

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, February 5, 2002
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, February 5, 2002, at 9:31 a.m. at the Otter Tail County Courthouse with Dennis Mosher, Chair; Malcolm Lee, Vice-Chair; Syd Nelson, Roger Froemming, and Bob Block present.

Approval of Agenda

Motion by Lee, second by Block, and unanimously carried to approve the County Board agenda of February 5, 2002, as mailed.

Approval of Minutes

Motion by Froemming, second by Nelson, and unanimously carried to approve the County Board minutes of January 29, 2002 as mailed.

Approval to Pay Bills

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

Discussion - County Ditches

At the County Board's request, Ditch Inspector, Randy Wasvick, reported that the recent bills for repair of Ditch No. 63 included the repair of three big holes in the system. There are a couple more areas that will need to be filled next spring. Egge Construction will be the contractor completing the work.

Mr. Wasvick reported that some cleaning had been completed last spring in Ditch No. 29 at a cost of \$3,150. A request has been received from two property owners to clean out the rest of that ditch, which is the most difficult area to clean out because it is swampy, cattail type land. Mr. Wasvick has received an estimate of \$5,000 to clean out the rest of this ditch system; however, there is an original benefit of \$5,800 on this ditch. Commissioners requested that Mr. Wasvick set up a meeting with landowners in Ottertail City and keep the Board informed.

Mr. Wasvick introduced discussion regarding land near Norway Lake that is under water. Some property owner complaints have been received. Lengthy discussion took place regarding the possibility of joining other ditch systems to bring the water down. County Attorney, David Hauser, stated that the County could move forward with the issue if a petition is received from property owner(s).

Paul Moe received permission to clean out the end of the tile system on Ditch No. 70. He did clean it out; however, the clean out did not take care of the problem. Mr. Moe does not feel he should pay the expenses to keep the ditch working. The Ditch Inspector informed the Board that Mr. Moe may submit a petition for repair to Otter Tail County.

**Procedure for Purchase of Fixed Assets including Vehicle(s)
(See separate supplemental information for vehicle purchases)**

Motion by Froemming, second by Mosher, and unanimously carried to implement the following Procedure for Purchase of Fixed Assets including Vehicle(s):

The following is the procedure for all Capital Improvement Fund purchases relative to requiring approval by the full County Board.

- I. The item(s) to be purchased are included in your Capital Improvement Budget.
 1. If the item(s) to be purchased is less than \$10,000:
 - a. Obtain open market value(s), or 2 or more quotes, if practical. *(If item(s) are vehicles, request quotes from the attached list or obtain quote from the Minnesota State Contract)*
 - b. Submit a Capital Improvements Expenditure form with quotations attached, if applicable, to Mitzi Pederson in the Auditor's office.
 - c. The Capital Improvement Request form will be submitted to the Capital Improvement Committee for approval. There is no need to schedule for time on the County Board agenda.
 - d. After approval of the Capital Improvement Request by the Capital Improvement Committee, the item(s) may be purchased or ordered.
 - e. If the purchase is a vehicle or other large purchase requiring insurance, please submit to Karen Lundin, Risk Management Coordinator in the Coordinator's office, a notice in writing with the following items:
 1. Department
 2. Date of Possession of Vehicle or Other Item
 3. Make & Model & License Plate Number of Vehicle or Serial Number of Item
 4. Vehicle Identification Number (VIN Number)
 5. Purchase Price
 6. Individual Assigned to the Vehicle if ApplicableThis information is required by Karen to ensure insurance coverage on the vehicle or other item and at that time, an insurance identification card (cab card) will be provided to keep in the glove compartment of the vehicle with pertinent insurance information as required by law.
 - f. The capital expenditures approved for payment by the Capital Improvement Committee may be paid for by either Auditor's warrant or Commissioners' warrant at the timely discretion of the Department Head responsible for the purchase(s). (Refer to resolution no. 2001-23)
 - g. If the purchase is less than \$50,000, however, and the Department Head does not recommend purchase from the vendor providing the lowest quote, please list the justification for that decision on the quotation information attached to the Capital Improvements Form submitted to Mitzi Pederson. There is no need to request a motion for approval from the full County Board. (The Capital Improvement Committee will sign for approval)
 2. If the item(s) to be purchased is more than \$10,000 but less than \$50,000:

