

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
New York Mills Offices
First Floor Conference Room
Tuesday, May 20, 2003
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, May 20, 2003, at 9:35 a.m. at the New York Mills County Offices with Commissioners Malcolm Lee, Chair; Syd Nelson, Vice-Chair; Dennis Mosher, Roger Froemming, and Bob Block present.

Approval of Agenda

Motion by Froemming, second by Mosher, and unanimously carried to approve the County Board agenda of May 20, 2003, with the following changes:

9:30 a.m. – Don Schultz - canceled
11:45 a.m. – Chuck Johnson – TIF Districts

Approval of Minutes

Motion by Nelson, second by Mosher, and unanimously carried to approve the County Board minutes of May 13, 2003, as mailed.

Approval to Pay Bills

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

Property Classification Discussion

Tom Helcl and Assessor, Bob Moe, discussed a classification issue regarding Wild Walleye Resort. Mr. Moe reported the reason a homestead application was sent to Mr. Helcl and informed him that he has until next December to fill out this application. They will meet and resolve the classification issues.

**Resolution Authorizing Sponsorship of
Snowmobile/Cross Country Ski Trails Operated by the
Henning Snow Cruiser's Trail Association
Otter Tail County Resolution No. 2003 - 35**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, Otter Tail County has sponsored Grant-In-Aid Systems in the past; and

WHEREAS, Otter Tail County shall continue to sponsor snowmobile trail systems as they exist for Henning Snow Cruisers; and

BE IT RESOLVED, that Otter Tail County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for Maintenance of snowmobile/ski trails managed by the Henning Snow Cruisers.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Henning Snow Cruisers – Otter Tail County may enter into an agreement with the State of Minnesota

for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED that Otter Tail County Land & Resource Director, Bill Kalar, is authorized to sign such an agreement with the Department of Natural Resources and serve as fiscal agent for the above referenced project.

Commissioner Mosher seconded the resolution and, upon being put to vote, was unanimously adopted.

Adopted this 20th day of May, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

**Resolution Authorizing Sponsorship of
Snowmobile/Cross Country Ski Trails Operated by the
Henning Snow Cruiser's Trail Association
Otter Tail County Resolution No. 2003 - 36**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, Otter Tail County has sponsored Grant-In-Aid Systems in the past; and

WHEREAS, the Henning Snow Cruiser's Snowmobile Club has added four (4) miles of trail from Henning to 480th Avenue West of Henning.

BE IT RESOLVED, that Otter Tail County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for Maintenance of snowmobile/ski trails managed by the Henning Snow Cruisers.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Henning Snow Cruisers – Otter Tail County may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED that Otter Tail County Land & Resource Director, Bill Kalar, is authorized to sign such an agreement with the Department of Natural Resources and serve as fiscal agent for the above referenced project.

Commissioner Mosher seconded the resolution and, upon being put to vote, was unanimously adopted.

Adopted this 20th day of May, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

**Resolution Authorizing Sponsorship of
Snowmobile/Cross Country Ski Trails Operated by the
Otter Trail Riders Trail Association
Otter Tail County Resolution No. 2003 - 37**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, Otter Tail County has sponsored Grant-In-Aid Systems in the past; and

WHEREAS, Otter Tail County shall continue to sponsor snowmobile trail systems as they exist for Otter Trail Riders.

BE IT RESOLVED, that Otter Tail County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for Maintenance of snowmobile/ski trails managed by the Otter Trail Riders.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Otter Trail Riders – Otter Tail County may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED that Otter Tail County Land & Resource Director, Bill Kalar, is authorized to sign such an agreement with the Department of Natural Resources and serve as fiscal agent for the above referenced project.

Commissioner Mosher seconded the resolution and, upon being put to vote, was unanimously adopted.

Adopted this 20th day of May, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

**Resolution Authorizing Sponsorship of
Snowmobile/Cross Country Ski Trail Operated by the
Otter Trail Riders Trail Association known as "The Oakwood Trail"
Otter Tail County Resolution No. 2003 - 38**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, Otter Tail County has sponsored Grant-In-Aid Systems in the past; and

WHEREAS, the Otter Trail Riders Snowmobile Club has added approximately nine (9) miles of trail from the City of Otter Tail to Henning; and

WHEREAS, this trail is known as "The Oakwood Trail".

BE IT RESOLVED, that Otter Tail County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for maintenance and grooming of The Oakwood Trail managed by the Otter Trail Riders.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Otter Trail Riders – Otter Tail County may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED that Otter Tail County Land & Resource Director, Bill Kalar, is authorized to sign such an agreement with the Department of Natural Resources and serve as fiscal agent for the above referenced project.

Commissioner Nelson seconded the resolution and, upon being put to vote, was unanimously adopted.

Adopted this 20th day of May, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

**Resolution Authorizing Sponsorship of
Snowmobile/Cross Country Ski Trails Operated by the
Prairie SnowDrifter's Trail Association
Otter Tail County Resolution No. 2003 - 39**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, Otter Tail County has sponsored Grant-In-Aid Systems in the past; and

WHEREAS, Otter Tail County shall continue to sponsor snowmobile trail systems as they exist for the Prairie SnowDrifters.

BE IT RESOLVED, that Otter Tail County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for Maintenance of snowmobile/ski trails managed by the Prairie SnowDrifters.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Prairie SnowDrifters – Otter Tail County may enter into an agreement with the State of Minnesota for

the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED that Otter Tail County Land & Resource Director, Bill Kalar, is authorized to sign such an agreement with the Department of Natural Resources and serve as fiscal agent for the above referenced project.

Commissioner Mosher seconded the resolution and, upon being put to vote, was unanimously adopted.

Adopted this 20th day of May, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

**Resolution Authorizing Sponsorship of
Snowmobile/Cross Country Ski Trail Operated by the
Prairie SnowDrifters Trail Association's Proposed New Trail
Otter Tail County Resolution No. 2003 - 40**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, Otter Tail County has sponsored Grant-In-Aid Systems in the past; and

WHEREAS, the Prairie SnowDrifters Snowmobile Club has added approximately eight (8) miles of trail from the City of Parkers Prairie North on Highway 29.

BE IT RESOLVED, that Otter Tail County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for maintenance and grooming of this proposed new trail on Highway 29 managed by the Prairie SnowDrifters.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Prairie SnowDrifters – Otter Tail County may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED that Otter Tail County Land & Resource Director, Bill Kalar, is authorized to sign such an agreement with the Department of Natural Resources and serve as fiscal agent for the above referenced project.

Commissioner Nelson seconded the resolution and, upon being put to vote, was unanimously adopted.

Adopted this 20th day of May, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

Payment Approval

Motion by Nelson, second by Block, and unanimously carried to authorize payment, in the amount of \$250, to the Family Services Collaborative for the annual partnership payment for Otter Tail County.

Performance Evaluation Reconvene

At 10:40 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 Highway Engineer, Rick West, 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. The County Board of Commissioners meeting was reconvened in open session at 11:05 a.m.

Support of Extension Regional Office

Motion by Nelson, second by Froemming, and unanimously carried that Otter Tail County supports the University of Minnesota Extension Regional Office concept and supports housing a Regional Office in Otter Tail County. Further, Otter Tail County is willing to work with the University of Minnesota to provide an appropriate Regional Office.

Planning Commission

Preliminary Plat - "Nelsons Subdivision"/Phillip Nelson:

Motion by Mosher, second by Block, and unanimously carried to approve the Preliminary Plat known as "Nelsons Subdivision" consisting of 2 lots for single family residential use as presented. The property is described as GL 1 & Pt NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying W...(7.15 acres), Section 35 of Tordenskjold Township; (56-437).

Preliminary Plat & Conditional Use Permit—"Oak Ridge Estates Third Addition"/Ron Goodman:

Motion by Nelson, second by Mosher, and unanimously carried to approve the Preliminary Plat known as "Oak Ridge Estates Third Addition" consisting of 6 lots and a Conditional Use Permit to construct a road to service the plat with conditions as recommended by the Planning Commission. The property is described as S $\frac{1}{2}$ SW $\frac{1}{4}$, GL 3 ex tr, GL 4 & 5 ex platted & Lot 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$ ex platted & ex trs, Section 10 of Hobart Township; Wimer Lake (56-355).

Conditional Use Permit – Robert & Loreli Westby:

Motion by Mosher, second by Froemming, and unanimously carried to approve a Conditional Use Permit for a taxidermy business with conditions as recommended by the Planning Commission. The property is described as SW $\frac{1}{4}$ lying W of Hwy #35 ex tr (45.13 Acres), Section 1 & E $\frac{1}{2}$ SE $\frac{1}{4}$ ex tr in SE $\frac{1}{4}$ SE $\frac{1}{4}$ (78.47 Acres) Section 2 of Tumuli Township; Unnamed Lake (56-582).

