

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, January 22, 2002
9:30 a.m.

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, January 22, 2002, at 9:31 a.m. at the Otter Tail County Courthouse with Dennis Mosher, Chair; Bob Block, Vice-Chair; Syd Nelson, Malcolm Lee, and Roger Froemming present.

Approval of Agenda

Motion by Lee, second by Froemming, and unanimously carried to approve the County Board agenda of January 22, 2002, as mailed.

Approval of Minutes

Motion by Nelson, second by Lee, and unanimously carried to approve the County Board minutes of January 15, 2002 as mailed.

Conservation Reserve Program (CRP) Discussion

Chair Mosher opened discussion regarding the CRP program administered by the WOT County Farm Service Agency. David Wass, from the farm agency contacted Chair Mosher regarding the letter received from the Water Plan Committee and endorsed by the County Commissioners. Mr. Wass provided a copy of a USDA Farm Service Agency newsletter promoting the program and expressed his opinion that the FSA is working to promote the program as well as many other programs they administer.

Tobacco License Applications

Motion by Lee, second by Froemming, and unanimously carried to approve the following applications for license:

Raymond D. Rogers Big Chief Inc. 22518 Big Chief Rd Fergus Falls, MN 56537	Tobacco
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City of Erhard Erhard Municipal Liquor Store US Highway 59 and County Road 24 PO Box 14 Erhard, MN 56534	Tobacco
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Cylde D. Schlepp Interstate Fuel & Food Inc. 25947 County Highway 88 Fergus Falls, MN 56537	Tobacco
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Robin Johnson Lakeland General Store, Inc. Junction of Highways 34 and 59 22438 Old 59 Road Pelican Rapids, MN 56572	Tobacco
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Application for Exempt Permit

The Pelican Rapids Jaycees have submitted an application for an exempt permit for an event scheduled for February 10, 2002 on Lake Lida. Motion by Lee, second by Block, and unanimously carried to waive the 30 day waiting period and to allow the Gambling Control Board to issue an exempt permit to the Pelican Rapids Jaycees before expiration of the waiting period.

Credit Card Application

Motion by Nelson, second by Lee, and unanimously carried to approve the following credit card application: Darren Kunz, Sheriff's Department - \$500 limit

Procedure for Purchase of Fixed Assets including Vehicle(s)

County Auditor, Wayne Stein, presented a document entitled "Procedure for Purchase of Fixed Assets including Vehicle(s)". Discussion followed. Commissioners expressed appreciation for the procedures and requested time to review the policy before action is taken.

Request for Forgiveness of Penalty and Interest

The County Auditor presented a request for forgiveness of penalty and interest in the amount of \$184.49. The individual handling the estates was unable to pay the penalty amount after Magnar Tenold's death because she did not have the legal authority until very recently. Discussion followed. Motion by Mosher, second by Lee, and unanimously carried to forgive the penalty and interest accrued after Magnar Tenold's death because of the legal issue; however, the penalty amount before Mr. Tenold's death is not abated.

Premise Permit - Fergus Falls Hockey Association Otter Tail County Resolution No. 2002 – 03

Commissioner Mosher offered the following and moved its adoption:

WHEREAS, the responsibility for the regulation of lawful gambling and the issuance of licenses and permits for the conduct of lawful gambling lies with the Minnesota Gambling Control Board; and

WHEREAS, the Fergus Falls Hockey Association, Fergus Falls, MN, has made an application to the Gambling Control Board for a premise permit to conduct lawful gambling at the Graystone on Ottertail, Inc, in Everts Township of Otter Tail County; and

WHEREAS, Minnesota Statute 349.213 provides that the Gambling Control Board may not issue a premise permit unless they receive a resolution from the Otter Tail County Board of Commissioners approving the application for a permit; and

WHEREAS, the Otter Tail County Board of Commissioners is aware of no reason to oppose the conduct of lawful gambling by the Fergus Falls Hockey Association, Fergus Falls, MN, at the Graystone on Ottertail Inc., in Everts Township of Otter Tail County.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners hereby approves the conduct of lawful gambling by Fergus Fall Hockey Association, Fergus Falls, MN, at the Graystone on Ottertail Inc., in Everts Township of Otter Tail County, provided the applicant meets all the necessary criteria for the licenses and permits as required by the Gambling Control Board.

