

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**  
Government Services Center, 500 Fir Ave. W.  
Commissioners' Room  
Tuesday, November 2, 2004  
9:30 a.m.

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, November 2, 2004, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Bob Block, Vice-Chair; Roger Froemming, Dennis Mosher, and Malcolm Lee present.

**Approval of Agenda**

Motion by Mosher, second by Nelson, and unanimously carried to approve the County Board agenda of November 2, 2004, with the following addition:

10:25 a.m. – Ditch Inspector, Randy Wasvick

**Approval of Minutes**

Motion by Froemming, second by Lee, and unanimously carried to approve the County Board minutes of October 26, 2004, as mailed.

**Approval to Pay Bills**

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

**Wetland Information**

Land & Resource Director, Bill Kalar, presented a map of Otter Tail County developed by the GIS Department showing all lakes and wetlands that have been identified on the national wetlands inventory map. Total acreage of the map is 1,423,949 acres, and of that, the map shows 343,511 acres of water which is about 24%. A proposal had been submitted to the County Board to require a 50 ft. buffer around all wetlands. If Otter Tail County implemented that figure, with the high volume of water in the County, 30% of the County would not be buildable. There were 22,982 E911 addressed structures also identified on the map. Of the 22,982 structures, 1,023 structures are within 50 ft. of a wetland which is approximately 4%. This map and data will be shared with the newly organized Shoreland Rules Revision Committee.

**Final Plats**

Motion by Froemming, second by Block, and unanimously carried to approve the Final Plat of Marvin Hardekopf and Steven Schmidt known as "Prairie West" located in Section 20 of Parkers Prairie Township on Clarno Lake (56-29).

Motion by Nelson, second by Froemming, and unanimously carried to approve the Final Plat of Triple T Investments known as Otter Tail Inlet Estates located in Section 27 of Rush Lake Township on Mud Lake (56-215).

**Conditional Use Permit Extension Requests**

Motion by Froemming, second by Mosher, and unanimously carried to approve an extension of Conditional Use Permit #6174 until November 15, 2004, to allow for building a road to service the plat of Sunnybend, as recommended by the Land & Resource Director.

Motion by Froemming, second by Mosher, and unanimously carried to approve an extension of Conditional Use Permit #6172 until November 15, 2004, on Otter Tail Lake for Robert Kiley to allow for some earthmoving to provide access to the garage to complete construction of the home over the winter.

**Payment Approvals**

Motion by Lee, second by Block, and unanimously carried to approve payment to Roland Aho, in the amount of \$140.00, for the removal of beaver from Otter Tail County Drainage System No. 29.

Motion by Mosher, second by Lee, and unanimously carried to approve the following ditch viewer expenses:

Eddie Bernhardson	\$195.86
Bob Kloubec	\$288.53

Motion by Froemming, second by Lee, and unanimously carried to accept the estimate from Christensen Construction, in the amount of \$5,500 to \$6,400, for removal of basement materials and for filling and leveling three tax forfeited sites in Clitherall City.

Motion by Lee, second by Mosher, and unanimously carried to approve payment to National Business Systems, Inc., in the amount of \$16,000.00, for Truth in Taxation postage.

**Sale of Surplus Property**

Motion by Mosher, second by Froemming, and unanimously carried to authorize the County Auditor to proceed with the process to sell the following described parcel:

61-000-28-0135-002  
Section 28, Township 131, Range 44  
Gravel Pit #76 in Northwest Quarter (2 Acres)

**Approval of Liquor License Application**

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

Play Time Sports Bar and Ballroom, Inc.      On-Sale Intoxicating Liquor and Sunday Liquor  
Perham, MN 56573

**Bond Refunding Discussion**

Carolyn Drude of Ehlers & Associates, presented information to determine the appropriate time to advance refund the G.O. Veterans Home Bonds. She presented a Preliminary Offering Memorandum and stated that the total savings after expenses to refinance at this time would be \$109,230.37. Larry Dorn of Dorn & Company stated that his proposal was very close to the proposal submitted by Ehlers & Associates and stated that he would watch future financing opportunities with Otter Tail County.

Chairman Nelson announced that, at 10:15 a.m., the meeting was convened to consider a proposal for the purchase of General Obligation Veterans Home Refunding Bonds, Series 2004B of the County. A Resolution Authorizing and Awarding Sale of General Obligation Veterans Home Refunding Bonds, Series 2004B, Fixing the Form and Specifications Thereof, Providing for their Execution and Delivery and Levying Taxes for their Payment, was then duly approved as Otter Tail County Resolution No. 2004 – 54 and attached to these official minutes as Attachment B.

**Release of Highway Easement**  
**Otter Tail County Resolution No. 2004 - 53**

WHEREAS, a request has been made for the release of a highway easement adjacent to County State Aid Highway #1; and

WHEREAS, the property is no longer needed for road right-of-way purposes, as the property is no longer included in the road right-of-way as it is currently being used; and

WHEREAS, the property is described as:

All that part of a Public Highway in Government Lot 5 of Section 12, Township 134 North, Range 40 West, as shown on the plat of CAMP HATTON, according to the recorded plat on file and of record in the Office of the Recorder of Otter Tail County, Minnesota, described as follows:

Commencing at the most westerly corner of Lot 19 of said plat; thence on an assumed bearing of North 64 degrees 03 minutes 46 seconds West along the northwesterly extension of the southwesterly line of said Lot 19, a distance of 15.93 feet to the southeasterly right-of-way line of County State Aid Highway No. 1; thence southwesterly along said southeasterly right-of-way line, on a non-tangential curve, concave to the southeast, having a radius of 2831.79 feet, a delta angle of 2 degrees 02 minutes 34 seconds and a chord bearing of South 24 degrees 36 minutes 40 seconds West, for an arc distance of 100.96 feet to the point of beginning of the land to be described; thence continuing southwesterly along said southeasterly right-of-way line, on said curve, concave to the southeast, having a radius of 2831.79 feet, a delta angle of 1 degree 35 minutes 39 seconds and a chord bearing of South 22 degrees 47 minutes 33 seconds West, for an arc distance of 78.79 feet; thence South 21 degrees 59 minutes 43 seconds West along said southeasterly right-of-way line, a distance of 27.90 feet; thence southwesterly along said southeasterly right-of-way line, on a non-tangential curve, concave to the northwest, having a radius of 442.26 feet, a delta angle of 2 degrees 18 minutes 26 seconds and a chord bearing of South 23 degrees 08 minutes 57 seconds West, for an arc distance of 17.81 feet to the westerly extension of the southerly line of Lot 20 of said CAMP HATTON; thence South 79 degrees 26 minutes 20 seconds East along said westerly extension of the southerly line of Lot 20, a distance of 30.93 feet to the most westerly corner of said Lot 20; thence North 23 degrees 51 minutes 29 seconds East along the easterly line of said Public Highway as shown on the plat of CAMP HATTON a distance of 117.51 feet to the intersection with a line which bears South 66 degrees 24

minutes 37 seconds East from the point of beginning; thence North 66 degrees 24 minutes 37 seconds West a distance of 32.69 feet to the point of beginning.

Upon the motion of Froemming, seconded by Lee, on the 2<sup>nd</sup> day of November, 2004, and passed on a 5 – 0 vote, the County's road easement on the above-described property is hereby vacated.

Adopted this 2<sup>nd</sup> day of November, 2004.

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

By: \_\_\_\_\_  
Sydney Nelson, County Board Chair

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

**Release of Highway Easement**  
**Otter Tail County Resolution No. 2004 - 52**

WHEREAS, a request has been made for the release of a highway easement adjacent to County State Aid Highway #1; and

WHEREAS, the property is no longer needed for road right-of-way purposes, as the property is no longer included in the road right-of-way as it is currently being used; and

WHEREAS, the property is described as:

All that part of a Public Highway in Government Lot 5 of Section 12, Township 134 North, Range 40 West, as shown on the plat of CAMP HATTON, according to the recorded plat on file and of record in the Office of the Recorder of Otter Tail County, Minnesota, described as follows:

Beginning at the most westerly corner of Lot 19 of said plat; thence on an assumed bearing of North 64 degrees 03 minutes 46 seconds West along the northwesterly extension of the southwesterly line of said Lot 19, a distance of 15.93 feet to the southeasterly right-of-way line of County State Aid Highway No. 1; thence southwesterly along said southeasterly right-of-way line, on a non-tangential curve concave to the southeast, having a radius of 2831.79 feet, a delta angle of 2 degrees 02 minutes 34 seconds and a chord bearing of South 24 degrees 36 minutes 40 seconds West, for an arc distance of 100.96 feet; thence South 66 degrees 24 minutes 37 seconds East, a distance of 32.69 feet to the easterly line of a PUBLIC HIGHWAY per said plat; thence North 23 degrees 51 minutes 29 seconds East along said easterly line, a distance of 7.49 feet; thence North 14 degrees 23 minutes 54 seconds East continuing along said easterly line, a distance of 94.00 feet to the point of beginning.

Upon the motion of Froemming, seconded by Block, on the 2<sup>nd</sup> day of November, 2004, and passed on a 5 – 0 vote, the County's road easement on the above-described property is hereby vacated.

Adopted this 2<sup>nd</sup> day of November, 2004.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

Sydney Nelson, County Board Chair

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

Larry Krohn, Clerk

**Final Payment – S.A.P. 56-650-06, Etc.**

Motion by Nelson, second by Block, and unanimously carried to approve Final Estimate No. 5 for Riley Bros. Construction, Inc. for completion of S.A.P. 56-650-06, Etc. The final cost of the project was \$669,701.06 and Riley Bros. Construction has paid the County the money due, in the amount of \$430.71, which was the result of a previous overpayment.

**County Ditch No. 18**

Ditch Inspector, Randy Wasvick, presented a request from the US Fish & Wildlife Service to replace approximately 300 ft. of tile from a permanent easement. The wetlands flow toward US Hwy 210 to an area where there is another standpipe in farmable wetland which is working. The water will be held at the level of the permanent easement. Motion by Lee, second by Mosher, and unanimously carried to authorize the US Fish & Wildlife Service to replace tile in the County Ditch No. 18 System as described and recommended by the Ditch Inspector.

**MCIT Voting Delegates**

County Coordinator, Larry Krohn, confirmed the MCIT voting delegates at the Annual AMC meeting on December 6, 2004, at 1:00 p.m., as Commissioners Robert Block and Sydney Nelson.

**Adjournment**

At 10:54 a.m., Chairman Nelson adjourned the meeting of the Otter Tail County Board of Commissioners until Tuesday, November 9, 2004.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

Sydney Nelson, County Board Chair

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

Larry Krohn, Clerk