

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Otter Tail County Courthouse  
Commissioners' Room, Floor 1-B  
Tuesday, February 18, 2003  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, February 18, 2003, at 9:30 a.m. at the Otter Tail County Courthouse with Commissioners Malcolm Lee, Chair; Syd Nelson, Vice-Chair; Dennis Mosher, Roger Froemming, and Bob Block present.

**Approval of Agenda**

Motion by Mosher, second by Froemming, and unanimously carried to approve the County Board agenda of February 18, 2003, as mailed.

**Approval of Minutes**

Motion by Nelson, second by Mosher, and unanimously carried to approve the County Board minutes of February 11, 2003, as mailed.

**Approval to Pay Bills**

Motion by Froemming, second by Block, and unanimously carried to approve payment of County Board bills per Attachment A of these minutes.

**EOT History Museum**

Lina Belar, History Museum Director, presented a video showing the histories of WWII Veterans. This project will be ongoing to preserve the stories of these veterans.

**Application for Exempt Permit**

Motion by Froemming, second by Mosher, and unanimously carried to approve, with no waiting period, the LG220 Application for Exempt Permit as submitted by the Maidens of the Prairie to Lakes DU for an event on Tuesday, April 29, 2003, at the Peak Supper Club.

**Land Surveyor's Certificate of Correction to Plat**

Motion by Lee, second by Block, and unanimously carried to approve the attached Land Surveyor's Certificate of Correction to the Plat of Crystal Beach (Attachment B of Official Minutes) located in Section 24 of Dora Township.

**Liquor License**

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

Blue Water Restaurant and Sports Bar  
Pelican Rapids, MN

3.2 Off-Sale Beer License

**RESOLUTION  
AGREEMENT NO. 80756  
SIGNALS & GATES – CROSSING NO. 695662U  
S.P. 56-00115**

**Otter Tail County Resolution No. 2003 - 12**

Upon a motion by Nelson, seconded by Block, and unanimously carried, the following resolution was adopted:

BE IT RESOLVED, that the County of Otter Tail enter into an agreement with the Soo Line Railroad Company (D/B/A/ Canadian Pacific Railway Company) and the Commissioner of Transportation for the installation and maintenance of railroad flashing light signals, gates, and circuitry at the intersection of CSAH 35 with the tracks of the Soo Line Railroad Company in Otter Tail County, Minnesota, and appointing the Commissioner of Transportation agent for the County to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.35. The County's share of the cost shall be 10 percent of the total signal cost.

BE IT FURTHER RESOLVED, that the County Board Chairman and the County Board Clerk be and they are hereby authorized to execute said agreement and any amendments thereto for and on behalf of the County.

Adopted at Fergus Falls, Minnesota this 18<sup>th</sup> day of February, 2003.

Dated: \_\_\_\_\_ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Malcolm K. Lee, County Board Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

#### **Recess & Reconvene**

At 10:16 a.m., Chair Lee declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 10:20 a.m.

#### **Change Order for Government Services Center**

Motion by Block, second by Lee, and unanimously carried to authorize Change Order No. CO 4B.01 for additional brick tuckpointing on the building, in the amount of \$19,150.00, payable to BRADCO Restoration, Inc. of Fergus Falls.

#### **Closed to the Public**

At 10:28 a.m., Chair Lee declared the meeting of the Otter Tail County Board of Commissioners closed to the public for the purpose of evaluating the performance of Land & Resource Director, Bill Kalar, pursuant to M.S. Chapter 13D.05 Subd. 3. All five seated commissioners were present for the evaluation. A summary of performance conclusions will be provided at the next regular County Board meeting.

#### **Reconvene in Open Session**

At 11:09 a.m., upon conclusion of the closed session, Chair Lee declared the meeting of the Otter Tail County Board of Commissioners reconvened.