Conditional Use Permit – Monk Family Trust (Boardwalk at Balmoral):

Motion by Froemming, second by Nelson, and unanimously carried to approve a Conditional Use Permit to use Unit #1 as a Real Estate Sales Office with conditions as recommended by the Planning Commission. The property is described as "The Boardwalk at Balmoral" Unit 1 of Pt GL 3 (1.87 Acres) Section 31 of Otter Tail Township; Otter Tail Lake (56-242).

Preliminary Plat & Conditional Use Permit – "Woodland Sands"/David Huckle, Marvin Huckle, Jay Johnson & Olson Properties:

Motion by Mosher, second by Block, and unanimously carried to approve the Preliminary Plat known as "Woodland Sands" consisting of 8 residential lots and 5 non-residential backlots, and to approve a Conditional Use Permit to construct a road to service the plat with conditions as recommended by the Planning Commission. The property is described as Pt of GL 4 (21.8 Acres) Section 23 & Pt of GL 1 (1.45 Acres) Section 26 of Clitherall Township; Clitherall Lake (56-238).

Preliminary Plat – "Ohana Point"/Barbara Amundson Tst:

Motion by Froemming, second by Nelson, and unanimously carried to approve the Preliminary Plat known as "Ohana Point" consisting of 4 residential lots and to approve a Conditional Use Permit to construct a road to service the development with conditions as recommended by the Planning Commission. The property is described as W ½ SW ¼, SE ¼ SW ¼, GL 3 & E 47 Rods of GL 2 ex trs... (60.25 Acres) & E 345.4' of 888.08' of N 565' of GL 2... (9.86 Acres) Section 21 of Leaf Lake Township; West Leaf Lake (56-114).

Conditional Use Permit – Keith Eitrem et al % Dianne Burma:

Motion by Mosher, second by Froemming, and unanimously carried to approve a Conditional Use Permit to add a 24 x 24 addition to an existing dwelling with conditions as recommended by the Planning Commission. The property is described as Eagle Lake Beach Lot 1 & 2 & ½ vac alley Rd adj and Lot 3 & S 12' of Lot 4 & vac alley adj, Section 10 of Eagle Lake Township; Eagle Lake (56-253).

Waiver for Tax Increment Financing Districts

Chuck Johnson, representing the City of Perham, requested a waiver of the 30-day comment period in order to move forward with two Tax Increment Financing projects. Motion by Nelson, second by Mosher, and unanimously carried to waive the 30-day comment period for the City of Perham TIF District 2-22, which is a construction project involving an additional 99,000 sq. ft. building for Barrel O Fun. Motion by Nelson, second by Froemming, and unanimously carried to waive the 30-day comment period for City of Perham TIF District 2-23, which involves construction of a retail gallery.

Recess & Reconvene

At 11:40 a.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 12:53 p.m.

Highway Contract – S.A.P. 56-653-07 & Etc.

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Chair's signature to execute a Highway Construction Contract between the County of Otter Tail and Mark Sand & Gravel Co. for overlay work on CSAH No. 53, CSAH No. 58, and CSAH No. 75, with a total project amount of \$1,252,500.05.

Highway Contracts – Seasonal Supply of Bituminous Material

Motion by Nelson, second by Block, and unanimously carried to authorize the Chair's signature to execute Highway Contracts for 2003 Seasonal Supply of Bituminous Material as follows:

Bituminous Material for EOT	Mark Sand & Gravel Co.
Bituminous Material for WOT	Mark Sand & Gravel Co.
Bituminous Material for NOT	Mark Sand & Gravel Co.

High Water Situations

Highway Engineer, Rick West, reported high water and erosion problems on Highway #12 by Johnson Lake, Highway #22 north of Zorbaz, Highway #4 east of Highway #31, and Highway #10 on Oscar Lake.

License Applications

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

Tom's Amoco Henning, MN	Off-Sale 3.2 Malt Liquor
Wee Villa Resort** Fergus Falls, MN	On-Off Sale 3.2 Malt Liquor
Zorbaz on Little Pine	On Sale Liquor and On Sale Sunday Liquor Perham, MN

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

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

Certificate of Correction to Plat

Motion by Mosher, second by Nelson, and unanimously carried to approve the Land Surveyor's Certificate of Correction to the plat of "Rosenquist Beach" dated May 15, 2003.

Coalition of Lakes Association (COLA)

Coalition of Lakes Association Representative, Gary Cruff, presented the 2002 Otter Tail COLA lakes data annual publication. Mr. Cruff reviewed the book and discussed the water monitoring program. He reported that there were 19 new lakes participating in the water monitoring program during 2002.

