

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, 500 Fir Ave. W.  
Commissioners' Room  
Tuesday, July 20, 2004  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, July 20, 2004, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Bob Block, Vice-Chair; Roger Froemming, Dennis Mosher, and Malcolm Lee present.

**Approval of Agenda**

Motion by Froemming, second by Lee, and unanimously carried to approve the County Board agenda of July 20, 2004, with the following change:

Physical Plant Manager, Rick Sytsma – Cancelled Agenda Item

**Approval of Minutes**

Motion by Mosher, second by Lee, and unanimously carried to approve the County Board minutes of July 13, 2004, as presented.

**Approval to Pay Bills**

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

**Land Use Cluster Development Moratorium Discussion**

Commissioner Block reported that an organizational meeting was held recently to identify the process and representation to be used for studying cluster development land use issues. A Committee will be developed to study this issue in response to the cluster development moratorium implemented by the County Board. County Coordinator, Larry Krohn, briefed the Board on the Department of Natural Resources' initiative to revise State shoreland standards and corresponding public information forums that may be helpful for Otter Tail County's study. Lengthy discussion took place regarding the makeup of the Committee. A handout entitled "Shoreland Standards Study Committee Potential Membership" was submitted. Public meetings will be held during the month of August in different areas of the County to give the public an opportunity for input regarding the structure of the Committee and issues to be discussed.

**Appraiser Certification**

Due to completion of the appropriate Appraiser certification/licensure, a motion was offered by Lee, seconded by Mosher, and unanimously carried to authorize moving Alan Hendrickx to the next Appraiser level from Appraiser Trainee to Appraiser I. This change results in moving from Grade 10 to Grade 13 and is budgeted.

**Special Assessment**

Motion by Lee, second by Block, and unanimously carried to certify the following, as a special assessment, to the Payable 2005 tax roll:

Parcel 76-000-99-0608-001  
Ramon and Maria Saavedra  
Abatement Costs per M.S. Chapter 145A  
Date of Abatement – 07/13/2004  
Total costs to be assessed - \$3,845.53  
Spread over five years at 6% interest

**Applications for Exempt Permit**

Motion by Lee, second by Mosher, and unanimously carried, to approve with no waiting period, the LG220 Applications for Exempt Permits as submitted by the Pelican River Pheasants Forever for events scheduled at the Blue Water Restaurant and Sports Bar on September 25, 2004, and October 9, 2004.

**Revise Motion**

Motion by Block, second by Froemming, and unanimously carried to revise the motion approved on Tuesday, July 13, 2004, regarding payment for ditch viewer services to read as follows:

Bob Klobec	\$387.85
Richard Bergquist	\$530.05

**Payment Approval**

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

**Highway Contract – S.A.P. 56-605-08**

Motion by Froemming, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute a contract between the County of Otter Tail and Central Specialties, Inc. for work to be completed on CSAH No. 5 from CSAH No. 38 North to 180<sup>th</sup> Street and on 160<sup>th</sup> Street, South of Clitherall, MN, contingent upon the approval of the County Attorney.

**Final Payment – Salt/Sand Storage Building**

Motion by Nelson, second by Mosher, and unanimously carried to authorize Final Payment (Purchase Order #63379), in the amount of \$4,394.50, payable to Greystone Construction Company of Shakopee, MN, for completion of the Salt Facility in New York Mills.

**Recess & Reconvene**

At 10:47 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 11:01 a.m.

**Planning Commission Recommendations**

**Conditional Use Permit – David & Rita Heinrich and George & Gail Krasean:**

Motion by Mosher, second by Block, and unanimously carried to approve a Conditional Use Permit to construct side-by-side driveways with a condition as recommended by the Planning Commission. The Heinrich property is described as Lot 3 Blk 2, Pleasant Pointe, Section 5 of Sverdrup Township; Pleasant Lake (56-449). The Krasean property is described as Lot 2 Blk 2, Pleasant Pointe, Section 5 of Sverdrup Township; Pleasant Lake (56-449).

Conditional Use Permit – Guy W. Johnson:

Motion by Lee, second by Froemming, and unanimously carried to uphold the recommendation of the Planning Commission to deny a Conditional Use Permit to reshape this property. Reasons for denial are as stated in the July 14, 2004, Planning Commission minutes. The property is described as Pt of GL 6, Beg. 685.05' N of SW cor, E 285' S on lk 100', W 285', N 100' to beg (.66 AC), Section 16 of Candor Township; Leek Lake (56-532).

Conditional Use Permit – Gavin & Tanya McCrary:

Motion by Nelson, second by Mosher, and unanimously carried to approve a Conditional Use Permit to cut, grade and fill existing property with soils remaining on the property to facilitate house structure with conditions as recommended by the Planning Commission. The property is described as Lot 4 Blk 1, Paul Lake Preserve, Section 15 of Edna Township; Paul Lake (56-335).

Conditional Use Permit – “Woodland Resort”/James & Miriam Hatlevig:

Motion by Nelson, second by Lee, and unanimously carried to approve a Conditional Use Permit to replace a cabin and move two cabins 200 feet off the lake combining them into one structure as presented. The property is described as Pt of GL 4...(2.02 AC), Section 16 of Dead Lake Township; Dead Lake (56-383).

Preliminary Plat – “Golden View”/Paul & Roberta Olson:

Motion by Mosher, second by Block, and unanimously carried to accept the applicant's withdrawal of the Preliminary Plat request entitled “Golden View”. The property is described as Pt GL 2 ...(17.10 AC), Section 35 of Tordenskjold Township; Stalker Lake (56-437).

Preliminary Plat and Conditional Use Permit – “Baileys Beach”/D. Kersten/Taylor Investment Corporation:

Land & Resource Director, Bill Kalar, stated that “Baileys Beach” is a proposed preliminary plat on East Lost Lake in Section 1 of Sverdrup Township and the Planning Commission is recommending approval with a condition. Mr. Kalar presented an aerial photo of the area including the proposed development and surrounding township roads (330<sup>th</sup> Avenue & 273<sup>rd</sup> Street) which would be traveled for access to the development. Property owners on 273<sup>rd</sup> Street spoke in favor of vacating 273<sup>rd</sup> Street and moving the easement for the road to the north because of the unsafe road conditions and the 90 degree turn. Township Supervisor, Gene Pederson, spoke in favor of moving the road because of the unsafe conditions of the road and expressed concern that this development would increase traffic on the road and worsen the conditions. Discussion took place regarding servicing the existing cabins. Planning Commission member, Joe Maske, brought up road concerns. Scott Seely of Taylor Investment Corp., stated that all roadways going to the property are existing township roads, maintained for years, and did not feel responsible for what existing property owners want. Mark Williams, resident on East Lost Lake, requested that, at minimum, Taylor Investment and the Township upgrade 330<sup>th</sup> Avenue until an agreement can be reached to move 273<sup>rd</sup> Street.

Commissioner Mosher offered a motion to refer this Preliminary Plat and Conditional Use Permit request back to the Planning Commission. County Attorney, David Hauser, stated that the applicant is entitled to a decision within 60 days and would need to waive that entitlement, or, after 60 days, this would be automatically approved.

Commissioner Mosher offered a motion to deny the Preliminary Plat known as "Baileys Beach" consisting of 12 single family residential lots and a Conditional Use Permit to service the proposed plat because of safety concerns with increased traffic on 273<sup>rd</sup> Street. Commissioner Froemming seconded the motion. Chairman Nelson called for a vote and motion carried unanimously. The property is described as Lot 9 Ex 4.63 Ac Tr, Section 1 of Sverdrup Township; East Lost Lake (56-378).

Preliminary Plat & Conditional Use Permit – "West Lost Lake Addition"/B. Carr/3 Season LLP:  
Motion by Froemming, second by Lee, and unanimously carried to approve the revised Preliminary Plat known as "West Lost Lake Addition" (map dated June 16, 2004) with all conditions as recommended by the Planning Commission. Additionally, the motion approved the Conditional Use Permit for the proposed road to service the plat with conditions as recommended by the Planning Commission. The property is described as GL 5, Pt GL 4, 6 & 7 ...(35.6 AC), Section 29 of Maine Township; West Lost Lake (56-481).

Preliminary Plat and Conditional Use Permit – "InterLaken"/Mike Vipond:  
Motion by Lee, second by Block, and unanimously carried to accept the withdrawal of the Preliminary Plat request entitled "InterLaken" and the Conditional Use Permit request to construct a road. The property is described as Pt GL 5, 6, 7 & 8 ...(55.87 AC), Section 22 of Dunn Township; Elbow Lake (56-774) and Franklin Lake (56-759).

Conditional Use Permit – Chad Canton/ Carie Strubbe:  
Motion by Lee, second by Mosher, and unanimously carried to approve a Conditional Use Permit to create a driveway and area for building site with conditions as recommended by the Planning Commission. The property is described as West Otter Shores Lot 1 Blk 1 & 2, not to be split, Section 31 of Candor Township; Otter Lake (56-577).

Conditional Use Permit – Mark A. Wise:  
Motion by Nelson, second by Lee, and unanimously carried to approve a Conditional Use Permit to build retaining walls as presented. The property is described as Pt GL 2 ...(known as Parcel C), Section 2 of Dead Lake Township; Marion Lake (56-243).

Conditional Use Permit – Philip Douglas:  
Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit to build a road (driveway) with a condition as recommended by the Planning Commission. The property is described as Pt SW ¼ NW ¼ & Pt GL 4 ...(60.5 AC), Section 11 of Friberg Township; High Island Lake (56-697) and Heilberger Lake (56-695).

### **Performance Evaluation Reconvene Regular Meeting**

At 11:55 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners closed to the public for the purpose of evaluating the performance of GIS Coordinator, Sherry Leabo, pursuant to M.S. Chapter 13D.05 Subd. 3. All five seated commissioners were present for the evaluation. A summary of performance conclusions will be provided at the next regular County Board meeting. At 12:10 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners reconvened in open session.

**Family Services Collaborative Annual Dues**

Motion by Block, second by Mosher, and unanimously carried to authorize payment, in the amount of \$250.00, payable to the Otter Tail Family Services Collaborative for annual partnership dues (representing Otter Tail County as a whole) for fiscal year 2004-2005.

**County Extension Services**

Motion by Froemming, second by Lee, and unanimously carried to authorize the County Coordinator to write a letter to Becker, Wadena, Douglas, Grant, and Todd counties to request their input on extension services provided to residents of their county.

**Adjournment**

At 12:20 p.m., Chair Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, July 27, 2004.

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

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

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

CB/kd