

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**
Government Services Center, 500 Fir Ave. W.
Commissioners' Room
Tuesday, June 15, 2004
9:30 a.m.

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, June 15, 2004, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Roger Froemming, Dennis Mosher, and Malcolm Lee present. Bob Block, Vice-Chair, was absent.

Approval of Agenda

Motion by Froemming, second by Mosher, and unanimously carried to approve the County Board agenda of June 15, 2004, with the following changes:

Commissioner Mosher – NACO Discussion
Approval of Solid Waste Contracts
Change on Upcoming

Approval of Minutes

Motion by Mosher, second by Lee, and unanimously carried to approve the County Board minutes of June 8, 2004, as mailed.

Approval to Pay Bills

Motion by Lee, second by Froemming, and unanimously carried to approve payment of the County Board bills per Attachment A of these minutes, subject to clarification from the County Auditor regarding the \$13,422.00 payment to the University of MN Extension Service.

Turbine Display and Bench Placement at Phelps Mill Park

Historical Society Director, Chris Schuelke, stated that last fall the Historical Society was able to obtain the water turbine from the Parkdale Mill in Tumuli Township. The plan was to display the turbine at Phelps Mill as an educational, interpretive device. Mr. Schuelke requested permission to place the turbine at Phelps Mill on the south side of the building. Private donations have been received, so there will be no cost to the County. Motion by Froemming, second by Mosher, and unanimously carried to allow the Historical Society to place the water turbine at Phelps Mill. The motion also included the placement of two 6 foot benches at Phelps Mill, courtesy of Friends of Phelps Mill.

Discussion Regarding Viking Resort

Property Owner, Randy Lindemann, provided a Power Point presentation regarding an on-going issue between Viking Resort and surrounding property owners regarding road easement rights. Lengthy discussion followed. County Attorney, David Hauser, stated that the authority of the County Board on this issue is limited since the easement is not a public road. A Conditional Use Permit had been approved for the conversion project at the resort with several conditions including that the easement conform with the traveled portion of the road. These conditions were not met and the Conditional Use Permit was rescinded for non-compliance. Chair Nelson stated that the County Board will follow the advice of the County Attorney.

Local Board of Review

County Assessor, Bob Moe, provided a handout regarding valuation changes. There was a 10.9% overall increase in market value for the County this year. For new construction there was a 9.5% increase from last year.

State Board of Equalization

The State Board of Equalization was held June 2, 2004, in St. Paul. Mr. Moe stated that the State Board is issuing no orders for changes in Otter Tail County for this year.

County Board of Equalization

Mr. Moe provided a guideline as a reminder of what the County Board has the authority to do in the Board of Equalization. The County Board of Equalization is scheduled for 9:00 a.m. on June 16, 2004.

Approval of Licenses

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

Balmoral Golf Course, Inc. 28294 State Highway 78 Battle Lake, MN 56515	On-Sale Liquor and Sunday Liquor
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Ronald J. Bina Galaxy Resort and Restaurant & Deck 39578 County Highway 41 Dent, MN 56528	On-Sale Liquor and Sunday Liquor Off-Sale 3.2 Malt Liquor
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Elks Point BPOE Elks Lodge 1093 20970 Elks Point Rd Fergus Falls, MN 56537	On-Sale Liquor
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Madsen's Resort, Inc. 27102 State Highway 78 Battle Lake, MN 56515	On/Off-Sale 3.2 Malt Liquor
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Kelly and Paul Polzin Kelly's Lakeside Tavern 30626 Edgewater Drive Henning, MN 56551	On-Sale Wine On/Off Sale 3.2 Malt Liquor
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License approval is subject to the submission of the proper fee for the 3.2 Malt Liquor License.

Spanky's Stone Hearth Spanky's in the Pink, Inc. 34785 County Road 4 PO Box 337 Frazee, MN 56544	On-Sale Liquor and Sunday Liquor
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License approval is subject to the submission of the proper insurance documents.

Sparetime Bar and Grill
RAGCFH LLP
43521 425th St
PO Box 178
Perham, MN 56573

On-Sale Liquor and Sunday Liquor

License approval is subject to the submission of the proper insurance documents.

Vacationland Resort
Highway 78 and Wagon Trail Loop
Battle Lake, MN 56515

On-Sale 3.2 Malt Liquor

Payment Approval

Motion by Froemming, second by Mosher, and unanimously carried to approve payment to Lake Region Healthcare, for \$450.00, for services provided under the provision of Minnesota Statute 609.35.

Recess & Reconvene

At 10:45 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 10:50 a.m.

Request for Approval for Final Payment

Motion by Froemming, second by Lee, and unanimously carried to approve final payment per Estimate No. 9, in the amount of \$40,702.72, payable to Randy Kramer Excavating, Inc., for work completed on S.A.P. 56-642-08, for street and utility improvements in Parkers Prairie. Total contract amount is \$613,271.21.

Public Information Meetings

Highway Engineer, Rick West, reported that a Public Information meeting is scheduled for 7:00 p.m. for CSAH 35 Reconstruction at the Underwood Community Center on June 24, 2004.

A Public Information meeting is scheduled for 7:00 p.m. on July 1, 2004, for CSAH 9 Reconstruction at the Lake Region Electric Office building in Pelican Rapids. Additionally, the Executive Board for the Pelican Lake Property Owners Association will meet June 26, 2004, at 9:00 a.m. at St. Mary's Church.

Request for Exemption for Yard Umbrella As a Structure Under the SMO

Property Owner, Cathy Fogale, reported that she lives on West Red River Lake south of Schmidt's Bridge. They had constructed a deck, which did not require a permit. Her children had given her a 10' x 10' canopy for Mother's Day which was screwed onto the deck. She was cited for not having a site permit. It was then set up with four poles on the yard. Ms. Fogale then was notified that she needed a permit because under the SMO it was considered a building. Attorney David Hauser stated her options would be to obtain a site permit, request a variance, go through the formal appeal process, or remove the canopy.

Planning Commission Recommendations

Conditional Use Permit – Mitchell S. Olson:

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit to build a driveway as presented. The property is describes as Pt of Gov Lot 6 (5.13 ac), Section 16, Candor Township; Leek Lake (56-532).

Preliminary Plat – Mooringstone 2nd Addition/Terry Reynen:

Motion by Lee, second by Mosher to approve a Preliminary Plat consisting of 10 lots, 2 Blks (5 Residential Lots and 5 Non-Residential lots) as presented. The property is described as Lots 1,2,3, & 4 ex platted ex trs, SE $\frac{1}{4}$ ex tr, NE $\frac{1}{4}$ NW $\frac{1}{4}$ ex tr & SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16 of Dunn Township; Pelican Lake (56-786), and Fish Lake (56-768).

Conditional Use Permit – Georgie D. and Terry D. Thompson:

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit to lower a hill as presented. The property is described as Pt of GL 4 (.30 ac) in Section 29 of Dunn Township; Lake Lizzie (56-760).

Conditional Use Permit – David Gibbon:

Motion by Lee, second by Mosher, and unanimously carried to deny a Conditional Use Permit to build a driveway using an existing approach. The property is described as Lot 1 A.L. Peaches Lake Shore 1st Addition, Section 34 of Dora Township; Star Lake (56-385).

Conditional Use Permit – Robert Scott:

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit to lower a hill as presented. The property is described as Pt GL 4 (.28 Ac) not to be split from #1231, Section 29 of Dunn Township; Lake Lizzie (56-760).

Preliminary Plat – “Big Pine Haven First Addition”/Donald B. Meyer et al:

Motion by Nelson, second by Mosher, and unanimously carried to approve a Preliminary Plat of “Big Pine Haven First Addition” consisting of 5 single family residential lots, with the expectation that the structures built on site are compatible with the terrain. The property is described as GL 4 ex platted (7.34 ac.), Section 22 of Pine Lake Township; Big Pine Lake (56-130).

Conditional Use Permit – Marshall Koep and Lacey Coyer:

Motion by Froemming, second by Mosher, and unanimously carried to approve a Conditional Use Permit for a driveway to get to the home as presented. The property is described as Pt N $\frac{1}{2}$ NW $\frac{1}{4}$ (5ac) in Section 14 of Leaf Mountain Township; Toms Lake (56-151).

Conditional Use Permit – Holly Beattie:

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit for a commercial use as presented. The property is described as Lot 4 Blk 4, Crystal-Lida Beach, Section 10 of Lida Township; Crystal Lake (56-749).

Conditional Use Permit – Paul S. & Krista Kuhlman:

Motion by Lee, second by Mosher, with Nelson and Froemming opposed to approve a Conditional Use Permit to build a driveway, pour retaining walls and construct a stone patio area. Leona Zimmerman, Planning Commission member, was present and stated her concerns which included: the structure is close to being the maximum size for the lot,

concerns with all the concrete, and the impervious surface must be verified. Mr. Kalar expressed his concerns of access to the garage, as well as the impervious surface. Motion did not carry and will be continued next week. Following additional discussion, Commissioner Nelson changed his vote to approve the Conditional Use Permit. Motion carried. The property is described as Pt GL 5 Com SW Cor Sec 16 (.22 ac) & Pt & GL 5 Com SW Cor Sec 16 (.33 ac), Section 16 of Dunn Township; Fish Lake (56-768).

Performance Evaluation Summary

Motion by Lee, second by Froemming, and unanimously carried to approve the excellent performance evaluation summary as presented, for Physical Plant Manager, Rick Sytsma, and directed that the summary be placed in his Personnel File.

NACO Discussion

Commissioner Mosher introduced discussion regarding NACO. Motion by Mosher to join membership with NACO. Commissioner Mosher withdrew the motion until all five Commissioners are present to vote.

Recess and Reconvene

At 11:45 a.m., Chair Nelson declared the Otter Tail County Board of Commissioners meeting recessed for lunch break. At 1:00 p.m. Chair Nelson declared the Otter Tail County Board of Commissioners meeting reconvened.

Technology Training

GIS Coordinator, Sherry Leabo, introduced web site training. Scott Backstrom, Web Developer, explained the menu bar at the top of the computer screen and reported on how to use each tab. He explained how to get to different sites using Quick Search and Advanced Search Options.

Solid Waste Contracts

Motion by Lee, second by Mosher and unanimously carried to authorize the Chair's signature to execute the following Household Hazardous Waste Collection contracts:

Contract	HHW Collection Date
County of Otter Tail and City of Henning	Monday, June 14, 2004
County of Otter Tail and City of Pelican Rapids	Wednesday, August 11, 2004

Adjourned

At 1:40 p.m., Chair Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, June 22, 2004.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Sydney Nelson, County Board Chair

Attest: _____
Larry Krohn, Clerk