

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, June 25, 2002
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, June 25, 2002, at 9:30 a.m. at the Otter Tail County Courthouse with Commissioners Dennis Mosher, Chair; Malcolm Lee, Vice-Chair; Syd Nelson, Roger Froemming, and Bob Block present.

Approval of Agenda

Motion by Froemming, second by Nelson, and unanimously carried to approve the Human Services Board agenda of June 25, 2002, with the following changes:

10:05 a.m. - Cancel DD Program Overview
10:05 a.m. – Add Safety Net Redesign Project Update &
Architect and Planner Update

Approval of Minutes

Motion by Lee, second by Block, and unanimously carried to approve the Human Services Board minutes of June 11, 2002, as mailed.

Formal Policy/Procedure

Federal Title 4E Audit

Court Services Director, Chuck Kitzman, reported that the legislature has directed that corrections and social services agencies that deliver case management services for offenders with serious mental illness develop a formal policy/procedure for delivering those services.

Mr. Kitzman updated the Board regarding a federal audit for out of home placement costs (federal title 4E funding) scheduled next year.

Public Health Discussion

Public Health Director, Diane Thorson, discussed the fall Public Health Conference, application for Otter Tail County Public Health Department to be Part B Medicare Provider, and small pox vaccinations.

Human Services Discussion

Human Services Director, John Dinsmore, discussed the building project as it relates to the Human Services Department and informed the County Board that employee meetings will be taking place regarding the common themes for design at the building. Future planning for expansion at the New York Mills building was discussed. Mr. Dinsmore presented a "Performance Measurement Guidelines & Results Oriented Budgeting Process" handout for Budget Year 2003 planning. He briefed the County Board on the recent Safety Net Redesign meeting.

Otter Tail Family Services Collaborative

Mr. Dinsmore reported that the Otter Tail Family Services Collaborative is now a Minnesota Counties Insurance Trust (MCIT) member for insurance purposes at an annual premium of \$5,971.00. The annual premium will be pro-rated for CY 2002 with an insurance effective date of June 14, 2002.

Approval of Bills and Claims

Motion by Nelson, second by Froemming, and unanimously carried to approve the Human Services bills and claims as presented.

Adjournment

At 10:36 a.m., Chairman Mosher declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, July 16, 2002.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

Attest: _____ By: _____
Larry Krohn, Clerk Dennis Mosher, Human Services Chair

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, June 25, 2002, at 10:46 a.m. at the Otter Tail County Courthouse with Dennis Mosher, Chair; Malcolm Lee, Vice-Chair; Syd Nelson, Roger Froemming, and Bob Block present.

Approval of Agenda

Motion by Lee, second by Froemming, and unanimously carried to approve the County Board agenda of June 25, 2002, as mailed.

Approval of Minutes

Motion by Nelson, second by Block, and unanimously carried to approve the County Board minutes of June 18, 2002, as presented.

Approval to Pay Bills

Motion by Lee, second by Mosher, and unanimously carried to approve payment of County Board bills per Attachment A of these minutes which includes the following lodging payment:

Cragun's Lodge & Conference

Assistant County Attorney, Nicole Hansen
Victim Witness Coordinator, Lori Wood

Billing from City of Fergus Falls

Solid Waste Director, Mike Hanan, reported that he received a bill from the City of Fergus Falls for the transferring of waste from the Fergus Falls Landfill to the Gwinner Landfill. Discussion followed. Commissioners requested that Mr. Hanan send the bill back to the City of Fergus Falls for clarification as to why the County would be responsible for the bill.

Resource Recovery Contract with the City of Fergus Falls

Motion by Block, second by Froemming, and carried with Lee opposed, to authorize the Chair's signature to execute a contract between the County of Otter Tail and the City of Fergus Falls relative to the Resource Recovery Facility located at the RTC location.