IT IS FURTHER RESOLVED, that notice of this application and approval shall be provided to the Township of Everts by sending them a copy of this resolution.

Commissioner Froemming seconded the motion, and upon being put to vote, was unanimously carried.

Adopted at Fergus Falls, MN this 22nd day of January, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

Auditor's Department Reorganization

County Auditor, Wayne Stein, presented a new flow chart for the Auditor's office delineating different functions within his department including finance, licensing, voting/election, and land/title transfers. He reported that Maximus has reviewed job descriptions and the proposed structure. Discussion followed. By general consensus, the Commissioners requested that Mr. Stein bring this proposal to the Personnel Committee.

Recess & Reconvene

At 10:48 a.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 11:00 a.m.

Ordinance Discussion

Land & Resource Director, Bill Kalar, presented ordinance discussion items from the Planning Commission meeting held January 16, 2002. The Planning Commission reviewed the Becker County Tubing Ordinance, then identified other concerns that started with lot size, lake classifications, and proposed plats by emergent aquatic vegetation. DNR Hydrologist, Terry Lejcher, spoke regarding lot sizes and potential to change lake classifications to protect the smaller lakes in Otter Tail County. He suggested establishment of special protection districts by looking at soils, adequate separation, elevation, aquatic vegetation at the site, etc. The Fisheries Department has agreed to provide information to identify aquatic vegetation sensitive to development that could be entered into the County's GIS system. This information could be used as a planning tool and to give the Planning Commission stricter guidelines when making decisions. Commissioner Lee suggested using information on loon habitats and spawning areas as well. Surface water use was discussed. Mr. Lejcher expressed concern with the amount of impervious area around the lakes. People are building larger homes on lots, which can cause run-off problems with the property. Lake-scaping is one solution to provide a buffer on the land. Commissioners requested the Land & Resource Director to return to the County Board February 5, 2002, to continue discussion regarding protection of water in the County and potential ordinance changes.

Resolution Authorizing Signature of Board of Water Resources Natural Resources Block Grant Documents Otter Tail County Resolution No. 2002 - 04

Commissioner Nelson offered the following and moved its adoption:

NOW, THEREFORE, BE IT RESOLVED:

THAT THE Otter Tail County Board of Commissioners approves of Otter Tail County entering into a Grant Agreement with the State of Minnesota to receive State funds for the implementation of its Comprehensive Local Water Plan, the administration of the Wetland Conservation Act, administration of the DNR Shoreland Program, and MPCA ISTS Program, under the terms of the Grant Agreement and all statutory requirements; and

THAT THE Otter Tail County Board of Commissioners requests the 2002 expenditure of \$77,306 cash and authorizes \$68,306 in-kind contributions, from Otter Tail County and East & West Soil and Water Conservation District, to match the Natural Resources Block Grant and the Grant Agreement.

BE IT FURTHER RESOLVED, THAT THE Chairperson of the County Board of Commissioners and the County Auditor or County Administrator are authorized to execute the Grant Agreement together with all related documents.

Commissioner Froemming seconded the motion, and upon being put to vote, was unanimously carried.

Adopted at Fergus Falls, MN this 22nd day of January, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

**North Star Corridor Commuter Train
Otter Tail County Resolution No. 2002 - 05**

Commissioner Lee offered the following and moved its adoption:

WHEREAS, railroad tracks exist in the corridor between St. Cloud and the Twin Cities that could be used for commuter rail service; and

WHEREAS, commuter rail service can be a cost effective and efficient means of transporting commuters and other passengers; and

WHEREAS, although the proposed North Star Corridor does not reach into Otter Tail County, the system could be used by county residences for part of their trip to the Twin Cities, and a successful commuter train service in the North Star Corridor could lead to passenger service reaching into or through Otter Tail County in the future.

NOW, THEREFORE, BE IT RESOLVED that the Otter Tail County Board of Commissioners is in support of the proposed North Star Corridor commuter rail service currently being proposed.

Commissioner Nelson seconded the motion, and upon being put to vote, was unanimously carried.

Adopted this 22nd day of January, 2002.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Dennis Mosher, County Board Chair

Attest: _____

Larry Krohn, Clerk

Adjournment

At 12:15 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, January 22, 2002.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Dennis Mosher, County Board Chair

Attest: _____

Larry Krohn, Clerk