

WHEREAS, Lake Region Healthcare Corporation, the City of Fergus Falls, and the County of Otter Tail formed a committee called the FFRTC Community Committee to develop a proposal under which the Fergus Falls community can provide to the state of Minnesota and Minnesota Department of Human Services a community-based solution to assist the Department of Human Services in implementing its plan for the future of the Fergus Falls Regional Treatment Center operations and services; and

WHEREAS, it is important for the County and the residents of Otter Tail County to maintain a long-term presence in Fergus Falls of the services and programs provided by the FFRTC; and

WHEREAS, the proposal of the FFRTC Community Committee dated April 1, 2002, as provided to the State of Minnesota, Department of Human Services, and the Department of Administration sets forth a proposal for the construction and financing of a new facility in Fergus Falls in which the Department of Human Services would continue FFRTC operations and services for mental illness, chemical dependency, and detoxification, a copy of which letter is attached to the official minutes as Exhibit A; and

WHEREAS, said letter was presented to the County Commissioners at the Commissioners' April 2, 2002, meeting and Commissioner Block introduced a motion and resolution to endorse the proposal of the FFRTC Community Committee, which motion was seconded by Commissioner Lee, and which was dispensed with by unanimous consent;

BE IT RESOLVED, by the governing body of Otter Tail County, Minnesota, as follows:

The April 2, 2002, proposal by the FFRTC Community Committee is hereby endorsed by Otter Tail County and the Otter Tail County Board of Commissioners supports the proposal for the construction and financing of a new FFRTC facility, proposal, subject to further consideration and action if said proposal receives a positive response from the State of Minnesota.

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

Adopted at Fergus Falls, Minnesota, this 16th day of April, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

**Transportation Enhancement Funds
Otter Tail County Resolution No. 2002 - 22**

Commissioner Lee offered the following and moved its adoption:

WHEREAS: The Minnesota Department of Transportation District 4 Area Transportation Partnership is currently soliciting proposed projects for funding in 2003 with Transportation Enhancement Funds available through Transportation Equity Act of the 21st Century (TEA 21).

WHEREAS: Projects selected under this program may be funded with up to 80% Enhancement Funds with the remainder to be funded locally, AND

WHEREAS: There is a local effort by the City of Vergas to construct a bike/pedestrian path adjacent to TH 228 from the Canadian Pacific Railway Corridor to the City Park on Long Lake approximately 2,700 feet in length, AND

WHEREAS: Application for these Transportation Enhancement Funds is to be made by a governmental agency representing a population of 5,000 or greater.

NOW, THEREFORE, BE IT RESOLVED, by the Otter Tail County Board of Commissioners, that Otter Tail County hereby agrees to become the sponsor and will make application for Transportation Enhancement Funds for the construction of a bike/pedestrian path adjacent to TH 228 from the Canadian Pacific Railway Corridor to the City Park on Long Lake.

BE IT FURTHER RESOLVED, that agreement to sponsor this project does not include a commitment to provide county funds as part of the local share funding for construction and future maintenance.

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

Adopted at Fergus Falls, Minnesota, this 16th day of April, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

Highway Easement Release

Motion by Lee, second by Nelson, and unanimously carried to authorize the Chair's signature to execute a Quit Claim Deed for Highway Easement Release of All that part of the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter, Section 32, Township 134, Range 43, in Otter Tail County, Minnesota as described on the deed.

**Detour Agreement with the State of Minnesota
Otter Tail County Resolution No. 2002 - 23**

Commissioner Nelson offered the following and moved its adoption:

IT IS RESOLVED that Otter Tail County enter into MnDOT Agreement No. 83019 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the use of County State Aid Highways No. 11 and No. 21 and County Road No. 116 as a detour route during pavement resurfacing and rehabilitation construction to be performed upon, along, and adjacent to Trunk Highway No. 210 from 2.5 miles east of the west Otter Tail County line to the west junction with Trunk Highway No. 94 under State Project No. 5601-30 (T.H. 210=003).

IT IS FURTHER RESOLVED that the Otter Tail County Board of Commissioners and the Clerk of the Board of Commissioners are authorized to execute the Agreement and any amendments to the Agreement.

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

Adopted at Fergus Falls, Minnesota, this 16th day of April, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

Approval of Contract - Seasonal Supply of Hot Mix Bituminous

Motion by Lee, second by Block, and unanimously carried to authorize the Chair's signature to execute a contract between the County of Otter Tail and Mark Sand & Gravel Acquisition Co. of Fergus Falls for seasonal supply of hot mix bituminous for North Otter Tail County for the 2002 construction season.

County Board Meeting Rescheduled

Motion by Lee, second by Froemming, and unanimously carried to change the location of the May 21, 2002, Human Services and County Board meeting from the Otter Tail County Courthouse to the New York Mills offices.

Discussion - Letter to the Editor

Commissioner Lee referred to a letter to the editor written by Attorney, Allen Haugrud, regarding discharge of sewage into Willow Creek. Commissioner Lee stated that this issue does not come under the County Commission, but rather, the Minnesota Pollution Control Agency. Discussion followed.

**A Resolution to Approve and Adopt the Otter Tail County
Updated Solid Waste Management Plan
Resolution No. 2002 - 24**

Commissioner Lee offered the following and moved its adoption:

WHEREAS, the legislature of the State of Minnesota requires that Minnesota's counties develop a Solid Waste Management Plan Update in accordance with Minnesota Statutes 115A.46, 115A.417, 115A.551, subds. 6-7, 115A.552, 115A.557, subd 2-3, 115A.63, 115A.84, 115A.914, 115A.96, subd. 6-7, 115A.917 Minn. Rules 9215 and all other applicable statutes and rules; and

WHEREAS, Minnesota counties recognize the need to plan for and practice environmentally sound methods of managing their solid waste stream; and

WHEREAS, in 1989, the legislature of the State of Minnesota enacted legislation to require that Solid Waste Management Plans Update be amended to include the requirements in Minn. Stat. 115A.551, 115A.914 and 115A.96, subd. 6 (1991); and

WHEREAS, Otter Tail County recognizes the need to plan for and implement waste reduction, recycling yard waste composting, special waste management strategies, and processing of MSW.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners hereby approves and adopts the Updated Otter Tail County Solid Waste Management Plan and supporting documentation dated March 2002.

BE IT THEREFORE FURTHER RESOLVED, that Otter Tail County agrees to maintain and implement the Plan Update as required by Minn. Rules pt. 9215.0530, subp. 1 and 2.

BE IT THEREFORE FURTHER RESOLVED, that the Otter Tail County Board submits this document to the Director of the Minnesota Office of Environmental Assistance for final approval pursuant to applicable Minnesota laws and rules.

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

Adopted at Fergus Falls, Minnesota, this 16th day of April, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

Correction to County Board Minutes of March 26, 2002

Motion by Froemming, second by Mosher, and unanimously carried to remove language in the March 26, 2002, County Board minutes on Page 4 under the heading of "Conditional Use Permit - Lutheran Island Camp". Remove the words "to build a single family home with attached garage" in the first sentence.

Visit - Director of the Office of Environmental Assistance

Director of the OEA, Sherry Enzler, discussed several statewide solid waste issues including flow control, alternative waste, product stewardship, and dealing with disposal of electronics, old carpet, and computers. Commissioner Block expressed concerns with the future of getting rid of waste. Ms. Enzler stated that the OEA is taking a strong look at shifting the focus away from garbage and moving toward reusing our garbage to further recycling and energy savings. Fewer natural resources of raw materials are used when manufacturing from recycled material vs. raw materials. Ms. Enzler discussed budget issues and thanked the County Board for their role in solid waste management in Otter Tail County.

Approval of License

Motion by Mosher, second by Froemming, and carried with Lee opposed, to approve the following application for license:

Agnes Benhardus
Norway Beach Resort
Battle Lake, MN 56515

Tobacco

**Premise Permit – Perham Lions Club
Otter Tail County Resolution No. 2002 – 25**

Commissioner Nelson 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 Perham Lions Club, Perham, MN, has made an application to the Gambling Control Board for a premise permit to conduct lawful gambling at The Pier, in Otter Tail 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 Perham Lions Club, Perham, MN, at The Pier, in Otter Tail 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 Perham Lions Club, Perham, MN, at The Pier, in Otter Tail 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 Otter Tail by sending them a copy of this resolution.

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

Adopted at Fergus Falls, MN this 16th day of April, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

Planning Commission Recommendations

Conditional Use Permit - Kelly & Ann Moore:

Motion by Mosher, second by Lee, and unanimously carried to approve a Conditional Use Permit to open a family daycare with conditions as recommended by the Planning Commission.

The property is described as Pt of GL 1 (11.44 acres) in Section 25 of Dane Prairie Township; Unnamed Lake (56-647).

Preliminary Plat, "Tall Oaks"/Avant Tst:

Motion by Mosher, second by Lee, and unanimously carried to approve the Preliminary Plat known as "Tall Oaks" consisting of 3 residential lots with conditions as recommended by the Planning Commission. The property is described as all that part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and GL(s) 2, 3, & 4 in Section 17 of Everts Township.

Preliminary Plat, "Prime Pine View"/M. John H. Cordes:

Motion by Froemming, second by Nelson, and unanimously carried to approve the Preliminary Plat known as "Prime Pine View" consisting of 4 residential backlots with conditions as recommended by the Planning Commission. The property is described as all that part of GL 2, Section 25 of Leaf Lake Township; East Leaf Lake (56-116).

Preliminary Plat, "Sugar Maple Shores"/Northern Lakes Co:

Land & Resource Director, Bill Kalar, stated that the Planning Commission discussed the proposed Preliminary Plat of "Sugar Maple Shores" on Round Lake in Everts Township. The Planning Commission recommended approval with several conditions. Jim Peterson of Anderson Land Surveying stated that the applicant would like to table this request so additional information could be provided on the areas of concern. Chair Mosher opened the floor for comment. Melanie Green, Chair of Everts Township presented a petition of objection from the people who live in Timber Hills and two photographs of the township road near the cul-de-sac. Ms. Green stated that the people who live on Timber Hills Road are opposed to the development because of the condition of the road and additional traffic. She thought the access to the development would be from CH 83. Ms. Green asked that the County Board vote against the Preliminary Plat today or postpone the request. Mr. Wayne Rowe requested additional information on potential Indian Mounds. Jim Peterson spoke on behalf of the applicant and agreed to waive the 60-day rule to make a decision.

