

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**  
Otter Tail County Government Services Center  
Commissioners' Room  
**Tuesday, January 20, 2004**  
9:30 a.m.

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, January 20, 2004, at 9:34 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Bob Block, Vice-Chair; Dennis Mosher, Roger Froemming, and Malcolm Lee present.

**Approval of Agenda**

Motion by Mosher, second by Froemming, and unanimously carried to approve the County Board agenda of January 20, 2004, with the following changes:

9:50 a.m. – Plant Operations Manager, Rick Sytsma

10:05 a.m. – Auditor, Wayne Stein

**Approval of Minutes**

Motion by Froemming, second by Block, and unanimously carried to approve the County Board minutes of January 13, 2004, as presented.

**Approval to Pay Bills**

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

**Public Hearing for Little Pine Dairy Feedlot**

At 9:36 a.m., Chairman Nelson called the Public Hearing to order for the pending issuance of Minnesota Pollution Control Agency Interim Permit(s) for Little Pine Dairy Feedlot for a Disposal system located in Section 22 of Gorman Township in Otter Tail County. No one from the public was present. No action was taken; Chairman Nelson closed the Public Hearing at 9:38 a.m.

**County Ditch No. 37**

James Schei, property owner, reported that County Ditch No. 37 runs through his property about 4 feet deep and 10 to 15 feet wide, which prevents him from going through his field. Mr. Schei stated that every 5 years the ditch needs clean-out. Mr. Schei is requesting to tile and then cover up the tile. Motion by Mosher, second by Froemming and unanimously carried to approve the work as requested by Mr. Schei, provided he obtains the needed permits and pays all costs.

**County Ditch No. 52**

Ditch Inspector, Randy Wasvick, reported that there are two beaver dams in Ditch No. 52 and there would be enough money in the ditch fund to remove them. Motion by Mosher, second by Block, and unanimously carried approve the removal of two beaver dams in County Ditch No. 52.

**Final Payment**

Motion by Lee, second by Block, and unanimously carried to approve Final Payment, in the amount of \$6,002.10, to Shultz Torgerson Architects for Professional Services at the Government Services Center.

**License Application**

Motion by Block, second by Froemming, and unanimously carried to approve the following application for license:

Wee Villa Lodge	Tobacco
31126 County Highway 27	
Fergus Falls, MN 56537	
(Wee Villa Resort Limited Partnership, Cory Heit General Partner)	

**Payment Approval**

Motion by Mosher, second by Block, and unanimously carried to approve payment to Else Malbraaten, in the amount of \$250.00, for services provided under the provision of Minnesota Statute 609.35.

**Payment Approval – County Drainage System No. 38**

Motion by Nelson, second by Froemming, and unanimously carried to approve payment to the Eagles Café, in the amount of \$13.74, for expenses related to County Drainage System No. 38.

**Approval of Expenditures**

Motion by Nelson, second by Froemming, and unanimously carried to approve the following expenditures relating to tax forfeited property in the City of New York Mills:

Otter Tail County Solid Waste Department	\$240.50
Homestead Building Supplies	\$ 72.19

**Premise Permit**

**Otter Tail County Resolution No. 2004 – 04**

Commissioner Mosher 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, the Fergus Falls Hockey Association, Fergus Falls, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at the Graystone On Ottertail, Inc., located at 35776 County Highway 72 in Everts 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 Fergus Falls Hockey Association, Fergus Falls, MN, at the Graystone On Ottertail Inc., located at 35776 County Highway 72 in Everts 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 the Fergus Falls Hockey Association, Fergus Falls, MN, at the Graystone on Ottertail Inc., located at 35776 County Highway 72 in Everts 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 Everts by sending them a copy of this resolution.

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

Adopted and signed this 20th day of January 2004.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Sydney Nelson, County Board Chair

Attest: \_\_\_\_\_

Larry Krohn, Clerk

**MACO Conference Report**

Auditor, Wayne Stein, reported that he had attended a MACO conference last week. Mr. Stein attends two conventions per year. Topics covered included Project Management, Electronic Commerce Update, EREC Update, and Tax Calculation Exam. Every County has to have an employee who has taken the Tax Calculation Exam. Mr. Stein reported that he had taken the exam and meets this requirement.