Tuition Reimbursement

Discussion took place regarding tuition assistance/reimbursement. The County Board determined that the provision in the Personnel Rules (3.B) is adequate for purposes of determining reimbursement for training/education.

Approval of Change Orders for Remodeling Project

Motion by Block, second by Lee, and unanimously carried to approve the following Change Orders for the remodeling project at the GSC:

All Building Corporation	CO. 2B/3A – 01	\$38,637.38	Excavation and Concrete Work
Comstock Construction	CO 6B.02	\$53,551.03	General Construction

Final Payment

Motion by Mosher, second by Nelson, and unanimously carried to approve Final Payment, in the amount of \$23,242.05, to All Building Corporation for completion of the remodeling work at the GSC.

Bid Award – Furniture at GSC

After re-advertising for bids for furniture at the GSC, Physical Plant Engineer, Rick Sytsma, opened the following bids:

Line Item 1 for Personal Lockers:

Cooper's - \$187,704.10	Hannaher's – No Bid	Office Source - \$150,000.00 (A)
Office Source – \$190,640.00 (A)	WorkXite - \$201,648.76	WorkXite - \$196,676.81 (A)
WorkXite - \$164,227.26 (A)		

Line Item 2 for Supplemental Storage:

Cooper's - \$21,762.8	Hannaher's – No Bid	Office Source - \$18,170.00
Office Source - \$24,150.00	WorkXite - \$23,706.70	WorkXite - \$18,326.06
WorkXite - \$18,326.06		

Line Item 3 for Recorder's Storage:

Cooper's - \$39,721.85	Hannaher's \$62,373.85	Office Source – No Bid
Office Source – No Bid	WorkXite – No Bid	WorkXite – No Bid
WorkXite – No Bid	WorkXite – No Bid	

Motion by Block, second by Lee, to award Line Items #1 (Personal Lockers) and #2 (Supplemental Storage) to WorkXite in the amount of \$201,646.76 for Line 1 and \$23,706.70 for Line 2 because of superior quality of the product presented for evaluation. Chairman Lee called for a roll call vote:

Commission District 2	Lee	Yea
Commission District 5	Block	Yea
Commission District 4	Froemming	Nay
Commission District 3	Mosher	Nay
Commission District 1	Nelson	Yea

Motion carried 3-2.

Motion by Mosher, second by Block, and unanimously carried to award Line Item #3 for Recorder's Storage to Cooper's in the amount of \$39,721.85.

**REQUEST TO PARTNER WITH STATE PROJECT
 AT THE REGIONAL TREATMENT CENTER GROUNDS IN FERGUS FALLS
 OTTER TAIL COUNTY RESOLUTION NO. 2003 - 41**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, Otter Tail County is in the midst of a remodeling project at the Government Services Center adjacent to the grounds of the Fergus Falls Regional Treatment Center; and

WHEREAS, the State of Minnesota is in the midst of a road improvement project on the grounds of the Regional Treatment Center location; and

WHEREAS, Otter Tail County wishes to widen its access road to the Government Services Center; and

WHEREAS, the project can be included in the State road project at a cost of less than \$50,000, which funds are available in the County's construction project budget; and

NOW, THEREFORE, BE IT RESOLVED, that the County of Otter Tail will reimburse the State of Minnesota for cost of the itemized change order to perform the County's project as is indicated on the redline project marked Exhibit A and as part of the project.

Commissioner Mosher seconded the motion, and Chairman Lee called for a roll call vote:

Commission District 1	Nelson	Yea
Commission District 4	Froemming	Yea
Commission District 3	Mosher	Yea
Commission District 5	Block	Yea
Commission District 2	Lee	Yea

Adopted on the 20th day of May, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

Approval of Proposal for Move Coordination Planning

Motion by Nelson, second by Froemming, and unanimously carried to approve an agreement with Shultz Torgerson Architects for Phase 1 and Phase 2 for planning the coordination to move to the GSC, with a not to exceed cost of \$4,000, as recommended by the Physical Plant Manager.

Lease Approval

Motion by Nelson, second by Froemming, and unanimously carried to approve a three year rental lease with Time Communications at \$7.25 per sq. foot, subject to an annual cost of living increase.

Perham Resource Recovery Facility Meetings

Motion by Mosher, second by Block, and unanimously carried to request that Commissioner Malcolm Lee attend meetings regarding the Perham Resource Recovery Facility.

Adjournment

At 2:29 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, May 27, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk