

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**

**New York Mills Offices - Courtroom**

**118 N. Main, New York Mills MN**

**Tuesday, August 16, 2005**

**9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, August 16, 2005, at 9:30 a.m., at the Otter Tail County New York Mills Offices with Commissioners, Bob Block, Chair; Roger Froemming, Vice-Chair; Dennis Mosher, Syd Nelson, and Malcolm Lee present.

**Approval of Agenda**

Motion by Froemming, second by Lee, and unanimously carried to approve the County Board agenda of August 16, 2005, with the following addition:

Land & Resource Director – add Extension Requests

**Approval of Minutes**

Motion by Nelson, second by Mosher, and unanimously carried to approve the County Board minutes of August 9, 2005, as presented.

**Approval to Pay Bills**

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

**4-H Update**

4-H Coordinator, Janet Malone, presented a handout entitled “2005 East Otter Tail County Fair 4-H Summary” and briefed the Board on fair exhibits by 4-H participants. She also provided an update regarding the upcoming 4-H programs/projects available from September of 2005, through August of 2006.

**JAIL EXPANSION**

**Otter Tail County Resolution No. 2005 - 49**

Commissioner Lee offered the following and moved its adoption:

WHEREAS, thirty-six out of eighty-seven counties are in the process of jail expansion, and

WHEREAS, County Commissioners and the public believe that joint facilities would make fiscal sense, and

WHEREAS, the judicial system has rules in place that hinder such cooperation.

NOW, THEREFORE, BE IT RESOLVED, the Otter Tail County Board of Commissioners requests that the Association of Minnesota Counties facilitate discussions with its members and the judicial system to explore if these impediments can be removed.

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

Adopted and signed this 16<sup>th</sup> day of August, 2005.

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

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

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

### **Assessment on Property in Pine Lake Township**

Property Owner, Gerald Skolte, appeared before the Board to discuss a court ordered clean-up of his property. He stated that only junk and garbage were supposed to be removed from the property and listed several items that he felt had value and shouldn't have been removed. He stated that an assessment was added to his taxes, in the amount of \$7,719.42, and \$2,200.00 of that amount is due by the end of the month. Because he is on a fixed income of \$600.00 per month, he stated that he could not pay this amount and requested that he be allowed to pay \$50.00 per month and waive the interest and penalties. Solid Waste Director, Mike Hanan, presented a list of items removed from the property and total cost of removal. County Attorney, David Hauser, noted that this is a unique circumstance and the County Board has the authority to satisfy the judgment without interest and penalties. Commissioners requested that Mr. Hauser draft an agreement with payments beginning October 1, 2005.

### **Tree Waste Disposal Sites**

Mr. Hanan reported that progress is being made in reducing the debris at the two disposal sites set-up as a result of the June 20, 2005, storm. He suggested two end dates for free tree waste disposal at these sites, mid October for the Henning site and the end of October for the Ottertail site. He stated that the County has paid out \$150,000 to date for clean up; however, all bills have not been received. Weekly chipper bills are approximately \$25,000.00. Motion by Mosher, second by Froemming, and unanimously carried to establish October 16, 2005, for closure of the Henning Tree Waste Disposal Site and October 31, 2005, for closure of the Ottertail Tree Waste Disposal Site.

### **Additional Storm Sewer Work – Underwood, MN**

Highway Engineer, Rick West, presented a request from the Mayor of Underwood regarding a repayment schedule on the storm sewer work incorporated into the current project on CSAH 35. Motion by Mosher, second by Nelson, and unanimously carried to allow the City of Underwood to provide repayment of approximately \$50,000.00, to Otter Tail County, paid back over a three (3) year period, 2006, 2007, & 2008, for work completed with the CSAH 35 Highway Project.

### **Bid Award – S.P. 56-665-06**

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids at 1:00 p.m. on July 27, 2005, for Reconstruction of CSAH No. 65, S.P. 56-665-06:

Central Specialties, Inc. Alexandria, MN	\$1,232,976.85
Mark Sand & Gravel Co. Fergus Falls, MN	\$1,511,149.32

Motion by Froemming, second by Mosher, and unanimously carried to award S.P. 56-665-06 to Central Specialties, Inc. as the low bidder at a bid price of \$1,232,976.85.

#### **Final Payment – 505 S. Court Project**

Motion by Lee, second by Nelson, and unanimously carried approve Final Payment payable to Shultz Torgerson Architects, in the amount of \$1,669.89, for services relative to the 505 S. Court Building Project.

#### **Recess & Reconvene**

At 10:35 a.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 10:42 a.m.

#### **Ditch No. 38**

Ditch Inspector, Randy Wasvick, reported that Bob Sonnenberg has property on Branch 1 of Ditch No. 38. After the County cleaned out Ditch 38, he no longer had access to twelve acres of his property. Mr. Sonnenberg is requesting to install a 54" culvert to gain access. Under the County road is a 36" culvert, so the water would be flowing from smaller to larger culvert; however, Mr. Sonnenberg's property would be the only affected property. By installing a larger culvert, there will be fewer problems with beaver plugging it. Mr. Wasvick also requested an annual assessment on Ditch 38 because of the need to trap beaver. Motion by Nelson, second by Lee, and unanimously carried to allow installation of a 54" culvert in Ditch No. 38 on Bob Sonnenberg's property to gain access to twelve acres of his land.

#### **Shoreland Rules Revision Internal Committee Update**

Land & Resource Director, Bill Kalar, briefed the Board on the Shoreland Rules Revision Internal Committee meeting held on August 3, 2005. Discussion took place regarding types of open space, conversion of existing single owner resorts to multiple owners "Exclusive Use Resorts, and establishment of a Grandfather Date(s). The next meeting is scheduled on Thursday, August 18, 2005.

#### **Conditional Use Permit Extension Request**

Motion by Lee, second by Mosher, and unanimously carried to approve a 30-day extension for Conditional Use Permit #6196, Tollefson Trust, to October 1, 2005, to complete the project.

#### **Final Plat Filing Extension Request**

Motion by Lee, second by Froemming, and unanimously carried to approve a 90-day extension for filing the Final Plat of "The Palms of Lida" on Lake Lide (56-747) because of issues with road construction, as requested by Meadowland Surveying, Inc.

#### **Planning Commissioner Recommendations**

##### **Conditional Use Permit - Doug & Jeff VanderBerg:**

Motion by Froemming, second by Nelson, and unanimously carried to approve a Conditional Use Permit to approve up to 10 yards of fill for the lakeside fill request with a condition as recommended by the Planning Commission and, to table the request to place fill on the back of the lot because of drainage issues. The property is described as Sunnyside 5<sup>th</sup> Addition Lot 10, Section 36 of Girard Township; East Battle Lake (56-138).

Preliminary Plat & Conditional Use Permit – “Little McDonald North Shore Estates First Addition”/Mark R. & Barbara Lenius/Dennis Happel:

Mr. Kalar stated that the Preliminary Plat of “Little McDonald North Shore Estates First Addition” and the Conditional Use Permit to construct a road to service the proposed plat was recommended for denial by the Planning Commission. Chairman Block opened the floor for comment. Applicant Mark Lenius, addressed the concerns of traffic and environmental impact expressed at the Planning Commission meeting. He provided a letter of response, a Preliminary Plat map of the proposed lots, area tabulations, and a topographical map. Kathy Kratzke, representing the Little McDonald Lake Association, requested that an Environmental Assessment Worksheet be required because of runoff and safety issues. She referred to MS 4410.4300 subpart 19 (Residential Development) that, in her opinion, indicates that if the total area may ultimately be developed and the area is not zoned, an EAW is required. Roger Neitske, President of the Lake Improvement District, expressed concern that this project will compound the current runoff issues. He requested that an EAW be completed and the full scope of the project be shared. David Covington stated that the Planning Commission had all of the maps handed out today at the County Board meeting except the topographical map and did not want a decision on the application delayed. There was additional public comment against the project and requesting rules that would make these decisions easier. Motion by Lee, second by Nelson, and unanimously carried to deny the Preliminary Plat known as “Little McDonald North Shore Estates First Addition” and the Conditional Use Permit to service the plat as recommended by the Planning Commission and for the reasons, as stated, in the August 10, 2005, Planning Commission minutes.

Conditional Use Permit – Otter Tail County Highway Department:

Motion by Mosher, second by Lee, and unanimously carried to approve a Conditional Use Permit to repair erosion damages to CSAH No. 12 by placing granular borrow, fabric and riprap as presented with a project extension date of October 1, 2005. The property is described as County State Aid Highway (CSAH No. 12), Section 4 of St. Olaf Township; Johnson Lake (56-393).

Preliminary Plat “Almora Shores” – Secluded Land Company, LLC:

Mr. Kalar stated that “Almora Shores” is a proposed plat consisting of nine (9) single family residential lots and the Planning Commission recommended denial for several reasons. Chairman Block opened the floor to comment. Surveyor, Brad Nyberg, explained that he checked with the County regarding the lake classification, which was given as a General Development Lake. Therefore, the request was for 100’ lots with the cattail area left alone. When the proposal was presented to the Planning Commission, there were concerns that the lake should have a Natural Environment classification. The applicant decided to treat the development as a NE lake and presented a revised map consisting of six (6) single family residential lots, all well over the 80,000 sq. ft. for NE lake with more than 200’ of frontage. Neighboring property owner, Lon Saude stated that he is not against the development, but stated concern that a 43-acre slough has the wrong classification and the development could set a precedence. Applicant, Mike Pfister, questioned if there is a provision stating that this property cannot be developed. Commissioners expressed concern that the Planning Commission has not considered the revised plan. Discussion continued. Motion by Froemming, second by Lee, to deny the proposed Preliminary Plat known as “Almora Shores” consisting of nine (9) single family residential lots for reasons as documented in the August 10, 2005, Planning Commission minutes. Chairman Block called for a roll call vote:

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

Motion passed 3-2. Commissioners suggested that the applicant re-apply with the revised plan. The property is described as Lot 1 (24.05 AC), Section 35 of Elmo Township; Lake Almora (56-49).

*Preliminary Plat – “St. Lawrence Estates Second Addition”/Helen Boedigheimer Tst:*

Motion by Froemming, second by Nelson, and unanimously carried to approve the Preliminary Plat known as “St. Lawrence Estates Second Addition” consisting of nine (9) single family residential lots with a condition as recommended by the Planning Commission. The property is described as N½ NW¼ ex Sub Lot 5 ex platted (21.19 AC) & N 600’ of Lot 2 ex platted (6.38 AC), Section 18 of Otto Township; non-shoreland.

*Preliminary Plat – “Jets #6 Addition”/Thomas J. Halstenson & Yvonne Halstenson:*

Motion by Lee, second by Mosher, and unanimously carried to approve the Preliminary Plat known as “Jets #6 Addition” consisting of two (2) buildable backlots for non-residential use as presented. The property is described as Pt of GL 6 (5.23 AC), Section 2 of Scambler Township; Duck Lake (56-925) & Pelican Lake (56-786).

*Preliminary Plat & Conditional Use Permit – “Lakeside Timber Estates”/Bruce Jahnke and Warren & Kiki Gore:*

Motion by Froemming, second by Nelson, and unanimously carried to approve the Preliminary Plat known as “Lakeside Timber Estates” consisting of seven (7) lots for single family residential use and a Conditional Use Permit to construct a road to service the plat with a condition as recommended by the Planning Commission. The property is described as Pt of GL 5, pt NW¼ SE¼ & pt GL 2...(21.70AC) & Pt NW¼ SE¼, GL 2 & GL 5...(57.30 AC) Section 10 of Parkers Prairie Township; Horsehead Lake (56-22).

**Adjournment**

At 12:12 p.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, August 23, 2005.

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

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

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



8/16/2005 11:59:24 OTTER TAIL COUNTY AUDITOR  
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66  
WARRANTS FOR PUBLICATION PAGE 1

WARRANTS APPROVED ON 8/16/2005 FOR PAYMENT 8/16/2005

VENDOR NAME	AMOUNT
A'VIANDS LLC	4,172.26
ADVANCED SYSTEMS CONCEPTS	250.00
J ANDERSON	875.00
AUTO SAFETY SERVICE	582.11
BATTLE LAKE MOTOR PATROL ASSN	37.50
BLUESTONE TECHNOLOGIES INC	729.00
BRANDON COMMUNICATIONS INC	345.83
KENT BUESSELER	155.63
CARR'S LAKE COUNTRY SUPERMARKE	4.66
CENTRAL STATES WIRE PRODUCTS I	2,514.04
CHECKERS	43.37
CITIZENS ADVOCATE	68.00
COMPANION ANIMAL HOSPITAL	60.67
COOPERS TECHNOLOGY GROUP	152.43
CORPORATE TECHNOLOGIES	60.00
CREATIVE FORMS & CONCEPTS INC	911.67
CULLIGAN WATER COND	90.75
DACOTAH PAPER COMPANY	949.43
DAN'S EXHAUST PROS	43.94
DELZER CONSTRUCTION INC	42,676.47
DENZEL'S REGION WASTE INC	168.48
DIAMOND VOGEL PAINTS	554.87
DIVERSION AUTO	834.08
JOEL DULSKI	377.39
DYNAMIC IMAGING SYSTEMS INC	3,385.00
ANNA EMERSON	476.00
FARMERS ELEVATOR OF FERGUS FAL	75.00
FARNAM'S GENUINE PARTS INC	509.00
FERGUS ELECTRIC	293.02
FERGUS FALLS NEWSPAPERS INC	974.17
FERGUS FALLS POLICE DEPT	320.56
FERGUS INTERNATIONAL INC	76.66
FERGUS TIRE CENTER	29.50
FERRELLGAS	56.71
FOTH & VAN DYKE	9,762.71
FREMONT INDUSTRIES INC	717.21
G & K SERVICES	1,979.36
GE CAPITAL	233.65
GOVERNMENT MANAGEMENT GROUP	1,075.00
GR GRAPHICS INC ST LOUIS	200.16
GRAINGER INC	355.03
HALL GMC INC	1,211.24
HEALTHCARE ENVIRONMENTAL SERVI	78.00
HEDAHL'S HEADQUARTERS	11.12
HEISLER'S COUNTRY OIL	1,142.54
HENNING AUTO PARTS INC	89.32
HENNING HARDWARE	94.07
TERRY HOFF	42.07
THE INDEPENDENT	31.63

8/16/2005 11:59:24 OTTER TAIL COUNTY AUDITOR  
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66  
WARRANTS FOR PUBLICATION PAGE 2

WARRANTS APPROVED ON 8/16/2005 FOR PAYMENT 8/16/2005

VENDOR NAME	AMOUNT
INSIGHT PUBLIC SECTOR	1,315.90
KELLEY'S GARAGE AND FUEL STOP	33.50
KELLY SERVICES INC	578.00
L & L SERVICE	56.85
LAKE REGION HEALTHCARE CORP	150.00
LAKELAND MENTAL HEALTH CENTER	651.00
LARRY OTT INC TRUCK SERVICE	1,285.00
PAT LARUM	47.30
MACQUEEN EQUIPMENT INC	1,794.61
MAIN STREET GAS & GOODS	256.92
MCCC MI 33	2,164.00
THE MIDWEEK	72.96
MN CO INSURANCE TRUST	288.00
MN DEPT OF LABOR AND INDUSTRY	60.00
MN DEPT OF TRANSPORTATION	111.29
MN MOTOR COMPANY	405.23
NELSON DODGE GMC	161.65
NELSON INTERNATIONAL	128.93
NEW YORK MILLS HERALD	34.30
NICE THREADS INC	904.50
NORTHSTAR TECHNOLOGY GROUP INC	6,000.00
OFFICEMAX A BOISE COMPANY	265.20
OVERLAND MECHANICAL SERVICES	2,582.76
PAMIDA INC 008	28.90
PAMIDA PHARMACY	2,692.71
PARK REGION CO OP	1,635.34
KRISTIE PARTAIN	41.31
PENROSE OIL COMPANY	508.19
PERHAM CO OP CREAMERY	2,632.28
PERHAM ENTERPRISE BULLETIN	529.37
PERHAM STEEL & WELDING	1,056.09
PREMIUM WATERS INC	52.98
THE RENTAL STORE	255.08
REVIEW ENTERPRISES INC	26.40
ROYAL TIRE INC	852.00
DELBERT SANDBACK	290.00
DOROTHY SCOTT	69.00
SERVICE FOOD SUPER VALU	39.06
SOUTHTOWN C-STORE	22.29
STEINS INC	800.78
STEVE'S SANITATION INC	2,342.00
STRAND ACE HARDWARE	24.10
SWANSTON EQUIPMENT CORP	2,449.50
SYNERGY GRAPHICS INC	97.26
SPENCER THOMAS	119.62
JOSLYN THOMPSON	12.00
U S POSTMASTER	74.00
VALLEY SOFT WATER	47.50
VALLEY SOFT WATER LTD	28.76

8/16/2005  
11:59:24

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

WARRANTS APPROVED ON 8/16/2005 FOR PAYMENT 8/16/2005

VENDOR NAME	AMOUNT
VICTOR LUNDEEN COMPANY	49.08
VIKING OFFICE PRODUCTS	91.14
WADENA CO AUDITOR TREASURER	343.38
WADENA PIONEER JOURNAL	85.50
WALLWORK TRUCK CENTER	1,782.67
WASTE MANAGEMENT	32,103.84
RANDY WASVICK	60.00
WELDING SUPPLIES & FIRE EQUIPM	4.58
TIMOTHY WESBROOK AND	447.00
**** FINAL TOTAL.....	\$150,917.92 ****