- a. Solicit quotations (2 or more) from local business or solicit quotations by Direct Negotiation, or obtain quote(s) from the Minnesota State Contract. If item(s) to be purchased are vehicle, request quotes from attached list or obtains quote(s) from the Minnesota State Contract.)
 - b. Submit a Capital Improvements Expenditure form with quotations attached to Mitzi Pederson in the Auditor's office.
 - c. The Capital Improvement Request form will be submitted to the Capital Improvement Committee for approval. There is no need to schedule for time on the County Board agenda.
 - d. When the Capital Improvements Expenditure Request is approved, the Department may order or purchase the approved item.
 - e. Refer to 1. e. above.
 - f. Refer to 1. f. above.
 - g. Refer to 1. g. above.
3. If the item(s) to be purchased is over \$50,000:
- a. Conduct a sealed bid process or obtain State Contract costs per state statute requirements.
 - b. Submit a Capital Improvements Expenditure Request form with bids or State Contract quote(s) attached to Mitzi Pederson in the Auditor's office.
 - c. The Capital Improvement Expenditure Request form will be submitted to the Capital Improvement Committee for review.
 - d. If approved by the Capital Improvement Committee, schedule a time on the County Board agenda for full Board approval as required by statute.
 - e. Refer to 1. e. above.
- II. The item(s) to be purchased are NOT included in your Capital Improvement Budget or the budgeted funds have been re-directed for other uses.
1. Refer request to Budget Committee of the County Board.

Otter Tail County Vehicle Purchase Supplement

1. If your Department anticipates the purchase of new or new non-current vehicle(s) and you have included that purchase in your budget, your vehicles(s) should be purchased at one time.

Example: Land and Resource has budgeted the purchase of 2 new pick-ups for the 2002 year in the amount of \$22,000 each.

- A. As the total amount is less than 50,000.00, the purchase choices are to purchase from the State Contract or request Quotes from the Dealers list that can be obtained from the Auditor's office. (The request must indicate whether only new or new non-current vehicles may be considered) Retain a copy of the requested quotes along with any quotes obtained, or in the case of use of State Contract retain Contract Purchase number and specifications.

Example: Sheriff's Department has budgeted for the purchase of 5 new vehicles for the 2002-year in the amount of \$24,000.00 each. Rather than purchasing 1 or 2 vehicles at a time, all five vehicles should be purchased together as a unit.

- B. As the total amount is greater than \$50,000, the purchase choices are to purchase from the State Contract or Conduct a sealed bid process per state statute requirements.

Tobacco License Applications

Motion by Nelson, second by Froemming, and unanimously carried to approve the following applications for license:

JoAnn Prischmann City of Elizabeth Elizabeth, MN	Tobacco
Kenneth A. Macal Huckleberry's 29961 415 th St. Dent, MN 56528	Tobacco

Payment Approval

Motion by Lee, second by Block, and unanimously carried to approve payment to the Otter Tail County Highway Department, in the amount of \$1,607.74, for services provided to County Drainage System No. 4 between the dates of November 28, 2001 and December 6, 2001.

Private Sale of Tax Forfeited Property

Auditor, Wayne Stein, explained that several tax-forfeited parcels had been approved for private sale to adjacent landowners in 1988. A couple parcels did not sell at that time. Last week, an adjacent property owner, of one of the remaining parcels, expressed an interest in purchasing the parcel. Discussion took place regarding the appraised value of the parcel. Motion by Lee, second by Block, and unanimously carried to appraise the tax forfeited parcel described as lots 14 & 15, block 5, Lacy's Addition in the City of Pelican Rapids at \$3,000 and authorize the Auditor to proceed with a private sale for adjacent landowners after approval from the City of Pelican Rapids.

Tax Increment Financing District

The City of Perham is considering a proposal to modify Tax Increment Financing District No. 2-19. The City Council has scheduled a public hearing on this matter at 7:00 p.m. on March 11, 2002.

Acquisition of Property

Motion by Froemming, second by Nelson, and unanimously carried to proceed with conveyance of 50 acres of land in Section 8 of Woodside Township to the Minnesota Department of Natural Resources using the same procedure (release of tax forfeited land) as the recent conveyance of land in Corliss Township to the MN DNR.

Auditor's Office Restructure

Motion by Lee, second by Mosher, and unanimously carried to approve the Auditor's office plan for reorganization that includes the following compensation grades approved by MAXIMUS effective December 1, 2001:

<u>Job Number</u>	<u>Job Title</u>	<u>Compensation Grade</u>
#1202	License Center Specialist	Grade 10

#1203	Election/Voter Registration Clerk	Grade 10
#1204	Administrative Specialist	Grade 12
#1207	Accounting Supervisor	Grade 20
#1208	Assistant County Auditor	Grade 21
#1209	Senior License Center Specialist	Grade 12
#1211	License Center Manager	Grade 15
#1212	Senior Administrative Specialist	Grade 14

Bid Award - Geotechnical Services

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids on February 5, 2002 for Geotechnical Services:

<u>Project</u>	<u>Bid Amount</u>
CSAH 4 Reconstruction, S.A.P. 56-604-10 From CSAH 31 East to CSAH 41	\$17,960.00
CSAH 5 Reconstruction, S.P. 56-605-06 From TH 210 South to 180 th Street	8,900.00
CSAH 74 Reconstruction, S.A.P. 56-574-02 From CSAH 35 East to 330 th Avenue	8,900.00
CSAH 82 Reconstruction, S.A.P. 56-682-07 From TH 59 East to Norway Pine Road (previously Dieseth Road)	11,340.00

Motion by Lee, second by Froemming, and unanimously carried to award consulting services for the aforementioned projects to Braun Intertec Corporation of Fargo, ND totaling \$47,100.

Contract Approval

Motion by Block, second by Lee, and unanimously carried to authorize the Highway Engineer to enter into a contract with Widseth Smith Nolting Engineers for limited site investigation of a petroleum underground tank site at the Fergus Falls Highway Garage at a contracted cost of \$3,105.00.

Recess & Reconvene

At 10:30 a.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 10:36 a.m.

Approval of Final Plat

Motion by Lee, second by Froemming, and unanimously carried to approve the final plat of Marion K. Haugrud et al known as "Oaks at Sand" located in Section 26, Township 137, Range 43, Scambler Township, near Sand Lake (56-942).

Ordinance Discussion

Land & Resource Director, Bill Kalar, began discussion regarding potential Shoreland Management Ordinance (SMO) changes. Previous discussion included lot sizes, classifications, special protection districts, etc. Mr. Kalar continued with the outline developed by the Land & Resource office as follows:

2.b Plat or Metes & Bounds: Mr. Kalar stated that there have been some plats with unusual sizes causing varying difficulties. The Planning Commission discussed requiring all land within the shoreland area to be platted. Another option may be increasing the minimum metes and bounds size to 10 acres. Commissioner Lee suggested that all metes and bounds land be reviewed by the Planning Commission.

2.c Cluster Development: One concern in this area is that Otter Tail County is more strict than other counties in the 2nd to the 5th tiers because of the County's density calculation, which requires lot sizes to be doubled for the back lots. Planning Commission did not recommend a change and did not recommend a temporary permit for family reunion-type activities.

2.d After-the-Fact Permits: A concern has been expressed that contractors and other individuals are going ahead with the work and dealing with the after-the-fact permit later. Once the work has been completed, it is difficult to "remove" and often harms the environment more by removing the structure after it has been completed. Recommendations include different after-the-fact permit fees and/or larger fines for contractors that do not obtain permits.

2.e Livestock Exclusion Issue: The Planning Commission requested that the Land & Resource Director research how large this problem might be on GD and RD lakes. Commissioner Mosher stated that there are new incentives for people on lakes and rivers to put in fencing for buffer zones and the farmers are more receptive to address problems. County Board did not regard this issue as a large problem.

2.f Fishhouse Exemption: Discussion took place regarding licensing and storing of fishhouses. The Planning Commission recommended adding a definition of a fishhouse to the SMO.

2.g Decks: Currently, the SMO doesn't require a permit for a deck; however, the deck must meet structure setback requirements. Sometimes, decks are being built that don't comply. The Planning Commission recommended requiring a permit to build a deck. Consensus of commissioners is to leave the "Decks" language in the SMO "as is" with no change. They felt that most people follow the law on decks and there is no roof, so shouldn't be an issue.

Several comments from the public were made: A suggestion was made to have a pre-planning meeting for a Preliminary Plat to "head off" potential problems and reduce the time lost to developers and contractors when these decisions are tabled. Douglas County has just instituted this new procedure. A comment was made regarding the issue of potentially eliminating metes and bounds in shoreland areas and require plats only - this could lead to smaller lot sizes and 2nd tier development. A comment was made regarding change in classification of smaller lakes. Concern was expressed regarding existing lots and building sites and how that change would affect them.

Committee Appointment

Chair Mosher appointed Commissioners Froemming and Lee to serve on a Solid Waste Committee for CY2002.

Adjournment

At 12:04 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, February 12, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk