

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, August 21, 2001
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, August 21, 2001, at 9:32 a.m. at the Otter Tail County Courthouse with Roger Froemming, Chair; Dennis Mosher, Vice-Chair; Syd Nelson, Malcolm Lee, and Bob Block present.

Approval of Agenda

Motion by Lee, second by Mosher, to approve the County Board agenda of August 21, 2001, with the following additions:

- Under Land & Resource Director, Bill Kalar
- Request for Extension for Filing a Final Plat
 - Request for Approval of Final Plats

Motion carried unanimously.

Approval of Minutes

Motion by Mosher, second by Nelson, and unanimously carried to approve the County Board minutes of August 14, 2001, with the following correction:

Page 4, Under "Planning Commission Recommendations", Paragraph 3 & 4,
"Merrel Morrel" should read "Merrel Moore"

Request for Road Name Change

Richard Narum stated that he lives between Walker Lake and Otter Tail Lake and requested a road name change from Boxelder Road (named during the E-911 addressing process) to Camp Nidaros Road. Mr. Narum stated that he could not obtain all of the signatures required for this request back in May because the residents live in various parts of the country. He now has signatures from 100% of the residents living on the road in favor of this road name change. Motion by Lee, second by Mosher, and unanimously carried to change the name of Boxelder Road to Camp Nidaros Road contingent upon no other complications with road names in the addressing system and that the cost of new signs and map changes is reimbursed to the County from the residents requesting the change.

Discussion - Potential Tubing Ordinance

Chief Deputy, Mark Morris, provided a copy of the Becker County River Ordinance. Discussion took place regarding the current tubing businesses and the differences in their respective Conditional Use Permits. Mr. Morris stated that the Sheriff feels a similar ordinance as the Becker County River Ordinance for Otter Tail County would be a good idea. He recommended additional language prohibiting crossing roadways for access to the river for tubing purposes because of public safety concerns. Motion by Lee, second by Block, and unanimously carried to refer the potential Tubing Ordinance to the Planning Commission.

Management Letter

Motion by Mosher, second by Block, and unanimously carried to authorize Roger Froemming, Chair; Larry Krohn, County Coordinator; and Wayne Stein, County Auditor; to sign the

management letter as it relates to the financial statements for the period ending December 31, 2001.

Budget Information

County Auditor, Wayne Stein, provided financial projections regarding total net levy, special levies, and levy limits for CY 2002. Mr. Stein discussed the potential need for a waiver from the Commissioner of Revenue for mailing Truth in Taxation statements because software to calculate the tax rate is not available as a result of recent legislative changes.

Special Certifications

The County Board congratulated Jim Myhre, Viola Manderud, and Wayne Stein for being certified as County Election Administrators and for participating as a pilot county during the development and testing of the new Secretary of State's Voter Election Management System.

Approval to Pay Bills

Motion by Nelson, second by Mosher, to approve payment of bills per Attachment A of these minutes, which include the following lodging payments:

Sheraton Inn Midway
reimbursable by MCCC

Sheriff, Gary Nelson

Hampton Inn

Office Support Supervisor, Brenda Shoemaker

Motion carried unanimously.

Contract Approval - S.P. 56-652-11

Highway Engineer, Rick West, requested approval of a contract for completion of S.P. 56-652-11, box culverts over the Leaf River. Motion by Froemming, second by Nelson, and unanimously carried to authorize the Chair's signature to execute a contract between the County of Otter Tail and Landwehr Construction, Inc. of St. Cloud for S.P. 56-652-11, box culverts over the Leaf River on CSAH 52, 1.5 miles north and .84 miles west of Deer Creek, MN, contingent upon approval of the County Attorney.

Approval of Mechanical Services

Mr. West reported that the heating and air exchange system at Garage No. 1 needs to be upgraded. Total project is budgeted at approximately \$135,000. He requested approval to enter into an agreement for architectural and mechanical services for this project. Motion by Lee, second by Block, and unanimously carried to authorize the Highway Engineer to enter into an agreement between the County of Otter Tail and David Shultz of Shultz, Torgerson Architects for Engineering/Technical services for mechanical system improvements and lighting replacement, in the amount of \$16,500, at Garage No. 1.

Closed to the Public for Performance Evaluation

At 10:42 a.m., Chair Froemming declared the meeting of the Otter Tail County Board of Commissioners closed to the public for the purpose of evaluating the performance of GIS Data Base Coordinator, Sherran Leabo, pursuant to M.S. §471.705 Subd. 1d(d). All five seated commissioners were present. A summary of performance conclusions will be provided at the next regular County Board meeting. At 10:48 a.m., upon conclusion of the performance evaluation, Chair Froemming opened the meeting to the public for the remainder of the agenda items.

Property, Casualty, and Workers Compensation Dividend

County Coordinator, Larry Krohn, reported property, casualty, and workers compensation dividend for CY2001 at \$372,908 with total premium for CY2002 at \$410,941.

Planning Commission Recommendations

Conditional Use Permit - Steven & Katheryn Endreson:

Motion by Mosher, second by Lee, and unanimously carried to approve a Conditional Use Permit to complete a retaining wall beyond 100' from the shoreline as presented. The property is described as Lot 8, Block 1, First Addition to Tradewell's Woodlands in Section 12 of Sverdrup Township; East Lost Lake (56-378).

