

**MINUTES OF THE REGULAR MEETING OF THE COOK COUNTY BOARD OF
COMMISSIONERS**

Grand Marais, Minnesota
July 26, 2016

The Board met in regular session this 26th day of July, 2016, at the Courthouse in Grand Marais, Minnesota.

The meeting was called to order at 8:30 a.m. with the following members present: Commissioners Doo-Kirk, Gamble, Moe, Storlie, and Sivertson. Absent: County Attorney Molly Hicken. Also present were, County Administrator Jeff Cadwell, Auditor-Treasurer Braidy Powers, and Office Support Specialist Bev Wolke.

County Board Chair Doo-Kirk led the Commissioners in reciting the Pledge of Allegiance.

Motion was made by Gamble, seconded by Storlie, and carried by unanimous vote to approve the agenda for the meeting as amended.

No citizens appeared for the Public Comment portion of the meeting.

The Board considered the consent agenda consisting of numerous items that the Board may approve as a whole. County Board Chair Doo-Kirk asked if any Commissioner wanted to remove any items from the consent agenda. Commissioner Gamble requested pulling item # B as the minutes were already approved at the June 19, 2016 Board Meeting. Commissioner Doo-Kirk requested pulling item #C, and Commissioner Sivertson requested pulling item #E.

- A. Claims
- D. Satisfaction and Release of Septic System Loan
- F. EMS Performance Grant in the amount of \$15,770

Motion was made by Moe, seconded by Sivertson, and approved to accept the consent agenda, including the adoption of the following resolution:

RESOLUTION # 2016-55

BE IT RESOLVED, that the following claims totaling \$83,542.22 having been audited and found to be true and correct claims against Cook County, are approved and the Auditor-Treasurer is hereby authorized to draw warrants in payment of said claims:

Revenue Fund

Bailey/Tess	57.00
Campanaro/Patricia	204.04
Costley & Morris, PC	1,699.52
Ege/Duane	923.20
Eliassen/Donn Erik	830.00
Emergency Automotive Technology Inc	202.03
Hasegawa/Duane	30.00
Mielke/Lindsay	124.20
Pierce Richards Law Office	1,488.00
Pranis/Bob	959.60
Reiner/Virginia	42.96
Rogers/Rena	433.08
Routh/Mary	48.36
St Louis County Auditor	21,041.35
Vandenberg/Kristin	51.60
Weitz/Timothy	75.00
<u>Airport</u>	
Ege/Duane	332.28

Doo-Kirk requested correcting the Fire Hall number be used on the Lawful Gambling Activity resolution for the Mid Trail Property Owners Association. Commissioner Sivertson moved the adoption of the following resolution and upon seconding by Commissioner Moe was adopted by unanimous yea vote of all members present:

RESOLUTION # 2016-56

Be It Hereby Resolved, that the Cook County Board of Commissioners hereby approves a Permit for Lawful Gambling application for the Mid Trail Property Owners Association to conduct a raffle on August 10, 2016, at Fire Hall #1.

Commissioner Sivertson inquired whether the Cost Allocation Plan was mandatory. Auditor Powers explained that although it is not mandatory, the Cost Allocation Plan is required for Cook County to receive reimbursements from the Federal Government for the required administrative support the County provides for the Federal Programs offered in Cook County. Motion was made by Moe, seconded by Sivertson, and carried by unanimous vote to approve the contract with Government Management Group to prepare Cook County's Cost Allocation Plan for the years ending 2016 through 2020 at an annual cost of \$3,600.00.

Jim Wiinanen, Emergency Management Director, appeared before the Board. Wiinanen requested the Board approve an Emergency Management Preparedness Grant for the acquisition of a combination rehab/command trailer. The purchase amount is estimated at \$31,878. This is a special projects grant requiring a 50% local match with match funds identified from a special gift to the Sheriff's Office and the capital funds in the Search and Rescue budget. Additional support is being sought from other sources including the fire departments, two foundations and four businesses. Motion was made by Sivertson, seconded by Moe, and carried by unanimous vote to approve signing the Emergency Management Preparedness Grant: A-EMPG-2015-COOKCO-107 for the acquisition of a combination rehab/command trailer for the Sheriff's Office and other emergency response groups.

Bill Lane, Planning & Zoning Administrator, Tim Nelson, Planning Director/Solid Waste Officer, and Blake Cazier, Cazier Properties LLC, appeared before the Board. Lane explained that Cazier Properties LLC entered into a purchase agreement with Kevin and Karen Woodward to purchase 160 acres of land north of Pike Lake and west of the Cascade River. Upon purchase, Cazier Properties LLC will lease the land to Positive Energy Outdoors, a 501©3 corporation whose goal is to establish a recreational facility for youth at risk. Commissioners discussed the amount of dogs allowed on the property and how the very remote location should be a good fit. Commissioner Doo-Kirk moved the adoption of the following resolution and upon seconding by Commissioner Gamble was adopted by unanimous yea vote of all members present:

RESOLUTION # 2016-57

Cazier Properties, LLC Interim Use Permit

BE IT RESOLVED, that upon recommendation of the Cook County Planning Commission, and after public hearing duly held on July 13, 2016, the following **Interim Use Permit** is granted, subject to the noted conditions:

SEE EXHIBIT A FOR LEGAL DESCRIPTION

Cazier Properties, LLC: request for an Interim Use Permit to establish a recreational facility on property adjacent to Bally Creek Road and the Cascade River. Parcel IDs: 51-223-2300, -2400, -3100, -3200.

1. All operations conducted by Cazier Properties, LLC and Positive Energy Outdoors must comply with Minnesota Rule 7080, and the Cook County Septic Ordinance.
2. All structures must conform to Cook County Zoning Ordinance criteria.
3. The use of recreational vehicles for temporary or permanent habitation shall conform to Cook County Zoning Ordinance criteria (*Section 5.12, Cook County Zoning Ordinance*).

4. Kennel management guidelines (*Section 10.06 D, Cook County Zoning Ordinance*) shall serve as a model for Positive Energy Outdoors kennel operations.
5. The property shall conform to all components of the Wetland Conservation Act.
6. Wetland resources on the southern 80-acres shall be delineated and verified by the Cook County LGU prior to site modification.
7. Extraction of sand or gravel resources for road or infrastructure improvements shall require approval of a separate Interim Use Permit and shall conform to Section 10.06 of the Cook County Zoning Ordinance.
8. All relevant guidance provided in the Cook County Zoning Ordinance for the FAR-1 zone district shall be followed.
9. This permit shall be reviewed by the OPZ 1-year following its approval, with results presented to the Planning Commission and Board of Commissioners.
10. Upon sale or transfer of the property, this Interim Use Permit shall terminate. New property owners shall have 60-days to apply for a new IUP, allowing operations established by PEO to continue.
11. This permit shall be amended as a submittal of Cazier Properties, LLC. Cazier Properties LLC shall be responsible for compliance with all conditions of this permit.

Lane then explained a recent request for an Interim Use Permit to establish an Air Bed and Breakfast which was considered by the Office of Planning and Zoning Commission. The Commission identified the apparent conflict between an Air Bed and Breakfast rental and its placement within the Cook County Zoning Ordinance. There are no Air Bed and Breakfast operations mentioned in the ordinance, and its parallel use: Vacation Rentals by Owner, are allowed within the permit in all Cook County residential zone districts. The conflict stems from having one land use allowed without a permit and a similar land use allowed only through an Interim Use Permit which appears to create a jurisdictional conflict where one may not be necessary. Motion was made by Gamble, seconded by Storlie, to approve the Interim Use Permit to establish an AirBnB in the FAR-3 zone district, on property adjacent to County Road 7 for Linda and Paul Harvey, and to encourage the Planning Commission to look at this and come back to the Board with recommendations. Nelson suggested the Commissioners consider three options. 1.) Approve motion as moved by Commissioner Gamble; 2.) Deny the permit; 3.) Direct the Planning Commission to rescind the permit and not regard the property as a category that would require a permit as a vacation rental. Gamble amended his motion to accept the recommendation of the Planning Commission to not require an Interim Use Permit for this particular application and for the office of Planning and Zoning to further clarify the use differences between Vacation Rentals and Air Bed and Breakfasts. Storlie approved the amendment and the motion carried by unanimous vote.

Braidy Powers, Auditor-Treasurer, appeared before the Board to present a Revolving Loan Fund Application for Keith Bergeron for renovation of the Fenstad Motel. Powers explained that the loan would consist of \$50,000.00 for the renovation, with another \$25,000.00 conditional upon satisfying questions regarding roof, electrical and contracting issues, conditional upon completion of bank financing and loan documentation. Motion was made by Moe, seconded by Gamble, and carried by unanimous vote to approve a Revolving Loan Fund Application for Keith Bergeron for renovation of the Fenstad Motel at \$50,000.00, with another \$25,000.00 conditional upon satisfying questions regarding roof, electrical and contracting issues, conditional upon completion of bank financing and loan documentation.

David Betts, County Highway Engineer, appeared before the Board. Betts recommended awarding the furnishing and blending of 2,500 cubic yards of sand for the winter sand stockpile to the one bidder, Isak Hansen & Sons, Inc. of Lutsen at a cost of \$82,250.00. Motion was made by Sivertson, seconded by Storlie, and carried by unanimous vote to approve the bid from Isak Hansen & Sons, Inc. for furnishing and blending 2,500 cubic yards of sand for the winter sand stockpile.

Betts requested purchasing four Armor Radios. Motion was made by Gamble, seconded by Storlie, and carried by unanimous vote to approve purchasing four Armor Radios from Motorola Solutions

for \$9,038.02.

Jeff Cadwell, County Administrator, appeared before the Board. Cadwell requested setting a Public Hearing to consider a Transportation Tax. Moe made a note that if the half percent Transportation Tax passed, Cook County would have the highest Sales Tax in Minnesota. Motion was made by Sivertson, seconded by Storlie, and carried with the following vote to set the Transportation Tax Public Hearing to August 15, 2016, at 6:00 p.m. Ayes: Sivertson, Storlie, Gamble, and Doo-Kirk. Nays: Moe.

Cadwell informed the Board that the August 9, 2016, Board meeting would be held in the ITV Room due to the Primary Elections. Cadwell also noted that Josh Beck, the new Public Health/Human Services Director, would be starting August 1, 2016 and there would be a welcoming coffee that morning in the PHHS department.

Correspondence – Memos:

- A. Letter to Mr. Traxler from Chairman Norman Deschampe. Re: Moose. Commissioner Gamble requested drafting a letter of resolution as it puts constraints against the County and the Band.
- B. Cook County Higher Education Meeting Materials.

Commissioner Gamble requested a Per Diem for an event he attending for the Citizens League and Minnesota Conservative Energy Forum. Motion was made by Moe, Seconded by Storlie, and carried by unanimous vote to approve the Per Diem for Commissioner Gamble for attending the Citizens League and Minnesota Conservative Energy Forum.

Commissioner Sivertson reported that she would attend the WTIP interview on July 27, 2016.

There being no further business, the Board recessed at 10:10 a.m.

1:00 p.m. the Board reconvened for City/County/EDA Workshop.

The Cook County Board meeting resumed at 1 p.m. with a workshop regarding long range goals of the EDA and discussion of how to fund current proposed EDA projects. City of Grand Marais and Economic Development Authority officials took part in the discussion with County officials. Discussion centered around the \$175,000 that is needed as part of the financing package for an owner occupied housing project in Grand Marais. No action was taken.

The meeting adjourned at 3 p.m.

HEIDI DOO-KIRK, Chair
Cook County Board of Commissioners

ATTEST: **BRAIDY POWERS**
Auditor-Treasurer