**Recess & Reconvene**

At 10:28 a.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 11:05 a.m.

**Planning Commission Recommendations**

**Conditional Use Permit – Spanky's/Brenda Minge:**

Motion by Froemming, second by Lee, and unanimously carried to approve an After-the-Fact request for a Conditional Use Permit to expand seating capacity from that allowed by Conditional Use Permit #5521, dated September 19, 1996 (140 total), to allow for 108 seats in the restaurant, 38 seats in the bar and 22 seats in the covered deck (168 total). The property is described as Pt GL 8 bg MC on Rose Lake, N 35 deg E 240.4'...(3.90 AC), Section 8 of Hobart Township; Rose Lake (56-360).

Conditional Use Permit – Isle View Resort/Robert Green & Susan Cordes Green:

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit to allow Isle View Resort to continue as a small 4 cabin resort on proposed Lot 2, Green Isle View Addition. The property is described as Lot 1 South Lida Shores & all that pt of GL 4..., Section 9 of Maplewood Township; Lida (56-747).

Conditional Use Permit – Tordenskjold Township:

Motion by Mosher, second by Lee, and unanimously carried to approve an After-the Fact Conditional Use Permit for dredging work for wetland area west of German Lake Road of approximately 6' width and 300'+ in length for the purpose of improving water flow. The permit was not requested prior to work being started and completed. The project is located on German Lake Road, Section 5 & 8 of Tordenskjold Township, German Lake (56-423).

**Land & Resource Department Fee Schedule**

Land & Resource Director, Bill Kalar, provided a handout regarding fees that are charged through his department, such as Final Plats, Conditional Use Permits, etc. Mr. Kalar had contacted other counties to compare the costs of their fees as requested by the Board.

**Lake Management Plan**

Mr. Kalar provided a letter from Terry Lejcher, Area Hydrologist, Minnesota Department of Natural Resources. The letter provided steps and information regarding the development of a lake management plan.

**Approval of Cashier's Check**

Mr. Kalar read a letter from Les Kellogg, Hobart Township, requesting to submit a cashier's check instead of a performance bond. Motion by Mosher, second by Lee, and unanimously carried to approve the cashier's check in lieu of a performance bond.

**Request for Approval of Payments**

County Coordinator, Larry Krohn, presented the following items for payment:

Minnesota Rural Counties Caucus	
2004 MRCC Annual Dues	\$2,000.00
MRCC Annual Membership Program	50.00
Lakes Country Service Cooperative	
Membership Fee	\$ 75.00
Plus \$3.00 per employee	maximum \$250.00

Motion by Lee, second by Mosher, and unanimously carried to approve payment to Minnesota Rural Counties Caucus in the amount of \$2,000.00 for 2004 Annual Dues and \$50.00 for Annual Membership Program, and approved payment to Lakes Country Service Cooperative for \$75.00 CY2004 Membership Fee and a maximum \$250.00 for employee fee.

**Agreement for Human Resource Management Consulting Services**

Motion by Lee, second by Mosher, and unanimously carried to authorize the Chairs' signature to execute an agreement between the County of Otter Tail and MAXIMUS, Inc. for CY2004 review and evaluation of job descriptions.

**Annual Performance Evaluation**

At 11:30 a.m., Chairman Nelson, asked Jourdan Sullivan, Veterans Service Director, if he wanted the meeting closed for the purpose of his Annual Performance Evaluation pursuant to M.S. Chapter 13D.05 Subd. 3. Mr. Sullivan requested an open meeting. All five seated Commissioners were present for the evaluation. A summary of performance conclusions will be provided at the next County Board meeting on January 27, 2004.

**Adjournment**

At 11:57 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, January 27, 2004.

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

By: \_\_\_\_\_  
Sydney Nelson, County Board Chair

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

CB/ab