Planning Commission Recommendations

Preliminary Plat – "Eagle View Acres"/c/o Sugar Creek Properties:

Motion by Froemming, second by Lee, and unanimously carried to approve the Preliminary Plat known as "Eagle View Acres" consisting of 4 single family residential lots with conditions as

recommended by the Planning Commission. The property is described as GL 3 & NE¼ NW¼, Section 23 of Leaf Lake Township, East Leaf Lake (56-116).

Preliminary Plat & Conditional Use Permit – “Moebius Strip”/Nolan Moebius:

Motion by Mosher, second by Lee, and unanimously carried to approve the Preliminary Plat known as “Moebius Strip” consisting of 6 single family residential lots and a Conditional Use Permit to build a road to service the plat with conditions as recommended by the Planning Commission. The property is described as NE¼ SE¼ & Lot 3 & 4, Section 14 of Tumuli Township, Unnamed (Skauhaug) Lake (56-600).

Preliminary Plat-“Helmeke & Lenius Addition”/Mark & Barbara Lenius and Brad & Pat Helmeke:

Motion by Nelson, second by Froemming, and unanimously carried to approve the Preliminary Plat known as “Helmeke & Lenius Addition” consisting of 4 single family backlots as presented on the revised plat dated June 11, 2002. The property is described as pt of GL 1, Section 3 and pt of GL 4, Section 2 of Edna Township, Little McDonald Lake (56-328).

Conditional Use Permit – Louise Wyborny:

Motion by Nelson, second by Mosher, and unanimously carried to approve a Conditional Use Permit to cut down a hill and fill to cross low land to gain access to property with conditions as recommended by the Planning Commission. The property is described as pt of GL 1, Section 20 of Hobart Township, Rose Lake (56-360).

Conditional Use Permit – Otter Tail County Highway Department:

Motion by Froemming, second by Lee, and unanimously carried to approve a Conditional Use Permit for reconstruction of CSAH No. 52 from TH 106 East approximately 4 miles to TH No. 29 with conditions as recommended by the Planning Commission. The property is described as CSAH 52 from TH 106 E approximately 4 miles, Sections 7, 8, 17, & 18 of Compton Township and 11, 12, 13, & 14 of Deer Creek Township, Deer Creek (56-TR).

Conditional Use Permit – Mike Bleichner:

Land & Resource Director, Bill Kalar, reported that this CUP request is to build an approach from CR 49 into the property where a house will be built. He stated that the Planning Commission recommended approval with several conditions including no docks or boatlifts allowed lakeside of CH No. 49. Mel Klein, of the Marion Lake Association, spoke in opposition of granting a Conditional Use Permit for this request. He stated that the Lake Association is opposed to any intrusion into a fragile wetland area located in the Northeast corner of Marion Lake. Richard Kotchevar, also a member of the Marion Lake Association, spoke in opposition and expressed safety concerns in crossing the road to get to the lake. Marion Lake Property Owner and COLA member, Paul Tangen, referenced language in the County’s Shoreland Management Ordinance regarding location, design, and use of watercraft launching or docking. Joe Maske, Planning Commission member, spoke about the conditions recommended by the Planning Commission. Motion by Nelson, second by Froemming, and carried with Block and Lee opposed, to approve a Conditional Use Permit to put in an approach to access property to build a home with conditions as recommended by the Planning Commission. The property is described as pt GL 1 (17.5 acres), Section 8 of Rush Lake Township, Marion Lake (56-243).

Conditional Use Permit – Matt & Brenda Hobbs:

Mr. Kalar stated that this CUP request was recommended for denial because of lack of representation at the Planning Commission meeting. Shoreland Solutions Consultant, Rob Goral,

spoke on behalf of the applicants and explained that he thought the Planning Commission meeting was Thursday, not Wednesday and that error was the reason for lack of representation. He requested that the County Board consider and approve the proposal on the merits of the application. Discussion followed. Motion by Froemming, second by Nelson, and unanimously carried to refer this Conditional Use Permit request back to the Planning Commission to review the request at their July 10, 2002, meeting. This motion is conditioned upon the applicant's written agreement to waive the 60-day rule.

Conditional Use Permit – Glenn K. & Kathleen A. Carlson:

Motion by Froemming, second by Block, and unanimously carried to approve a Conditional Use Permit to construct a driveway as presented. The property is described as pt GL 3, 7.7 acres in Section 20 of Leaf Lake Township, West Leaf Lake (56-114).

Conditional Use Permit Extension Request

Motion by Nelson, second by Lee, and unanimously carried to extend the deadline for the Conditional Use Permit of Mark & Jocelyn Kerr on Sunset Bay Resort on Dead Lake from July 30, 2002, until July 30, 2003.

Final Plat – “Adair Acres”

Attorney, Kris Svingen, addressed the Board regarding the proposed final plat of Adair Acres on West Battle Lake. Mr. Svingen addressed two concerns involving the mapped location of the Indian Mound and the amount of space shown on the Preliminary Plat between the drainage easement and the Indian Mound buffer zone. Land & Resource Director, Bill Kalar, will further research these issues with surveyor David Anderson, and return to the Board this afternoon for consideration of this final plat.

Culvert Replacements

Motion by Lee, second by Froemming, and carried with Nelson opposed, to authorize a cost share agreement (based on County resolution/policy dated 09/06/77) with Elizabeth Township and Eastern Township to replace a 48 “ or larger culvert in each township. Otter Tail County will pay one-half of the cost of the culvert replacements including permit costs at an estimate of \$10,000 for each project.

Rail Safety Project – Pine Lake Township

MN/DOT Agreement No. 80364

Otter Tail County Resolution No. 2002 - 44

Commissioner Nelson offered the following and moved its adoption:

BE IT RESOLVED, that the Otter Tail County Board of Commissioners enter into an agreement with The Township of Pine Lake, The Burlington Northern and Santa Fe Railway Company, and the Commissioner of Transportation for the closure of railroad crossings and the construction of roadway improvements in Pine Lake Township, Minnesota, and appointing the Commissioner of Transportation agent for the Township to supervise the project and administer available Federal Funds in accordance with Minnesota Statutes, Section 161.36. The County's share of the project's cost shall be zero percent.

BE IT FURTHER RESOLVED, that the Chair of the Board be and is hereby authorized to execute said agreement for and on behalf of the County.

Commissioner Lee seconded the motion and upon being put to a vote, the resolution was unanimously adopted.

Adopted at Fergus Falls, Minnesota, this 25th day of June, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: _____ By: _____
Larry Krohn, Clerk Dennis Mosher, County Board Chair

Central Lakes Trail Project – S.P. 56-090-04

Motion by Nelson, second by Block, and carried with Mosher abstaining, to authorize the following payments for right of way or easement acquisition for the Central Trails Project:

Theodore & Marjorie Delzer	\$ 528.00
Rodney & Mary Moebius	924.00
Nolan & Delores Moebius	
LeRoy & Cynthia Fronning	
Dalton Lumber Company	\$ 561.00
P.O. Box 177	
Dalton, MN	
City of Dalton	\$1,155.00
Robert Dyke, Mayor	
P.O. Box 231	
Dalton, MN 56324	

Facility's Study – New York Mills Building

Physical Plant Manager, Rick Sytsma, briefed the Board regarding a recent meeting with New York Mills economic development groups and rental tenants in the NYM building. He discussed several space and planning issues. He recommended completion of a Facility's Study for the building to assist in making decisions for an overall master plan. Discussion followed. Motion by Block, second by Lee, and unanimously carried to enter into an agreement with Shultz Torgerson Architects to complete a Facility/Space Study for the New York Mills building with a cost not to exceed \$4,500.

Recess & Reconvene

At 12:10 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:04 p.m.

County Ditch No. 12

Several Lida Township Board members introduced discussion regarding County Ditch No. 12. Dick Sha spoke on behalf of the Lida Town Board. He stated that one issue has been resolved in a previous County Board motion regarding the replacement of culverts or clean up of a ditch along the Township Road. The Township is the road authority for that ditch and has jurisdiction over the maintenance of that ditch. The other issue is a huge beaver dam downstream on the Pelican Township side. Mr. Sha explained that it should be removed so it doesn't silt up and affect flowage. Ditch Inspector, Randy Wasvick, presented a map of CD System No. 12. The Township road runs through the two townships, CD No. 12 is to the west and east with several different

branches. It is a large ditch that flows all the way to Maplewood. Mr. Wasvick stated that the beaver dam could be removed with a backhoe. Motion by Lee, second by Froemming, and unanimously carried to authorize clean out of the beaver dam in Ditch No. 12 in Pelican Township as described and recommended by the Ditch Inspector.

License Applications

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

- | | |
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| ++Battle View Landing
22540 County Highway 5
Henning, MN 56551 | On-Sale Wine |
| Huckleberry's
29961 415 St
Dent, MN 56525 | On-Sale Liquor and Sunday Liquor |
| *Kalk-Young Inc.
Oakwood Supper Club
Highway 16
Henning, MN 56551 | On-Sale Liquor and Sunday Liquor |
| *Lakeway Golf Course, Inc
16319 Golf Course Road
Dalton, MN 56324 | On/Off Sale 3.2 Malt Liquor |
| ***The Pier
Pier Hospitality Corp
Highway 78
PO Box 128
Ottertail, MN 56571 | On-Sale Liquor and Sunday Liquor |
| **Riverfront Lounge
33630 Highway 1
Underwood, MN 56586 | On-Sale Wine
On-Sale 3.2 Malt Liquor |
| **Rocky's Resort
31370 Highway 108
Dent, MN 56528 | On/Off-Sale 3.2 Malt Liquor |
| +Spanky's in the Pink, Inc. | On-Sale Liquor and Sunday Liquor |
| *Trackside Restaurant and Lounge
63131 Highway 10 West
PO Box 546
Wadena, MN 56482 | On-Sale Liquor |
| Vacationland
38555 Wagon Trail Loop
Battle Lake, MN 56515 | On-Sale 3.2 Malt Liquor |

*Subject to the approval of the County Attorney's office and to the approval of the County Sheriff's office.

**Subject to the approval of the County Attorney's office.

***Subject to the approval of the County Attorney's office, the County Sheriff's office, and to the approval of the Township.

+Subject to the approval of the County Attorney's office, the County Sheriff's office, to the submission of the required insurance certificate, to the submission of the application and its related fee.

++Subject to the submission of the required insurance certificate.

HRA Board Reappointment – Art Schwartz

Motion by Nelson, second by Froemming, and unanimously carried to re-appoint Art Schwartz to the Otter Tail County Housing and Redevelopment Authority for a term beginning August 1, 2002 and ending July 31, 2007.

Application for Exempt Permit

Motion by Nelson, second by Block, and unanimously carried to approve the Application for Exempt Permit as submitted by the Holy Cross Church, with no waiting period, for an event scheduled for Sunday, September 8, 2002, at the Holy Cross Church Parish Hall.

Purchase of Optical Scan Units for Voting

Motion by Lee, second by Froemming, and unanimously carried to authorize the County Auditor's signature on the sales order form for the purchase of 26 ES&S Model 100 precinct based optical scan units.

Payment Approval

Motion by Lee, second by Block, and unanimously carried to approve payment to the Otter Tail County Highway Department, in the amount of \$832.25, for disposal costs related to the demolition of the Field's (tax forfeited) property in the City of Pelican Rapids.

Final Plat – "Adair Acres"

Motion by Froemming, second by Mosher, and unanimously carried to approve the Final Plat of Patrick L. & Laurie A. Thompson known as "Adair Acres" which consists of 13 backlots in Section 31 & 32 in Girard Township, West Battle Lake.

Correspondence Acknowledged

Chairman Mosher acknowledged correspondence from the St. Olaf Township Board regarding high water concerns on several roads within their Township. Highway Engineer, Rick West responded to the letter.

Adjournment

At 2:10 p.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, July 9, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: _____
Larry Krohn, Clerk

By: _____
Dennis Mosher, County Board Chair