193.75
CPS Technology Solutions Inc.	2,948.29	Vetter Johnson Architects, Inc.	8,599.72
ECN Intermediate Holding Company	9,450.00	West Payment Center	5,006.76
Headwaters Regional Development	2,500.00	66 Payments Less Than \$2,000	23,320.75
Hoffman, Philipp & Knutson PLLC	3,745.00		
Hubbard Co. SWCD	38,348.00	ROAD & BRIDGE:	
Hubbard County Hwy Dept	3,375.32	Compass Minerals America	30,182.69
McGee PA/ M.B.	4,500.00	13 Payments Less Than \$2,000	3,856.06
ProWest & Associates, Inc.	3,600.00	SOLID WASTE:	
Ramsey Co. Medical Examiner	2,800.00	Butler Machinery Co.	3,800.00
Ratwik, Roszak & Maloney PA	4,747.77	Hubbard County Hwy Dept	2,966.07
Reliance Telephone Inc.	2,100.00	Sampletech	3,875.00
		6 Payments Less Than \$2,000	1,037.76

FORFEITED LAND:		Volunteers of America	11,394.63
8 Payments Less Than \$2,000	1,641.00	Woodland Hills	7,869.97
SOCIAL SERVICES:		25 Payments Less Than \$2,000	11,194.47
Hubbard County DAC	20,124.27	46 Payments Less Than \$2,000	7,200.82
Mille Laes Academy	7,738.84	DHS – SWIFT	6,796.05
North Homes Inc.	25,899.88	Hoglund Bus and Truck Company	68,953.25
North Homes Inc. – Admin	3,609.95	Hubbard County Auditor-Treasurer	44,003.13
Rural Minnesota CEP	4,745.99	28 Payments Less Than \$2,000	9,824.93

/s/ Daniel Stacey
 Daniel Stacey, Chairman
 Hubbard County Board of Commissioners

ATTEST: /s/ Debbie Thompson
 Debbie Thompson
 Hubbard County Coordinator

