

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 Fir Avenue W., Fergus Falls, MN
Tuesday, July 24, 2007
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, July 24, 2007, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Dennis Mosher, Chair; Syd Nelson, Vice-Chair; Bob Block, Roger Froemming, and Everett Erickson present.

Approval of Agenda

Motion by Froemming, second by Block, and unanimously carried to approve the County Board Agenda of July 24, 2007, with the following additions:

Highway Engineer – Additional Agenda Item – South Turtle Lake Project
Appointment to the Planning Commission

Approval of Minutes

Motion by Nelson, second by Erickson, and unanimously carried to approve the County Board Minutes of July 17, 2007, as presented.

Approval to Pay Bills

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

Performance Evaluation

Veterans Service Office Director, Jourdan Sullivan, requested that his Performance Evaluation be open to the public. Mr. Sullivan submitted a self-evaluation which will be kept on file in his personnel file. He reviewed, with the Board, some statistics regarding veterans' services. Over 1,798 veterans have been seen in the Fergus Falls VSO in the past six months and over 250 claims have been submitted. This indicates a high degree of work load and success in serving veterans and Mr. Sullivan credited his employees for their team work. Mr. Sullivan stated that his offices are prepared to deal with the Iraqi Veterans that are coming back. Commissioners stated that they are very pleased with the work of the VSO and commended Mr. Sullivan on the evaluation. Motion by Block, second by Erickson, and unanimously carried to formally reappoint Jourdan Sullivan as the Otter Tail County Veterans Services Director effective March 1, 2007, for a four year term.

Perham Highway Garage Discussion

Highway Engineer, Rick West, discussed the request by the City of Perham to purchase the County's garage property and building located in Perham. He provided a copy of a letter dated July 10, 2007, from Perham City Mayor, Kevin Keil. Based on information in the letter and previous discussions, Mr. West submitted four options for the County Board relative to the requested purchase of County property. Lengthy discussion took place regarding the four options and the fact that the sale would not generate enough funds to build a new garage in Perham. Mr. West stated that, operationally, the work could be based out of the New York Mills garage. Also, several years down the road there could be an opportunity to co-locate with MnDOT in anticipation of their funding for a new facility. There is a meeting scheduled between the City of Perham Power Hour and County Commissioners for further discussion at 7:30 a.m. on August 8, 2007.

South Turtle Lake Storm Water System Project

Mr. West stated that a Conditional Use Permit was not secured for the South Turtle Lake Storm Water Sewer Project because the easements were not secured. There were many public meetings; however, and the Highway Department will apply for an after-the-fact CUP because the project was an emergency and there were right-of-way issues.

Recess & Reconvene

At 10:27 a.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 10:35 a.m.

Board Meeting in New York Mills

Motion by Froemming, second by Nelson, and unanimously carried to schedule the Board of Commissioners meeting of August 21, 2007, at the Courtroom in the New York Mills offices.

Proposed Conservation Easement – Lake Hills Ranch Estates

Property Owner, Will Blasczyk, presented a proposed Special Protection Easement for Lake Hills Ranch Estates. He stated that he had used a previously approved Special Protection Easement (document no. 1018173) as a template. He reviewed the differences in his proposed Easement. Mr. Blasczyk will make changes based on the County Attorney's recommendations and return to the Board for approval.

Planning Commission Recommendations

Conditional Use Permit – Wayne & Anne Hilchen:

Motion by Froemming, second by Nelson, and unanimously carried to approve a Conditional Use Permit for a grade & fill project to create a small walkout basement with conditions as recommended by the Planning Commission. The property is described as Sunnyside Lot 2 & vac rd adj. and Pt of GL 3 bet Lots 1 & 2 Sunnyside & Twp. Rd, Section 1 of Nidaros Township; East Battle Lake (56-138), RD.

Conditional Use Permit – Otter Tail County Highway Department:

Motion by Block, second by Erickson, and unanimously carried to approve a Conditional Use Permit for a road reconstruction project on CSAH 1 south of Fergus Falls with conditions as recommended by the Planning Commission. The property is described as CSAH 1, Section 28, 29, 32 & 33 of Buse Township; Mustinka River (56-Tributary), TR / Unnamed Lake (56-1414), NE .

Conditional Use Permit – Steve & Julie Hannig:

Motion by Erickson, second by Froemming, and unanimously carried to approve a Conditional Use Permit to construct rock retaining walls as presented excluding the creation of a sand play area as recommended by the Planning Commission. The property is described as Franklin Knoll Res Lot A & vac rd adj & W 30' of 5 & all Lot 6 & 7 Blk 1 & vac rd adj, Section 22 of Dunn Township; Franklin Lake (56-759), RD.