Conditional Use Permit - "Franklin Lake Resort"/Jim & Terri Usher and Michael Klindt:

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit to change the use of the resort to ownership of each individual cabin with conditions as recommended by the Planning Commission. The property is described as Pt GL 3, W of Hwy Ex, S 15 Rds & Ex N 50' in Section 26 of Dunn Township; Franklin Lake (56-759).

Conditional Use Permit - "Pocahontas Resort"/Collene C. Barnick:

Land & Resource Director, Bill Kalar, reported that the Planning Commission motion to recommend approval for this CUP failed; therefore, the application is recommended for denial. John Barnick, son of the applicant, requested approval of the new mobile home, as the previous mobile home had been on-site for ten years. He stated that the request is to reduce from two 12' x 56' units to one 14' x 70' mobile home; therefore reducing impact on the lake. Mr. Zirnhelt, owner of the trailer, placed the trailer on the location ten years ago and put the trailer on the tax rolls. He stated that last year, a state inspector was at the resort and when asked about replacing the mobile home, he was told that it should not be a problem. He didn't realize he needed a permit from the County. Discussion continued.

Motion by Nelson, second by Froemming, to approve a Conditional Use Permit to allow a new mobile home (14' x 70') to replace two campsites as presented. The property is described as E'ly 1/2 of Sublot 2 of Lot 2, Section 18 of Dead Lake Township; Dead Lake (56-383). Discussion took place regarding the possibility of a variance being required because of lotline setback. Chair Froemming called for a roll call vote:

Commission District 5	Block	Yea
Commission District 2	Lee	Nay (would prefer to send this request back to the Planning Commission)
Commission District 4	Froemming	Yea
Commission District 1	Nelson	Yea
Commission District 3	Mosher	Yea (would like a reason(s) for the recommended denial from the Planning Commission)

Motion carried.

Conditional Use Permit - Scambler Township:

Motion by Lee, second by Mosher, and unanimously carried to approve a Conditional Use Permit to construct a grade raise, road widening, and culvert replacement because of recent high water with conditions as recommended by the Planning Commission. The property is described as Township Road 205th Avenue in Sections 13, 14, 23, and 24 of Scambler Township; Tamarac Lake (56-931).

Conditional Use Permit - Alexander & DiAnn Lampone:

Motion by Mosher, second by Lee, and unanimously carried to approve a Conditional Use Permit to replace three timber retaining walls on the lakeside of residence with conditions as recommended by the Planning Commission. The property is described as Pt of GL 2 (.75AC) in Section 11 of Eagle Lake Township; Eagle Lake (56-253).

Conditional Use Permit - Bylanders Resort/Dorothy Bylander:

Motion by Nelson, second by Lee, and unanimously carried to approve a Conditional Use Permit to add units to the resort as presented. The property is described as GL 1 ex platted & GL 2 ex S 260' of GL 2, ex platted (58.28 AC) in Section 1 of Dora Township; Sybil Lake (56-387).

Conditional Use Permit - Nothern Star Camp Fire Council, Inc:

Motion by Lee, second by Block, and unanimously carried to approve a Conditional Use Permit to add units as presented. The property is described as a 66.43 AC Tr in SW $\frac{1}{4}$ & in SE $\frac{1}{4}$ lying SLY Hwy #17 in Section 10 and Lot 2 (22.90 AC) in Section 15 of Candor Township; Lake Ida (56-534) & Lake Trowbridge (56-532).

Conditional Use Permit - George & Kim Sholy:

Motion by Lee, second by Froemming, and unanimously carried to uphold the recommended denial of the Planning Commission, for a Conditional Use Permit for an after-the-fact request to create 6" below the riprap swale to pool runoff. The property is described as Crystal-Lida Beaches Subdivision, Lot 9 Block 2, Lot 3, & a strip of property adjacent and east of said Lot 3 in Section 11 of Lida Township; Lake Lida (56-747).

Conditional Use Permit - David & Shawn Schneeberger:

Motion by Mosher, second by Lee, and unanimously carried to approve a Conditional Use Permit to build a driveway with conditions as recommended by the Planning Commission. The property is described as Pt of SL's 14, 15, & 16 (2.5 AC) and S 235' of E 134' of W 268' of SL 5 of SE $\frac{1}{4}$ (Richter) and S 235' of W 134' of SL 15 of SE $\frac{1}{4}$ (Zender) in Section 24 of Fergus Falls Township; Hoot Lake (56-782).

Approval of Request for Extension of Permit

Motion by Mosher, second by Lee, and unanimously carried to approve an extension, until September 21, 2001, for Paul & Diane Beckman to file the Final Plat known as Norge Estates on Norway Lake.

Approval of Final Plats

Motion by Mosher, second by Lee, and unanimously carried to approve the Final Plat of "Norge Estates" located in Section 20, Township 133, Range 41, Norway Lake (56-569), Sverdrup Township.

Motion by Lee, second by Nelson, and unanimously carried to approve the Final Plat of "Black Dog Addition to Provan Beach" located in Section 9, Township 137N, Range 42, Dunn Township.

Motion by Froemming, second by Lee, and unanimously carried to approve the Final Plat of "Oppegard Estates 2nd Addition" located in Section 25, Township 134, Range 38, East Leaf Lake (56-116), Leaf Lake Township.

Motion by Froemming, second by Lee, and unanimously carried to approve the Final Plat of "Oppegard Estates 3rd Addition" located in Section 25, Township 134, Range 38, East Leaf Lake (56-116), Leaf Lake Township.

Adjournment

At 11:50 a.m., Chair Froemming declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, August 28, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, County Board Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

Enc.

