

**MINUTES OF THE  
 OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
 Otter Tail County Courthouse  
 Commissioners' Room, Floor 1-B  
 Tuesday, May 27, 2003  
 9:30 a.m.**

**Call to Order**

The Otter Tail County Human Services Board convened Tuesday, May 27, 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 Froemming, second by Nelson, and unanimously carried to approve the Human Services agenda of May 27, 2003, as presented.

**Approval of Minutes**

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

**Animal Control Ordinance Hearing**

Chairman Lee convened an Animal Control Ordinance Hearing with the dog's owner, Gene Smith, and Public Health Nurse, Jodi Misegades. There have been two incidents of bites by the dog named Ozzie, resulting in the need for the hearing. Mr. Smith and Ms. Misegades met with the County Attorney and reached an agreement. Motion by Block, second by Mosher, and unanimously carried to accept the Stipulation Agreement calling for a posting of "Beware of Dog" signs and the construction of a kennel so that the dog cannot approach people. A determination was made that Ozzie is a danger to public safety. Chairman Lee closed the hearing. The County Attorney's Office will prepare an order for the next regularly scheduled Human Services Board Meeting.

**Dental Program Update**

Public Health Director, Diane Thorson, presented statistics regarding the dental clinics for the past five years. Discussion was held regarding partnering with the Department of Human Services or turning the current program over to DHA. Concerns were expressed over legislative budget cuts and the \$210,000 deficit in the Public Health budget. Motion by Block, second by Nelson, to continue the current program for the remainder of 2003 and re-evaluate for next year. Chairman Lee called for a roll call vote:

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

Motion failed.

### **Immunization Report**

Ms. Thorson presented the most recent immunization report. Efforts between the Public Health Department, health care providers, and schools have had positive results. Immunization rates now exceed state averages.

### **Legislative Update – Corrections**

Court Services Director, Chuck Kitzman, reported that the 50% reimbursement for Probation Officers would drop to 42%. Juvenile Placement Funding has been cut by \$74,000. Mr. Kitzman will continue to update the Commissioners in the future on budget cuts.

### **West Central Regional Juvenile Center**

Mr. Kitzman reported that Otter Tail County has received a proposal from the West Central Regional Juvenile Center in Clay County. The Center has run a deficit of \$437,286 and proposes a formula for the participating counties to share in solving this problem. David Hauser, County Attorney, stated that Otter Tail County is under no obligation to help fund this deficit. Barry Steen, Director of West Central Regional Juvenile Center, will attend the next Human Services Board meeting to make a presentation.

### **Legislative Update – Human Services**

Human Services Director, John Dinsmore, provided financial information concerning legislative budget cuts and methods of dealing with these cuts. Mr. Dinsmore will be conducting public CSSA (Community Social Service Act) meetings throughout Otter Tail County in June.

### **Region IV Mental Health Safety Net Redesign Council**

Mr. Dinsmore presented a letter that he and Doug Seiler, Department of Human Services (DHS) had written to Department of Human Services Commissioner, Kevin Goodno. Mr. Dinsmore and Mr. Seiler are Co-chairs of the Safety Net Redesign Council. The letter was proposing an amendment to the Compact regarding the service delivery for individuals with serious mental illness.

### **Bill & Claims**

Motion by Mosher, second by Block, and unanimously carried to approve the Human Services bills & claims as presented.

### **Adjournment**

At 11:00 a.m., Chairman Lee declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, June 10, 2003.

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

OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: \_\_\_\_\_

Malcolm K. Lee, Human Services Chair

Attest: \_\_\_\_\_

Larry Krohn, Clerk

### **Call to Order – County Board**

The Otter Tail County Board of Commissioners convened Tuesday, May 27, 2003, at 11:00 a.m. at the Otter Tail County Courthouse with Malcolm Lee, Chair; Syd Nelson, Vice-Chair; Roger Froemming, Dennis Mosher, and Bob Block present.

### **Approval of Agenda**

Motion by Nelson, second by Froemming, and unanimously carried to approve the County Board agenda of May 27, 2003, with the following changes:

Physical Plant Manager, Rick Sytsma – Cancelled at 1:40 p.m.

### **Approval of Minutes**

Motion by Mosher, second by Froemming, and unanimously carried to approve the County Board minutes of May 20, 2003, as mailed.

### **Approval to Pay Bills**

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

### **Planning Commission**

#### Preliminary Plat - "Boyum's Plat"/Paul Boyum:

Motion by Mosher, second by Froemming, and unanimously carried to approve the Preliminary Plat known as "Boyum's Plat" consisting of 2 lots for single family residential use, with conditions as recommended by the Planning Commission. The property is described as S 320.2' of SL 4 of GL 2 app 360" on 1k, Section 14 of Clitherall Township; Clitherall Lake (56-238).

#### Preliminary Plat – "Nebraska Beach Second Addition"/Ron Goodman:

Motion by Nelson, second by Block, and unanimously carried to approve the Preliminary Plat known as "Nebraska Beach Second Addition" consisting of 2 lots 1 Blk for single family residential use, with conditions as recommended by the Planning Commission. The property is described as S½SW¼, GL 3, ex tr, GL 4..(185.97) Section 10 of Hobart Township; Wimer Lake (56-355).

#### Preliminary Plat & Conditional Use Permit – "McKinnon's Star Lake View"/Robert McKinnon:

Motion by Lee, second by Mosher, and unanimously carried to approve the Preliminary Plat known as "McKinnon's Star Lake View" consisting of 11 lots 2 Blks for single family residential use and a Conditional Use Permit to construct a road, with conditions as recommended by the Planning Commission. The property is described as Lot 3 & 4 & NE¼ SE¼ ex pts platted & ex tr (107.63Ac), Section 35 of Dora Township; Star Lake (56-385).

#### Preliminary Plat & Conditional Use Permit – "Big Pine Haven"/Rick Heinle & Don Meyer:

Motion by Nelson, second by Froemming, and unanimously carried to approve the Preliminary Plat known as "Big Pine Haven" consisting of 11 lots 1 Blk for single family residential use, and to construct a road to service the plat with conditions as recommended by the Planning Commission. The property is described as Lot 4 (23.4 AC), Section 22 of Pine Lake Township; Big Pine Lake (56-130).

Preliminary Plat – “Yellow Lab Beach”/Bruce & Marsha Qvammen:

Motion by Lee, second by Mosher, and unanimously carried to approve the Preliminary Plat known as “Yellow Lab Beach” consisting of 7 lots 1 Blk for single family residential use as recommended by the Planning Commission. The property is described as Pt of GL 7 & 8 (6.58 AC) in Section 27 and Pt of GL 2 & 3 (28.26 AC) in Section 34 of Dunn Township; Franklin Lake (56-759).

**Resolution Authorizing Sponsorship of  
Snowmobile/Cross Country Ski Trails Operated by the  
Lake Runners Trail Association  
Otter Tail County Resolution No. 2003 – 42**

Commissioner Mosher offered the following and moved its adoption:

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

WHEREAS, the Lake Runners Trail Association wishes to make improvements on an existing trail in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 2, Scambler Township.

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 Modernization of snowmobile/ski trails managed by the Lake Runners Trail Association.

BE IT FURTHER RESOLVED that upon approval of its application by the state, Lake Runners Trail Association – 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 Lee seconded the resolution and, upon being put to vote, was unanimously adopted.

Adopted this 27<sup>th</sup> day of May, 2003.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Malcolm K. Lee, County Board Chair

Attest: \_\_\_\_\_

Larry Krohn, Clerk

**Resolution for Proposed  
Dalton To Underwood Extension To  
Grant-In-Aid Trail**

**Otter Tail County Resolution No. 2003 - 43**

Commissioner Block offered the following and moved its adoption subject to amending the current contract between the County of Otter Tail and Otter Country Trail Association to include the proposed Dalton to Underwood Trail in the contract:

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

WHEREAS, acceptance of the Grant-In-Aid System proposed extensions are subject to the review and approval of the County Attorney; and

WHEREAS, if funding from the State of Minnesota becomes available for additional Trails into the current Grant-In Aid System;

WHEREAS, County sponsorship is required to obtain funding for trail extensions; and

WHEREAS, proposed trail extension is on ground with all needed permits acquired.

THEREFORE, BE IT RESOLVED that Otter Tail County shall sponsor the proposed Dalton to Underwood extension to Grant-In-Aid Trail.

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

Adopted this 27<sup>th</sup> day of May, 2003.

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

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

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

**Tobacco License Application**

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

Pelican Hills Park, Inc. Tobacco  
20098 S. Pelican Dr.  
Pelican Rapids, MN 56572

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

Motion by Mosher, second by Froemming, and unanimously carried to approve the certificate of correction to the plat of Sub Lot B of Section 33, Township 133 Range 39 as prepared by David A. Anderson, Professional Land Surveyor – Minn. License No. 13620.

### **Application for Exempt Permit**

Motion by Lee, second by Mosher, and unanimously carried to accept an Application for Exempt Permit (LG220) for an event scheduled for October 11, 2003, at the Blue Water Restaurant and Sports Bar, as submitted by the Pelican Rapids Chamber of Commerce.

### **Payment Approval**

Motion by Mosher, second by Froemming, and unanimously carried to approve payment to Delzer Construction, Inc. in the amount of \$33,471.00 (as quoted), for the demolition of the Underwood Grain Elevator.

### **Request for Approval of Contract**

Motion by Lee, second by Mosher, and unanimously carried to authorize the Chair's signature to execute a contract between the County of Otter Tail and the City of Vergas, for the operation of a mobile collection for Household Hazardous Waste Collection. The collection will be held on Wednesday, June 25, 2003, at the Otter Tail County Highway garage in Vergas, between the hours of 10 a.m. to 2:00 p.m.

### **Request for Approval of Agreement**

Motion by Nelson, second by Froemming, and unanimously carried to authorize the appropriate County officials' signature to execute an agreement between the County of Otter Tail and Dakota Municipal Solid Waste Landfill for disposal of solid waste at the Gwinner, ND landfill, at a rate of \$28.50 per ton of solid waste.

### **Discussion – Pelican Rapids Transfer Station**

Discussion was held regarding increasing services at the Pelican Rapids transfer station to make it more of a full service location such as Battle Lake or Henning. The estimated cost for this upgrade is approximately \$180,000. Motion by Lee, second by Mosher, and unanimously carried to proceed with specifications and bidding for upgrading the Pelican Rapids Transfer Station.

### **Otter Tail County River Ordinance**

County Attorney, David Hauser, presented a draft ordinance known as the Otter Tail County River Ordinance. The ordinance is for the purposes of promoting and protecting the health, safety, and general welfare of persons using and enjoying the rivers throughout the County. This ordinance will be enacted to regulate and ensure orderly commercial use of the rivers such as Tubing Businesses.

### **Otter Tail County Set Back Ordinance**

Mr. Hauser presented a draft ordinance known as the Otter Tail County Set Back Ordinance. The purpose of the ordinance is to promote and protect persons using the roads throughout the County. This ordinance will regulate setbacks with regard to sewage systems, dwellings, and signage.

### **Supplemental Agreement No. 2, Project S.P. 56-624-10 Overlay of CSAH 24**

Motion by Mosher, second by Lee, and unanimously carried, to approve the request for Supplemental Agreement No. 2, Project S.P. 56-624-10, overlay of CSAH 24 from Rothsay east 2.5 miles, due to deterioration of that portion of roadway.

**Project Update**

Highway Engineer, Rick West, provided a project update summary dated May 27, 2003.

**Request for Approval of Grant Application**

Motion by Mosher, second by Froemming, and unanimously carried, to authorize Tiny Holm, Emergency Manager, to submit a grant application to the State Department of Public Safety Division of Emergency Management.

**Performance Evaluation Summary**

Motion by Froemming, second by Nelson, and unanimously carried to approve the positive performance evaluation summary for County Highway Engineer, Rick West, as submitted and to direct that the summary be placed in his personnel file.

**Adjournment**

At 1:40 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, June 3, 2003.

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

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

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