Conditional Use Permit – Craig & Gwen Bruns:

Motion by Block, second by Erickson, and unanimously carried to approve a Conditional Use Permit for topographic alteration for a driveway relocation and preparation for building a new home with conditions as recommended by the Planning Commission. The property is described as SE1/4 SW1/4, NW1/4 SE1/4 and Lots 2 & 3 (157 AC), Section 14 of Friberg Township; Johnson Lake (56-699), NE.

Conditional Use Permit – Farmers State Bank:

Land & Resource Director, Bill Kalar, stated that this Conditional Use Permit request for a dock and lift business in an existing building was recommended for denial by the Planning Commission. Neighbor, Karen Wells, presented a picture board and spoke against the request because of insufficient parking, plans to clear cut trees, potential for unsightly storage, and potential for excessive noise, which renders the site incompatible with the surrounding residential area. Another neighbor opposed to the CUP request spoke of large delivery trucks not having room to get in and out of the property. Neighbor, Bill Schafer, stated that he has lived in the area for 35 years and feels that the type of business that the Bank and Mr. Hein are suggesting is not the type of business that should be in that location. Karen Wells also brought up the issue of wetlands on the property. Motion by Froemming, second by Erickson, to deny a Conditional Use Permit for a Docks & Lifts business for the reasons as outlined in the Otter Tail County Planning Commission minutes dated July 18, 2007. Chairman Mosher called for a vote. Motion carried with Nelson, Block, Froemming, and Erickson in favor and Mosher abstaining. The property is described as Lot 1 Hawes Beach, Section 2 of Otter Tail Township; Buchanan Lake (56-209), GD.

Conditional Use Permit – Dean & Jo Allmendinger:

Mr. Kalar stated that this Conditional Use Permit request deals with construction of retaining walls and shoreline riprap and the Planning Commission recommended approval with conditions. Applicant, Dean Allmendinger, questioned Condition No. 3 as it relates to the requirement that the step blocks must be above ground. Discussion followed. Motion by Block, second by Froemming, and unanimously carried to approve a CUP for shoreline riprap and retaining walls with the following conditions:

1. Elimination of the washed sand area into the lake.
2. The only rock work allowed is rip rap along the existing shoreline.
3. The maximum width of the stairway must not exceed 4 feet and the stairway between the retaining walls may be set in ground.
4. The lake access stairway must be constructed above ground.
5. An Engineer must approve the project.
6. The work must be completed no later than October 1, 2007.
7. Appropriate erosion control measures must be implemented.

The property is described as Magnell's Addition to Clarisa Haven Lots 7 & 8, Section 28 of Girard Township; West Battle Lake (56-239), GD.

Conditional Use Permit – Randy & Kathy Heim:

Motion by Erickson, second by Block, and unanimously carried to approve a Conditional Use Permit to replace existing failed retaining walls with conditions as recommended by the Planning Commission. The property is described as Lot 18 Pelican Lake Park & Lot 17 Pelican Lake Park 3rd Addition, Section 5 of Dunn Township; Pelican Lake (56-786), GD.

Committee Member Appointment to the Planning Commission

Motion by Nelson, second by Erickson, and unanimously carried to appoint Marion Gill of Perham, MN, to the Otter Tail County Planning Commission to replace the term of Jim Arno.

Countywide Zoning

Commissioner Nelson stated that he would like to look into Countywide zoning. Mr. Kalar stated that the first step is to look at other ordinances to identify what you wish to accomplish from Countywide zoning. Mr. Nelson stated that the Ag Advisory Committee and the SWCD have requested zoning and that protection of agriculture is important.

Recess & Reconvene

At 11:45 a.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:00 p.m.

Lakes Country Service Cooperative Update

Jeremy Kovash, LCSC Executive Director, presented a power point presentation on the regional delivery of services that have expanded with the Lakes Country Service Cooperative. He provided background of Cooperatives and talked about Cooperative Purchasing, Insurance & Wellness Programs, and Educational/Training services.

Drug Court Presentation

Judge Barb Hanson and Judge Wally Senyk, presented a power point presentation entitled "Drug Court Planning Initiative" which is a new kind of judicial response to a problem of excessive use of alcohol and other drugs. The concept is that when an individual is first arrested is the best time to address the offender's issues and with treatment and intensive supervision based on the Drug Court model, recidivism has been significantly reduced. Initially, DWI Court would be the first type of court developed with Family Dependency Court and Felony Drug Court to follow. There are a number of grants available and meetings are under way to develop standards and protocols for drug court and identify the components. Implementation is planned for 2008 and an estimated Preliminary Budget was submitted with annual estimated expenditures of \$246,262.00, of which, local funds are estimated at \$56,526.00 per year.

Recess & Reconvene

At 2:04 p.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 2:10 p.m.

Closed to the Public

Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies relative to the Technical Bargaining Unit, Human Services Units, and Sheriff's Department Units. Present were all five seated Commissioners with Commissioner Nelson absent at 2:45 p.m., the County Attorney, County Coordinator, Treasurer, Recorder, Assessor, Land & Resource Director, and Board Secretary. This Closed Session was completed at 3:10 p.m.

Adjournment

At 3:11 p.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, July 31, 2007.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Dennis R. Mosher, Board of Commissioners Chair

Attest: _____

Larry Krohn, Clerk

WARRANTS APPROVED ON 7/24/2007 FOR PAYMENT 7/24/2007

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	3,202.24
AMEM	125.00
BARNA GUZY & STEFFEN LTD	26.00
BLESI-EVANS COMPANY	232.79
BOUND TREE MEDICAL LLC	174.64
BREEZY POINT RESORT	525.00
CENTRAL SPECIALTIES INC	55,666.31
CITIZENS ADVOCATE	99.70
RICK DENZEL	166.51
DEX MEDIA EAST	19.95
EARL STRANDE EXCAVATING	3,903.23
FARGO GLASS AND PAINT CO	470.00
FERGUS ELECTRIC	9,325.90
CITY FERGUS FALLS	2,519.56
FERRELLGAS	203.95
FIRST LAB	273.00
WILLIAM FISHER	15.52
FOTH & VAN DYKE	18,587.97
G & K SERVICES	1,918.63
G & R CONTROLS	127.30
GALL'S INC	600.64
GE CAPITAL (CA)	372.74
GOPHER STATE ONE CALL	33.35
GR GRAPHICS INC ST LOUIS	301.16
DUANE HAUGEN	15.13
HEARTLAND TIRE SERVICE INC	226.08
COREY HOEFS	10.42
HOOTS SPORTS	33.98
HSBC BUSINESS SOLUTIONS	273.20
INNOVATIVE OFFICE SOLUTIONS	54.17
INTOXIMETERS INC	1,248.18
J & K MARINE	49.63
J C'S GENERAL STORE	27.14
JUERS' REPAIR INC	216.55
KELLY SERVICES INC	1,065.88
LAKE REGION HEALTHCARE CORP	2,705.48
LAKELAND MENTAL HEALTH CENTER	796.00
LARRY OTT INC TRUCK SERVICE	520.00
LOCATORS & SUPPLIES INC	215.44
MARTIN'S PAINTING & MORE	6,000.00
MATTHEW BENDER & COMPANY INC	68.55
MICRO AGE	1,710.39
MIDWEST PRINTING CO	207.68
MINNKOTA	58.00
MN CO ATTORNEYS ASSOCIATION	50.00
MN CO INSURANCE TRUST	272.00
MN DEPT OF NATURAL RESOURCES O	435.00
MN MOTOR COMPANY	535.43
MN OFFICE OF ENTERPRISE TECHNO	115.29
MN SHERIFFS' ASSOCIATION	690.00
MN STATE BAR ASSOCIATION	397.50
MPELRA	80.00
NARDINI FIRE EQUIPMENT	239.50
NELSON DODGE GMC	425.01
NELSON FORD LINCOLN MERCURY IN	810.10
JOYCE NERDAHL	1,050.00
NEWMAN TRAFFIC SIGNS	795.56
NORTHERN STATES SUPPLY INC	163.72
OFFICEMAX CONTRACT INC	7.89
ORANGE TREE EMPLOYMENT SCREENI	12.00

OTTER TAIL CO TREASURER	830.56
OTTERTAIL TRUCKING INC	6,487.20
PARK REGION CO OP	599.87
PEPSIAMERICAS	239.40
PERHAM STEEL & WELDING	41.84
PITNEY BOWES	1,718.25
PRAIRIE IMPLEMENT INC	262.79
RASMUSSEN-SCHEDOWSKI VFW POST	100.00
RELIABLE OFFICE SUPPLIES	189.39
RICHARDSON RICHTER & ASSOCIATE	75.00
RICK'S TIRE SERVICE	30.00
RINGDAHL AMBULANCE SERVICE	270.00
ROYAL TIRE INC	8,692.41
CHERI SCHULTZ	11.42
SEWER SERVICE	745.00
SPRINT	680.48
STEINS INC	2,233.73
THERMAL TECHNOLOGIES INC	461.00
TNT REPAIR INC	453.22
GARY TORGERSON	99.95
TRANQUILITY BUILDING SERVICES	452.63
TRI STAR RECYCLING	2,715.27
TRUCK BODIES & EQUIP INTERNATI	229.99
CHRIS VAN DYKE	196.20
VARITECH INDUSTRIES	286.14
VICTOR LUNDEEN COMPANY	1,363.29
VOSS LIGHTING	213.11
WADENA CO AUDITOR TREASURER	1,428.98
WASTE MANAGEMENT	47,663.24
WEST PAYMENT CENTER	588.93
XEROX CORPORATION	181.83
<u>**** FINAL TOTAL.....</u>	<u>\$200,013.11 ****</u>