#### **Planning Commission Recommendations**

##### Preliminary Plat & Conditional Use Permit – "Woodland Sands"/Olson Properties:

Land & Resource Director, Bill Kalar, stated that the Preliminary Plat and Conditional Use Permit for "Woodland Sands" was recommended for approval by the Planning Commission with conditions. Mr. Kalar presented a map of the area and explained the condition that would require Clitherall Lake Rd S. to connect with Sylvanus Trail providing a through road. Chairman Lee opened the floor to comment. Attorney Bob Bigwood, representing the

developer, requested that the County Board approve the preliminary plat without the two road conditions recommended by the Planning Commission and provided a written proposal with the rationale for the request. Attorney Bob Russell, representing Mr. Bergquist (an applicant), stated that the parties negotiated this exchange of property with the knowledge that there would not be a through road. Mr. Bergquist would like the property to be pristine. Mr. Russell encouraged approval without the condition to connect the roadways. Discussion followed. Motion by Mosher, second by Froemming, and unanimously carried to approve the Revised Plan (received by Land & Resource Management January 23, 2003) for the Preliminary Plat known as "Woodland Sands" and the Conditional Use Permit to construct a road with conditions as recommended by the Planning Commission. The property is described as pt. of Gov. Lot 4 (21.8 Ac & 4.65 Ac Tracts), Section 23 and pt. of Gov. Lot 1 (1.45 Ac Tract), Section 26 of Clitherall Township; Clitherall Lake (56-238).

Preliminary Plat – "Ormberg Addition"/Gene Ormberg:

Motion by Nelson, second by Froemming, and unanimously carried to approve the Preliminary Plat known as "Ormberg Addition" consisting of 6 residential backlots and one non-residential backlot with conditions as recommended by the Planning Commission. The property is described as pt. of subplot 3 in Gov. Lot 1 (23.81 Ac) section 2 of Dead Lake Township; Marion Lake (56-243).

Preliminary Plat – "Zavoral's Lookout"/Daniel & Kristie Zavoral:

Motion by Lee, second by Mosher, and unanimously carried to approve the Preliminary Plat known as "Zavoral's Lookout" consisting of 4 backlots as presented. The property is described as Gov. Lot 8 ex Platted (36.75 Ac), Section 36 of Candor Township; Loon Lake (56-523).

Preliminary Plat – "D & J Estates Third Addition"/D & J Estates:

Motion by Lee, second by Block, and unanimously carried to approve the Preliminary Plat known as "D & J Estates Third Addition" consisting of 2 non-residential backlots as presented. The Property is described as GL 7 ex. tr ex. platted, Section 9 of Star Lake Township; Star Lake (56-385).

Preliminary Plat – "Riverpointe"/Milt Paulson:

Motion by Froemming, second by Nelson, and unanimously carried to approve the Preliminary Plat known as "Riverpointe" consisting of 18 single family residential lots with conditions as recommended by the Planning Commission. The property is described as GL 7 & 8, Section 28 & GL 1, Section 29 of Maine Township; Otter Tail River (56-OTR).

Conditional Use Permit – Friberg Township:

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit for roadwork with conditions as recommended by the Planning Commission. The property is described as Tonseth Lake Road and Tonseth Lake Lane, Section 4 of Friberg Township; Tonseth Lake (56-690).

### **Beaver Damage Control Funding**

Mr. Kalar reported that the Minnesota Department of Agriculture sent a letter stating that all contracts providing funds for Beaver Damage Control are terminated.

**Road Standards**

Land & Resource Director, Bill Kalar, and Highway Engineer, Rick West, provided copies of the Minimum Road Standards from the Subdivision Controls Ordinance and discussed concerns with quality and possible ways the current system could be fixed.

**Recess & Reconvene**

At 12:08 p.m., Chair Lee declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:18 p.m.

**Quit Claim Deed**

Motion by Nelson, second by Froemming, and unanimously carried to authorize the Chair's signature to execute a Quit Claim Deed between the County of Otter Tail and Gary M. & Ann M. Fruth. The property is located in the (NW¼ NW¼) of Section 35, Township 131 North, Range 39 West in Otter Tail County.

**Closed to the Public**

At 1:21 p.m., Chair Lee declared the meeting of the Otter Tail County Board of Commissioners closed to the public for the purpose of evaluating the performance of Solid Waste Director, Mike Hanan, pursuant to M.S. Chapter 13D.05 Subd. 3. All five seated commissioners were present for the evaluation. A summary of performance conclusions will be provided at the next regular County Board meeting.

**Adjournment**

At 1:30 p.m., upon conclusion of the performance evaluation, Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, February 25, 2003.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Malcolm K. Lee, County Board Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk