

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**  
Government Services Center, Commissioners' Room  
500 Fir Ave W, Fergus Falls, MN  
Tuesday, July 19, 2005  
9:30 a.m.

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, July 19, 2005, at 9:32 a.m. at the Otter Tail County Government Services Center with Commissioners, Bob Block, Chair; Roger Froemming; Vice-Chair, and Syd Nelson present. Commissioners Malcolm Lee and Dennis Mosher were present at 9:36 a.m. due to attendance at a Personnel Committee meeting.

**Approval of Agenda**

Motion by Froemming, second by Nelson, and unanimously carried to approve the County Board agenda of July 19, 2005, with the following changes:

- 10:00 a.m. – Final Payment Request Canceled
- 10:25 a.m. – Highway Engineer Agenda Items
- 10:35 a.m. – Battle Lake Senior Nutrition Discussion

**Approval of Minutes**

Motion by Froemming, second by Nelson, and unanimously carried to approve the County Board minutes of July 12, 2005, as revised.

**Approval to Pay Bills**

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

Owatonna Grand	Solid Waste Administrative Assistant, Michelle Dreyer HHW Region Program Manager, David Stadum
----------------	---

**Veterans Service Department Update**

Veterans Service Office Director, Jourdan Sullivan, provided a handout entitled "Summary of Veterans Benefits Received for Otter Tail County". He reported the total federal and state dollars received in Veterans Benefits in the County as \$20,857,361.00. Commissioners thanked Jourdan for his department's work with veterans. Mr. Sullivan thanked the Board for the new Veterans Service Office space at the 505 South Court Building.

**Classification of Tax Forfeited Land and Request for DNR Approval**  
**Otter Tail County Board Resolution No. 2005 – 44**

Upon a motion by Froemming, second by Nelson, and unanimously carried, the Otter Tail County Board of Commissioners adopts the following resolution:

WHEREAS, The County Board of Commissioners of the County of Otter Tail, State of Minnesota, desires to offer for private sale the following described parcels of land that have forfeited to the State of Minnesota for non-payment of taxes:

Parcel 46-000-99-0157-000, Hilkoske's Second Addition to Pleasure Park,  
Lot 1, Except the South 200', Tax Forfeited 09/18/1968

WHEREAS, said parcel of land have been considered and viewed by the County Board of Commissioners and has been classified as non-conservation lands as provided for in Minnesota Statutes 282.01 and,

WHEREAS, based on review and approval of the Otter Tail Township, the highest and best use of the above described property can only be achieved by adding it to an adjoining parcel thereby increasing the usability and value of one of the adjoining properties, and

NOW, THEREFORE, BE IT RESOLVED, That the Otter Tail County Board of Commissioners hereby certifies that the above referenced parcels of land have been considered, visually viewed on a map and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01 Subd 8 and 282.018 and other statutes that require the withholding of tax-forfeited lands from sale.

BE FURTHER RESOLVED That the Otter Tail County Board of Commissioners hereby request approval from the Minnesota Department of Natural Resources for the private sale to adjacent landowners of the above described property.

The question was on the adoption of the resolution, and there were YEAS and NAYS as follows:

<u>County of Otter Tail Board of Commissioners</u>	<u>YEA</u>	<u>NAY</u>	<u>Other</u>
Syd Nelson	X		
Malcolm Lee	X		
Dennis Mosher	X		
Roger Froemming	X		
Bob Block	X		

Adopted and signed this 19<sup>th</sup> day of July, 2005.

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

By: \_\_\_\_\_  
Robert Block, County Board Chair

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

**Liquor License Application**

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

Heisler Country Gravel and Rental Properties, Inc.                      On-Sale 3.2 Malt Liquor  
(license subject to approval of County Sheriff & County Attorney & proof of proper insurance)

**Application for Exempt Permit**

Motion by Lee, second by Froemming, and unanimously carried to approve, with no waiting period, the LG220 Application for Exempt Permit as submitted by the Pelican River Pheasants Forever for an event scheduled for Saturday, September 17, 2005, at The Club.

### **Payment Approvals**

Motion by Lee, second by Nelson, and unanimously carried to authorize the re-issuance of a payment to Lyle Hosterman, in the amount of \$656.25, for damages awarded for the acquisition of right-of-way for the County Highway 31 project.

Motion by Mosher, second by Nelson, and unanimously carried to approve payment to the Office of Administrative Hearing, in the amount of \$887.80, for professional services in the matter of Michael E. Harris, Et Al vs. Gary P. Ruehmann.

### **Credit Card Issued**

Motion by Froemming, second by Mosher, and unanimously carried to authorize the following employee to be issued an Otter Tail County Credit Card with Express One Master Card:

Assistant County Attorney, Heather L. Brandborg County Attorney's Office \$1,000.00 limit

### **Recess & Reconvene**

At 10:05 a.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners recessed for a Personnel Committee Meeting. At 10:24 a.m., the County Board meeting was reconvened in open session with Chairman Block, Vice-Chair Froemming, and Commissioner Nelson present. Commissioners Mosher and Lee were present at 10:30 a.m.

### **Public Health Position Replacement**

Public Health Financial Manager, Jackie Holte, requested a transfer and replacement of a Public Health position. Motion by Nelson, second by Froemming, and unanimously carried to authorize an internal Public Health Nurse to transfer from the Fergus Falls office to the New York Mills office by an Internal Posting process to replace a recent resignation. Additionally, this motion authorized filling the vacant position in Fergus Falls due to the transfer to New York Mills on a full time (40 hours per week) basis.

### **Final Payment – S.A.P. 56-599-55**

Motion by Nelson, second by Froemming, and unanimously carried to authorize final payment per Final Estimate No. 4, in the amount of \$16,732.59, payable to Riley Bros. Construction, Inc. for completion of S.A.P. 56-599-55, Aurdal Township, Diversion Drive Bridge Project.

### **2004 Annual Report**

The Highway Engineer handed out the "Otter Tail County Highway Department 2004 Annual Report".

### **Senior Center Dining**

Discussion took place regarding the Senior Dining Center in Battle Lake. Commissioners acknowledged that several complaints have been received. The complaints are being forwarded to the West Central Area Agency on Aging because the WCAAA is the agency that contracted with NSI to provide the Senior Nutrition Program.

### **Performance Evaluation Summary**

Motion by Froemming, second by Lee, and unanimously carried to approve a positive performance evaluation summary for GIS Data Coordinator, Sherry Leabo, as presented, and to include the summary in her personnel file.

### **Storm Damage Expenses**

County Coordinator, Larry Krohn, reported on storm damage expenses. He provided a list of all Cities and Townships reporting damage from the June 20, 2005, storm. Damages for the County are estimated at \$2,933,777. A \$500,000 grant has been awarded to Otter Tail County; however, the County does not know the requirements of the grant at this time. The grinder in Otter Tail City is \$450 per hour, which could equate to over \$30,000 per week. Another grinder may be needed and the County will incur expenses for freight to haul the chips to St. Paul.

### **Planning Commission Recommendations**

#### **Conditional Use Permit – Teigen Bros Partnership:**

Motion by Lee, second by Mosher, and unanimously carried to approve a Conditional Use Permit for this after-the-fact driveway project with conditions as recommended by the Planning Commission. The property is described as NE¼ NE¼ & Lots 3-4-5 ex pt platted & ex W 300' ex trs (121.19 AC), Section 14 of Lida Township; Lake Lida (56-747).

#### **Conditional Use Permit – Ken & Cindy Lyden:**

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit to install rock riprap on an existing bank with conditions as recommended by the Planning Commission. The property is described as Lot 10 & the WLY 159' of Lot 25 not to be split, Crystal Springs, Section 3 of Lida Township; Crystal Lake (56-749).

#### **Conditional Use Permit – Ed & Sandy Cunningham, Tim & Pauline Rinke, Keith & Jo Stryle:**

Motion by Lee, second by Nelson, and unanimously carried to approve a Conditional Use Permit for this after-the-fact request to allow sand on the shoreline, as presented, and for the reasons listed in the July 13, 2005, Planning Commission minutes. The property is described as Lots 12, 13, & 14 Forsgren's 1<sup>st</sup> Addition to Outlet Beach, Section 9 of Lida Township; Lake Lida (56-747).

#### **Preliminary Plat and Conditional Use Permit – "Peterson's Point"/Richard Peterson:**

Land & Resource Director, Bill Kalar, stated that the Planning Commission had recommended approval of this Preliminary Plat and CUP; however, additional letters have been received that were not part of the discussion at the Planning Commission meeting. One letter is from Scott Dirks, Attorney representing Mr. Peterson, and the other letter is from Clifford McLain, an adjacent property owner. The Planning Commission recommended approval with a condition that a dedicated road right-of-way extend to the property line. Mr. Dirks is asking for a driveway extension and several approaches as additions to the Conditional Use Permit; however, these were not asked for in the initial request. Mr. McClain's letter objected to the proposed right-of-way location and building of the proposed driveway. Lengthy discussion took place regarding the process to request the approaches and whether or not this is a substantial change or a minor change. Motion by Lee, second by Mosher, and unanimously carried to approve the Preliminary Plat known as "Peterson's Point" consisting of four (4) lots for single family residential building and Conditional Use Permit to construct a roadway to service the plat, with conditions as recommended by the Planning Commission. The property is described as Pt of GL 3, Section 26 & S 125' of N 323' of Lot 1 ex E 84", Section 27 of Dunn Township; Franklin Lake (56-759).

Preliminary Plat – “OTWCAC First Addition”/Otter Tail-Wadena Community Action Council:

Motion by Mosher, second by Lee, and unanimously carried to approve the Preliminary Plat known as “OTWCAC First Addition” consisting of two (2) lots for single family residential use. The property is described as Pt W ½ SW ¼ (4 AC), Section 9 of Newton Township; Non-Shoreland.

Preliminary Plat – “Grand Oak Estates First Addition”/Olson Properties:

Motion by Mosher, second by Froemming, and unanimously carried to approve the Preliminary Plat known as “Grand Oak Estates First Addition” consisting of nine (9) lots for single family residential use. The property is described as Grand Oak Estates Lot 1 Blk 1, Lot 1 Blk 2 and Swan View Estates Lot 2 Blk 2, Section 29 of Dane Prairie Township; Swan Lake (56-781).

**Final Plat – “Harmony Hill”**

Motion by Lee, second by Mosher, and unanimously carried to approve the Final Plat known as “Harmony Hill” located in Section 12 of Elizabeth Township; Long Lake (56-784).

**Resolution in Support of the  
Otter Country Trail Association Grant  
Otter Tail County Resolution No. 2005 - 45**

Commissioner Mosher offered the following and moved its adoption:

WHEREAS, Otter Tail County has a large multi-use trail system, and

WHEREAS, the Otter Country Trail Association (OCTA) maintains and supervises a large portion of the trail system, and

WHEREAS, Otter Tail County is the Government Sponsor for the Otter Country Trail Association, and

WHEREAS, the Department of Natural Resources is recommending a reimbursement grant from the Federal Highway Administration totaling \$64,000.00 for the purpose of assisting OCTA in purchasing a groomer for maintaining snowmobile trails, and

WHEREAS, OCTA is responsible for the local match requirement, and

WHEREAS, Otter Tail County’s fiscal agent for this grant is Auditor, Wayne Stein, Government Services Center, 510 W. Fir Avenue, Fergus Falls, MN 56537.

THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners accepts the Federal Highway Grant on behalf of OCTA for purchase of a groomer to maintain snowmobile trails, recognizes the local match requirement, and names the County Auditor as the fiscal agent for the grant award.

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

Adopted and signed this 19<sup>th</sup> day of July, 2005.

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

By: \_\_\_\_\_  
Robert Block, County Board Chair

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

**Board of Water & Soil Resources Block Grant Agreement**

Motion by Froemming, second by Nelson, and unanimously carried to authorize the Chairman's signature to execute the 2005 Natural Resources Block Grant Agreement, in the amount of \$102,700.00, between the State of Minnesota and the County of Otter Tail and to approve the Block Grant Distribution as presented by the Land & Resource Director.

**Shoreland Rules Revision Update**

Land & Resource Director, Bill Kalar, reviewed discussion of potential SMO revisions discussed at the Internal Committee meeting held on July 13, 2005. Items discussed were 1) adding a structure setback to wetlands, 2) increasing structure side yard setback, 3) larger lot sizes, 4) remove the time frame for earthmoving projects of 20 cubic yds or less, and 5) add road language in the Shoreland Management Ordinance and in the Subdivision Controls Ordinance.

**Dog Bite Order**

Motion by Nelson, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute the Findings of Fact and Order (dated 7/19/05) regarding the Jack Russell Terrier dog owned by Nadder Samari.

**Position Reclassifications**

Motion by Lee, second by Mosher, and unanimously carried to approve the following grade changes as recommended by the Government Management Group based upon the increased complexity and computerization of equipment and supervisory responsibilities:

The position of #1902, Operations Supervisor (formerly known as Maintenance Lead Worker/Night Shift Supervisor) will move from Grade 15 to Grade 17 and the position of #1905, Operations Manager (formerly known as Building Maintenance Supervisor) will move from Grade 18 to Grade 20, effective June 1, 2005.

**Adjournment**

At 12:15 p.m., Chair Block declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, July 26, 2005.

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

By: \_\_\_\_\_  
Robert Block, County Board Chair

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

7/19/2005 12:12:10 OTTER TAIL COUNTY AUDITOR  
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56  
WARRANTS FOR PUBLICATION IFD66  
PAGE 1

WARRANTS APPROVED ON 7/19/2005 FOR PAYMENT 7/19/2005

VENDOR NAME	AMOUNT
A-1 LOCK AND KEY	194.79
A'VIANDS LLC	6,033.40
AMERICAN TOWER CORPORATION	81.12
ASSOCIATED BAG COMPANY	74.36
BATTLE LAKE MOTOR PATROL ASSN	37.50
BRANDON COMMUNICATIONS INC	10,179.59
CAROLINA SOFTWARE	250.00
CHARLES D CENTER POST 3289	100.00
CHECKERS	150.45
CHRISTENSEN CONSTRUCTION	380.00
CITIZENS ADVOCATE	426.50
CIVIC RESEARCH INSTITUTE INC	169.95
CMT WIRELESS	42.98
CO OP SERVICES INC	1,865.81
COOPERS TECHNOLOGY GROUP	839.47
CORPORATE TECHNOLOGIES	40.00
CULLIGAN WATER COND	46.11
CUTLER MAGNER COMPANY	64,272.58
DACOTAH PAPER COMPANY	282.36
DAKOTA WOOD GRINDING INC	17,512.00
DENZEL'S REGION WASTE INC	2,183.90
EVERGREEN EQUIPMENT INC	153.36
FARNAM'S GENUINE PARTS INC	357.39
FERGUS ELECTRIC	13.78
FERGUS FALLS MEDICAL GROUP	301.25
FERGUS FALLS NEWSPAPERS INC	3,742.58
FERGUS FALLS POLICE DEPT	24.67
CITY FERGUS FALLS	8,749.98
FERGUS POWER PUMP INC	11,440.00
FERRELLGAS	75.61
BILL FOLGER	139.74
GE CAPITAL	233.65
GODFATHERS EXTERMINATING INC	317.88
GOODIN COMPANY	449.37
GOPHER STATE ONE CALL	33.75
GR GRAPHICS INC ST LOUIS	200.16
GRAINGER INC	82.81
HALL GMC INC	1,725.60
HARLES TREE SERVICE	1,038.38
HEARTLAND AUDIO INC	1,792.12
HEISLER'S COUNTRY OIL	634.33
CITY HENNING	900.00
HENRY'S FOODS INC	606.31
HERITAGE BUILDING SPECIALTIES	52.72
HOBART SALES & SERVICE	79.00
HONEYWELL	1,588.25
INDOFF INCORPORATED	834.63
INSIGHT PUBLIC SECTOR	10,096.20
INTERSTATE INC	70.24

7/19/2005  
12:12:10

OTTER TAIL COUNTY AUDITOR IFD66  
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56  
WARRANTS FOR PUBLICATION PAGE 2

WARRANTS APPROVED ON 7/19/2005 FOR PAYMENT 7/19/2005

VENDOR NAME	AMOUNT
INTERTECHNOLOGIES GROUP	71.52
JJ'S GAS AND GROCERIES	18.00
JK SPORTS	101.96
JOHN BUSHMAN EXCAVATING	5,925.00
JOHN'S HEATING & AC INC	51.00
KELLY SERVICES INC	1,118.28
LAB SAFETY SUPPLY INC	820.51
LAKE REGION DENTAL CENTER	95.00
LAKE REGION HEALTHCARE CORP	1,510.00
LAKELAND MENTAL HEALTH CENTER	372.00
LAKELAND TRUE VALUE HARDWARE	78.03
LAKEWAY MARKET LLC	514.81
LARRY BENNETT CONSTRUCTION	810.00
LIBERTY BUSINESS SYSTEMS INC	284.77
LOCATORS & SUPPLIES INC	129.13
M-R SIGN COMPANY INC.	5,014.87
MATTHEW BENDER & COMPANY INC	49.55
THE MIDWEEK	1,468.32
MN CVSO SECRETARIES & ASSIST A	140.00
MN MOTOR COMPANY	297.31
MN RESOURCE RECOVERY ASSOCIATI	500.00
ELDON MOREY PHD	730.00
NARDINI FIRE EQUIPMENT	318.95
NELSON BROS PRINTING	25.50
NELSON DODGE GMC	225.12
NEW YORK MILLS HERALD	310.10
NORTH UNION TEXACO	99.99
NORTHERN LATH CO	2,228.50
NORTHERN STATES SUPPLY INC	183.00
OLSON OIL CO INC	116.05
ONE CALL LOCATORS LTD	660.21
THE ORIGINAL HEATING MAN	44.00
OSI ENVIRONMENTAL INC	150.00
OTTER TAIL TELCOM	60.00
OVERHEAD DOOR COMPANY	165.53
OVERLAND MECHANICAL SERVICES	393.35
OWATONNA GRAND	96.36
PACE ANALYTICAL SERVICES INC	5,431.00
PAMIDA INC 008	95.16
PAMIDA PHARMACY	5,099.68
PENROSE OIL COMPANY	952.86
PERHAM CO OP CREAMERY	1,022.08
PERHAM ENTERPRISE BULLETIN	1,241.98
PERHAM PRINTING & SUPPLY	50.32
PERHAM TRUCK SERVICE INC	14.11
PREMIUM WATERS INC	29.13
HENRY PRICE	260.00
PROSWEEP INC	180.00
QUILL CORPORATION	79.86

7/19/2005  
12:12:10

OTTER TAIL COUNTY AUDITOR  
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66  
WARRANTS FOR PUBLICATION PAGE 3

WARRANTS APPROVED ON 7/19/2005 FOR PAYMENT 7/19/2005

VENDOR NAME	AMOUNT
ROYAL TIRE INC	7,973.89
CHERI SCHULTZ	41.28
VICKI SCHWANKE	125.57
SHERWIN WILLIAMS	41.24
SKIBNESS STRIPING	550.00
SOUTH MILL SERVICE	71.79
STEINS INC	2,889.47
STENERSON LUMBER	16.02
STINAR STURDEVANT STOLZ POST 1	100.00
STOP-N-GO STORES INC	12.48
STRAND ACE HARDWARE	43.21
TFMCOMM INC	35.52
TRI STAR RECYCLING	4,719.00
ULTEIG ENGINEERS	50,390.16
VALLEY SOFT WATER	31.06
VALLEY SOFT WATER LTD	27.50
VARITECH INDUSTRIES	48.35
VICTOR LUNDEEN COMPANY	39.33
VICTORY CORPS	59.59
VIKING OFFICE PRODUCTS	72.94
VILLAGE BANK	150.00
WALLWORK TRUCK CENTER	1,526.74
WASTE MANAGEMENT	38,043.08
WEETOWN OUTPOST	60.18
WEST CENTRAL LINEN SERVICE INC	5.00
WEST PAYMENT CENTER	486.68
WESTBY LAWN CARE	60.00
YELLOW BOOK USA	33.00
ZIEGLER INC	798.75
**** FINAL TOTAL.....	\$298,981.36 ****