

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
500 Fir Avenue W., Fergus Falls, MN  
Tuesday, June 20, 2006  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, June 20, 2006, at 9:30 a.m., at the Otter Tail County Government Services Center with Commissioners Roger Froemming, Chair; Dennis Mosher, Vice-Chair; Bob Block, Syd Nelson, and Malcolm Lee present.

**Approval of Agenda**

Motion by Block, second by Nelson, and unanimously carried to approve the County Board agenda of June 20, 2006, with the following additions:

10:35 a.m. – Request from Wilkin County  
Correspondence from Joyce Bruns

**Approval of Minutes**

Motion by Mosher, second by Lee, and unanimously carried to approve the County Board minutes of June 13, 2006, as presented.

**Approval to Pay Bills**

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

**Ditch No. 38 Petition**

Motion by Mosher, second by Nelson, and unanimously carried to deny the petition to impound water in County Ditch No. 38 submitted by Robert Sonnenberg and approve the "Findings and Order Denying Impoundment Petition" as presented by the County Attorney.

**Resolution for Acreage Modification in the Fergus Falls JOBZ Subzone  
Otter Tail County Resolution No. 2006 - 47**

Commissioner Mosher offered the following and moved its adoption:

**WHEREAS**, the Otter Tail County Board of Commissioners, on September 9, 2003, passed a resolution approving certain County parcels to be included in a regional application for a Job Opportunity Building Zone; and

**WHEREAS**, the City of Fergus Falls was a participant in the regional Job Opportunity Building Zone application done by the West Central Initiative Fund; and

**WHEREAS**, the regional application submitted by the West Central Initiative Fund was approved by the Department of Employment and Economic Development; and

**WHEREAS**, the City of Fergus Falls wishes to modify the acreage in their Job Opportunity Building Subzone; and

**BE IT RESOLVED**, the Otter Tail County Board of Commissioners, upon careful consideration and review, hereby approve the modifications as identified in the following table:

Owner/Developer	Parcel Number	Acreage	Modification
Fergus Falls:			
Midwest Regional Development	71003500195007	26.59	
Merwin Adams	71003500195904	3.45	
Merwin Adams	71003500202005	40.35	
Aasness/Bjorgum	71003500195050	2.81	
Aasness/Bjorgum	71003991519000	.46	
Aasness/Bjorgum	71003500195039	2.47	
DFA	71003500003000	2.7	
DFA	71003500004002	2.03	
DFA	71003500002000	1.96	
DFA	71003500004004	22.44	
Jason Hintermeister	71003500006000	7.17	
Fergus Falls Port Authority	71003990853901	.46	
Fergus Falls Port Authority	71003500004006	2.38	
City of Fergus Falls	71003500004005	6.61	
Burlington Northern Railroad	71001500048000	.99	
State of Minnesota	71003500007000	77.17	
Thiele Technologies	71003991430006	1.38	
Daniel Larson	71003991430901	1.20	
Fergus Falls Port Authority	71003991430005	1.33	
Fergus Falls Port Authority (UPS)	71003991430004	1.32	
Fergus Falls Port Authority	71003991550000	5.88	
Fergus Falls Port Authority	71003500007008	1.01	
Fergus Falls Port Authority	71003991558000	5.13	
Fergus Falls Port Authority	71003991559000	5.36	
Fergus Falls Port Authority	71003991560000	7.52	
TNT Properties LTD	71003991551000	10.38	
Robert Bunkowski	26000320196000	79.40	
Mark Thorson	06000010004003	18.50	
Mark Thorson	06000010008000	56.01	
Mark Thorson	06000010009000	6.61	Reduced by 32 acres
Thomas C. Graham and Henry A. Harms	71003991532000	1.03	
Robert W. & Helen D. Johnson	71003991430002	1.32	
ShoreMaster, Inc.	71003991433000	6.42	
Innova Properties	71003991431001	3.29	
T & R Properties	71003991554000	4.14	
T & Properties	71003991555000	.52	
Heritage Properties, LLC	71001500046902	7.27	
Eugene Marquardt Et Al	03000300218030	1.00	
Jonathan & Brenda Piekarski	26000200128000	32.00	Part of Parcel added

Commissioner Block seconded the motion and upon being put to a vote, the above resolution was adopted as follows:

Yes: 5  
 No: 0  
 Absent: 0

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

By: \_\_\_\_\_  
Roger Froemming, Board of Commissioners Chair

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

**License Applications**

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

*Amor Rumors 30932 Larson Road Battle Lake, MN 56515	On-Sale Liquor and Sunday Liquor
**Galaxy Resort	On-Sale Liquor and Sunday Liquor Off-Sale 3.2 Malt Liquor
*Cactus	On-Sale Liquor and Sunday Liquor
*Graystone on Otter Tail Inc. 35776 County Highway 72 Battle Lake, MN 56515	On-Sale Liquor and Sunday Liquor
**Keeper's II Lounge and Restaurant 29961 415 <sup>th</sup> St Vergas, MN 56587	On-Sale Liquor and Sunday Liquor
**Lida Greens	On-Sale 3.2 Malt Liquor
**New York Mills Lions	Temporary Liquor On-Sale 3.2 Malt Liquor
+RLJ Inc. Lenny's Dining and Dancing 30255 Phelps Mills Road Underwood, MN 56586	On-Sale Liquor and Sunday Liquor
Josh Hanson's Spanky's Inc. Spanky's Stone Hearth 34785 County Highway No. 4 PO Box 9 Vergas, MN 56587	On-Sale Liquor and Sunday Liquor
**Silver Moon	On-Sale Liquor and Sunday Liquor
**Stromlie Associates LLC The Club 44086 US Highway 59 Pelican Rapids, MN 56572-7336	On-Sale Liquor and Sunday Liquor
New Country Manor Motel Inc. Trackside Restaurant and Lounge 63131 County Highway 10 West Wadena, MN 56482	On-Sale Liquor

\*Subject to approval of the County Attorney's office, the County Sheriff's office and submission of the required insurance certificate.

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

+ Subject to approval of the County Attorney's office, the County Sheriff's office, submission of the required insurance certificate and submission of the required fee.

### **Exempt Permit Application**

Motion by Mosher, second by Nelson, and unanimously carried to approve, with no waiting period, the LG220 Application for Exempt Permit as submitted by the Otter Tail County Pheasants Forever for an event scheduled for September 11, 2006, at Lakes Area Shooting Center.

Motion by Lee, second by Froemming, and unanimously carried, with no waiting period, the LG220 Application for Exempt Permit as submitted by the Dead Lake Association Inc. for an event scheduled for December 2, 2006, at the Richville Senior Citizen Center.

### **Transfer of Funds**

Motion by Nelson, second by Lee, and unanimously carried to approve, as recommended by the County Budget Committee, the transfer of \$3,000 from the Veteran's Service Van Replacement Account (Capital Improvement Fund 14-2112) to Veteran's Service Hospital Driver's Account (General Revenue Fund – 01-2112).

### **Premise Permit**

#### **Otter Tail County Resolution No. 2006 – 48**

Commissioner Nelson offered the following and moved its adoption:

WHEREAS, the responsibility for the regulation of lawful gambling and the issuance of licenses and permits for the conduct of lawful gambling lies with the Minnesota Gambling Control Board; and

WHEREAS, T.I.P. Inc. Otter Tail Chapter, Detroit Lakes, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at Playtime Sports Bar, Inc., located at 43974 390<sup>th</sup> St. in Rush Lake Township of Otter Tail County; and

WHEREAS, Minnesota Statute 349.213 provides that the Gambling Control Board may not issue a premise permit unless they receive a resolution from the Otter Tail County Board of Commissioners approving the application for a permit; and

WHEREAS, the Otter Tail County Board of Commissioners is aware of no reason to oppose the conduct of lawful gambling by the T.I.P. Inc., Otter Tail Chapter, Detroit Lakes, MN, at the Playtime Sports Bar, located at 43974 390<sup>th</sup> St. in Rush Lake Township of Otter Tail County.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners hereby approves the conduct of lawful gambling by T.I.P. Inc, Otter Tail Chapter, Detroit Lakes, MN, at the Playtime Sports Bar, located at 43974 390<sup>th</sup> St. in Rush Lake Township of Otter Tail County, provided the applicant meets all the necessary criteria for the licenses and permits as required by the Gambling Control Board.

IT IS FURTHER RESOLVED, that notice of this application and approval shall be provided to the Township of Rush Lake by sending them a copy of this resolution.

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

Adopted and signed this 20th day of June 2006.

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

By: \_\_\_\_\_  
 Roger Froemming, County Board Chair

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

**Highway Department Project Update**

Highway Engineer, Rick West, briefed the Board on highway construction and design projects recently completed and upcoming projects. He provided a Project Update handout dated June 6, 2006.

**2005 Annual Highway Department Report**

Mr. West presented the 2005 Otter Tail County Highway Department Annual Report.

**High Water Discussion**

Mr. West reported that pumping north of Fergus Falls will begin soon. Pumping water near Highway 29 is complete. He stated that the Highway Department is working on County Road 18 and plans to shoot elevations next week for Crooked Lake. If the water can flow to Ditch No. 21 by gravity, the Highway Department may petition for an outlet into Ditch No. 21. Mr. West noted that there would be some improvements needed to Ditch 21 to accommodate the additional water. Lengthy discussion took place regarding North and South Turtle Lakes. GIS Coordinator, Brian Armstrong stated that preliminary mapping and elevations have been completed. Discussion took place regarding using Ditch Viewers to do the benefit analysis for the storm water system. The County Attorney stated that a letter has been received from DNR Hydrologist, Terry Lejcher, that he believes the excess water is storm water.

**Supplemental Agreement No. 2 to Mn/DOT Agreement No. 80364  
 Otter Tail County Resolution No. 2006 - 49**

Commissioner Nelson offered the following and moved its adoption:

BE IT RESOLVED, that the County of Otter Tail enter into a supplemental agreement with the Township of Pine Lake, The BNSF Railway Company and the Commissioner of Transportation for clarification of the eligible project costs and identifying the County of Otter Tail as the recipient of Federal Funds for the construction of roadway improvements in Pine Lake Township, and appointing the Commissioner of Transportation agent for the Township to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.36. The County of Otter Tail will receive Federal Funds for this project. The County's share of the project's cost shall be zero percent.

BE IT FURTHER RESOLVED, that the Chair of the Board be and is hereby authorized to execute said agreement for and on behalf of the County.

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

Adopted and signed this 20th day of June 2006.

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

By: \_\_\_\_\_  
Roger Froemming, County Board Chair

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

**AMENDMENT OF RESOLUTION CALLING PUBLIC HEARING ON  
SOLID WASTE REVENUE BOND PROJECT ON BEHALF OF  
OTTER TAIL AG ENTERPRISES, LLC  
Otter Tail County Resolution No. 2006 – 45A**

Commissioner Block offered the following and moved its adoption:

BE IT RESOLVED by the Board of Commissioners of Otter Tail County to amend Otter Tail County Resolution No. 2006 – 45 and replace Paragraph 2 with the following:

2. It has been proposed that the County issue revenue bonds pursuant to the Act in the principal amount of up to \$20,000,000 (the "Bonds") and loan the proceeds to Otter Tail AG enterprises, LLC (the "Borrower") to finance the costs of acquiring and installing solid waste facilities as part of the ethanol plant being developed by the Borrower in the County.

Commissioner Mosher seconded the motion, and upon being put to vote, the above resolution was adopted on a unanimous vote.

Adopted at Fergus Falls, Minnesota, this 20<sup>th</sup> day of June, 2006.

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

By: \_\_\_\_\_  
Roger Froemming, Board of Commissioners Chair

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

**Request from Wilkin County**

Commissioner Bob Block was approached by Wilkin County as to whether Otter Tail County would be willing to discuss a working relationship regarding public health services. The Board requested that the Public Health Director obtain additional information.

### **Planning Commission Recommendations**

#### **Conditional Use Permit – Kevin & Jill Mohn:**

Motion by Nelson, second by Mosher, and unanimously carried to deny a Conditional Use Permit to bring in fill and sand and perform topographical changes. The reasons for the denial are as listed in the Planning Commission minutes dated June 14, 2006. The property is described as Scalp Lake Acres, Lot 8, Section 7 of Hobart Township; Scalp Lake (56-358).

#### **Conditional Use Permit – Otto Township:**

Motion by Nelson, second by Lee, and unanimously carried to approve a Conditional Use Permit to reconstruct a portion of Quiet Waters Road between the channel and Rush Lake with a condition as recommended by the Planning Commission. The property is located on Quiet Waters Road between channel and Rush Lake, (Quiet Waters Development) Section 29 of Otto Township; Rush Lake (56-141).

#### **Conditional Use Permit – Woodlawn Resort/Robert D. & Phyllis Narveson:**

Motion by Froemming, second by Lee, and unanimously carried to approve a Conditional Use Permit to upgrade areas of the resort as presented. The property is described as SE $\frac{1}{4}$  of Lot 5 (12.21 Acres) Section 6 of Girard Township; Blanche Lake (56-240).

#### **Preliminary Plat – “Hansons Addition”/Rodney & Olive Hanson:**

Motion by Nelson, second by Lee, and unanimously carried to approve a Preliminary Plat known as “Hanson Addition” consisting of 2 lots for single family residential use as presented. The property is described as NE $\frac{1}{4}$  SW $\frac{1}{4}$  and Lot 5 ex trs, Section 15 of Hobart Township; Rose Lake (56-360).

#### **Conditional Use Permit – Ronald L. & Arlys K. Gunderson:**

Motion by Nelson, second by Block, and unanimously carried to approve a Conditional Use Permit to open a massage therapy business as presented. The property is described as Lot 9, Round Lake Retreat, Section 22 of Rush Lake Township; Round Lake (56-214).

#### **Preliminary Plat & Conditional Use Permit – “Geren Brech Addition”/Rodney & Jill Hagen:**

Motion by Lee, second by Mosher, and unanimously carried to approve the Preliminary Plat known as “Geren Brech Addition” consisting of 4 single family residential lots and a Conditional Use Permit to service the plat with a condition as recommended by the Planning Commission. The property is described as Lot 4 ex tr & NE $\frac{1}{4}$  ex tr, GL 5 ex tr, Section 29 of Scambler Township; Pete Lake (56-941).

#### **Preliminary Plat – “Swanson Acres”/Craig Swanson:**

Motion by Nelson, second by Lee, and unanimously carried to approve the Preliminary Plat known as “Swanson Acres” consisting of 3 single residential lots as presented. The property is described as Pt of GL 2 ... (9.45 AC) Section 25 of Gorman Township; Little Pine Lake (56-142).

#### **Conditional Use Permit – Terrence & Diane Hepola:**

Motion by Nelson, second by Block, and unanimously carried to approve an after-the-fact Conditional Use Permit to construct 580 sq. ft. uncovered cement paver landscape patio with a condition as recommended by the Planning Commission. The property is described as Lot 2 of Oak Shores Estates, Section 10 of Rush Lake Township; Boedigheimer Lake (56-212).

Conditional Use Permit – Wee Villa LTD Partnership:

Motion by Lee, second by Mosher, and unanimously carried to approve an after-the-fact Conditional Use Permit to install new pitched roofs on existing trailers on Lots 20, 28, & 29 and add a new porch on Lot 29 as presented. The property is described as Lot 4 ex trs (36.15 AC) Section 14 of Elizabeth Township; Long Lake (56-784).

**Prairie Snow Drifters Snowmobile Association**  
**Otter Tail County Resolution No. 2006 – 51**

Commissioner Froemming offered the following and moved its adoption:

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

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

THEREFORE, BE IT RESOLVED that Otter Tail County shall continue to sponsor Grant-In-Aid Trail Systems as they exist for the Prairie Snow Drifters Snowmobile Club and proposed extensions of Grant-In-Aid Trails with the aforementioned condition.

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

Adopted this 20<sup>th</sup> day of June, 2006.

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

By: \_\_\_\_\_  
Roger Froemming, Board of Commissioners Chair

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

**Independence Day Parade**

Motion by Mosher, second by Froemming, and unanimously carried to approve the Annual Independence Day Parade and corresponding road closure(s) on the west end of Otter Tail Lake on Sunday, July 2, 2006, as requested by Karen Zell. This motion is contingent upon approval of the Sheriff's Department, proof of insurance, and that Otter Tail County is held harmless relative to liability.

**Adjournment**

At 11:32 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, June 27, 2006.

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

By: \_\_\_\_\_  
Roger Froemming, Board of Commissioners Chair

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

6/20/2006  
12:36:19

OTTER TAIL COUNTY AUDITOR  
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66  
WARRANTS FOR PUBLICATION PAGE 1

WARRANTS APPROVED ON 6/20/2006 FOR PAYMENT 6/20/2006

VENDOR NAME	AMOUNT
A-1 TROPHY	39.94
A'VIANDS LLC	2,024.28
AMERICAN TOWER CORPORATION	84.37
ARTROMICK INTERNATIONAL INC	71.99
BEYER BODY SHOP INC	96.00
BOBCAT OF OTTER TAIL COUNTY	110.31
BOUND TREE MEDICAL LLC	21.70
RONALD BOWMAN	79.99
BRAUN INTERTEC CORPORATION	7,470.00
BURELBACH AMERICAN LEGION POST	100.00
CADD ENGINEERING SUPPLY INC	730.30
CANADIAN PACIFIC RAILWAY COMPA	7,672.82
COOPERS TECHNOLOGY GROUP	112.20
DAN DREYER	500.00
EDWARD CARLSON AMERICAN LEGION	100.00
FARNAM'S GENUINE PARTS INC	58.74
FARNAM'S GENUINE PARTS INC PR	90.49
FERGUS FALLS NEWSPAPERS INC	738.36
FERGUS FALLS POLICE DEPT	262.05
FOTH & VAN DYKE	5,547.76
G & K SERVICES	2,427.89
GE CAPITAL	606.39
JOHN GOOD	165.02
GOPHER STATE ONE CALL	40.60
GR GRAPHICS INC ST LOUIS	493.26
GRAINGER INC	18.90
HENNING HARDWARE	203.15
HOLIDAY CREDIT OFFICE	43.80
THE INDEPENDENT	126.01
INNOVATIVE OFFICE SOLUTIONS	67.82
INSIGHT PUBLIC SECTOR	1,239.00
INTERSTATE INC	137.88
RODNEY JENSEN	36.00
KELLY SERVICES INC	895.57
LAKE REGION HEALTHCARE CORP	475.25
LAKELAND MENTAL HEALTH CENTER	384.00
LAKES COUNTRY GLASS	576.16
LAKES COUNTRY SERVICE CO OP	98.40
CRAIG LEE	10.97
LIGHT RETURNS RECYCLING	170.21
LOCATORS & SUPPLIES INC	986.27
M-R SIGN COMPANY INC.	10,629.07
MAIN STREET GAS & GOODS	175.06
MARK SAND & GRAVEL CO	83,890.89
MCCC MI 33	220.00
MERIGEN MEDICAL	57.45
WENDY METCALF	93.01
MKG WELDING	375.47
MIDWEST PRINTING CO	10.65

6/20/2006 12:36:19 OTTER TAIL COUNTY AUDITOR  
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66  
WARRANTS FOR PUBLICATION PAGE 2

WARRANTS APPROVED ON 6/20/2006 FOR PAYMENT 6/20/2006

VENDOR NAME	AMOUNT
MIDWESTERN MAT RENTAL & SUPPLY	69.60
MINNKOTA	39.90
MN MOTOR COMPANY	23.20
MNCITLA	75.00
MPELRA	195.00
MURPHY OIL USA INC	19,735.00
NATIONAL BUSINESS SYSTEMS INC	3,750.26
NEW YORK MILLS HERALD	72.54
NORTHERN STATES SUPPLY INC	185.29
NORTHWEST RESPIRATORY SERVICES	60.00
OFFICE DEPOT	127.80
OFFICEMAX CONTRACT INC	70.96
OLSON OIL CO INC	138.66
OSI ENVIRONMENTAL INC	50.00
OTTER TAIL CO EMPLOYEES COMMIT	58.00
OTTERTAIL TRUCKING INC	7,748.60
OUTDOOR RENOVATIONS LANDSCAPE	360.00
PAMIDA INC 008	14.09
PEPSIAMERICAS	183.20
PERHAM CO OP CREAMERY	1,241.51
PERHAM ENTERPRISE BULLETIN	55.80
PITNEY BOWES	1,462.25
PRO-WEST & ASSOCIATES INC	806.25
PRODUCTIVE ALTERNATIVES INC	96.81
SERVICE FOOD SUPER VALU	17.92
SIMPLEXGRINNELL LP	318.00
SOUTHTOWN C-STORE	31.01
STEINS INC	788.34
STRAND ACE HARDWARE	11.16
SUPER SEPTIC INC OF PELICAN RA	77.19
THERMAL TECHNOLOGIES INC	560.00
THYSSEN KRUPP ELEVATOR CORPORA	87.50
TOOL CRIB OF THE NORTH	128.86
TOUTGES SANITATION	49.14
UNITED RENTALS HIGHWAY TECHNOL	181.05
VICTOR LUNDEEN COMPANY	1,089.82
WADENA CO AUDITOR TREASURER	1,120.41
WHITE BANNER UNIFORM SHOP	73.75
**** FINAL TOTAL.....	\$171,719.32 ****