Motion by Mosher, second by Froemming, and unanimously carried to refer the Preliminary Plat request of "Sugar Maple Shores" back to the Planning Commission to consider additional information. The applicant has agreed to waive the 60-day rule.

Peggy Bladow presented two letters for the record. One letter from John & Ann Mehl regarding the overcrowding and natural resources that they feel would be affected on the lake. The other from Brian & Peggy Bladow regarding natural habitat issues and road issues. A petition was presented in objection to the development. Mr. Hauser stated that the petitions can be received; however, it is not the number of signatures in objection that will be considered, but the content of what their objections are that will be considered.

Mr. Kalar stated that this request will be scheduled on May 8, 2002, at 8:30 p.m. with the Otter Tail County Planning Commission.

Conditional Use Permit - David & Vicki Danielowski:

Motion by Mosher, second by Nelson, and unanimously carried to approve the revised plan for this retaining wall and an after the fact Conditional Use Permit with conditions as recommended by the Planning Commission. The property is described as West 50' of Lot 12 & Land Between Lot & Lake Evander Beach in Section 10 of Eagle Lake Township; Eagle Lake (56-253).

Conditional Use Permit - Maine Township:

Motion by Froemming, second by Block, and unanimously carried to approve a Conditional Use Permit for work on a Township road with conditions as recommended by the Planning Commission. The property is described as 315th Ave, 283rd St. & 318th Ave, Section 34 of Maine Township; Sharp Lake (56-482), NE & Mud Lake (56-445).

Conditional Use Permit - William H. & Bonnie L. Barber:

Motion by Froemming, second by Block, and unanimously carried to approve a Conditional Use Permit for fill and excavation work as requested on the CUP application, with conditions as recommended by the Planning Commission. The property is described as Rustic Acres Lots 1, 2, & vacant road adjacent & pt Lot 3 lying Easterly in Section 8 of Ottertail Township; Otter Tail Lake (56-242).

Recess & Reconvene

At 11:55 a.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break and a committee meeting. The meeting was reconvened at 1:12 p.m.

Continuation of Ditch No. 19 Public Hearing

Ditch Inspector, Randy Wasvick, verified that Ditch No. 19 ends at South Maple Lake, not abandoned Ditch 9 as previously stated. David Hauser stated a need to determine what lands are benefited, the amount of benefits, and that the drainage authority must determine an outlet fee should they agree that the Horsehead Lake Basin can join the ditch system. Ditch Viewer, Richard Bergquist and Mr. Wasvick looked at the property and based on land uses and per acre benefit dollar amounts, determined a total benefit of \$1,829.50. Lengthy discussion followed. The county and township are benefactors because of road protection. Mr. Hauser stated that whatever fee is determined for entry into the ditch system would be placed in the Ditch No. 19 fund and could be used for repair and maintenance of the ditch. Chairman Mosher directed the County Attorney to prepare an order to allow Drainage System No. 19 to serve as an outlet for Horsehead Lake Drainage Basin and to accept \$1,500 as the fee for entering the system to be paid equally by the City of Parkers Prairie, Parkers Prairie Township, and County of Otter Tail. Chair Mosher closed the Public Hearing for Ditch No. 19 at 1:41 p.m.

RTC Building Schematic Design

Architect, David Shultz, of Shultz Torgerson Architects, LTD. presented a Schematic Design Report dated April 16, 2002, for the Otter Tail County RTC Building Site. He presented site layouts and layouts of which departments are currently scheduled to move to the new site. He presented the plan for parking, common entry into the building, and meeting room space. Lengthy discussion followed. Motion by Froemming, second by Block, and unanimously carried to accept the RTC Building plans as presented and to authorize the Physical Plant Manager and Architect to proceed with a more detailed design.

Recess & Reconvene

At 2:43 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 2:46 p.m.

Legislative Discussion/Temporary Staffing

Jail Administrator, Gary Waskosky, presented legislation that would allow the County to charge room and board to inmates. Discussion followed regarding a fair process to implement charging people while in jail and collection of those fees.

Mr. Waskosky requested approval for a temporary clerical position. Motion by Nelson, second by Lee, and unanimously carried to authorize the Jail Administrator to hire a temporary clerical employee with budget for that position not to exceed \$5,200.

Closed to the Public

At 2:56 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies relative to the County's two Human Services collective bargaining units (Professional & Nurses Units). Commissioners Nelson, Lee, Mosher, Froemming, and Block were present along with the County Attorney, County Coordinator, and Recording Secretary. At 3:23 p.m., Chair Mosher declared the closed session adjourned and reconvened the meeting in open session.

Redistricting Plan(s)

Auditor, Wayne Stein, presented five different redistricting plans. Lengthy discussion followed. A Public Hearing will be required after three weeks published notice.

Adjournment

At 4:16 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, April 23, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk