

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**
Government Services Center, 500 Fir Ave. W.
Commissioners' Room
Tuesday, September 21, 2004
9:30 a.m.

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, September 21, 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, and Dennis Mosher present. Commissioner Malcolm Lee was absent.

Approval of Agenda

Motion by Mosher, second by Froemming, and unanimously carried to approve the County Board agenda of September 21, 2004, with the following changes:

Todd Smedstad canceled the Phelps Mill Agenda Item
9:55 a.m. – Highway Engineer, Rick West – Bridge Funding Resolution

Approval of Minutes

Motion by Froemming, second by Block, and unanimously carried to approve the County Board minutes of September 14, 2004, as mailed.

Approval to Pay Bills

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

PGOLID Budget for CY2005

The County Board discussed correspondence received by Matt Noah regarding budgeted items of the Pelican Group of the Lakes Improvement District for CY2005. The correspondence questioned the LID's authority to budget, using tax payer dollars, for certain expenses and asked Commissioners to review the PGOLID's 2005 proposed budget. County Attorney, David Hauser, stated that the County Board has oversight authority as far as approving the budget of the LID if the items are going to be taxed. The County Board can allow only what is allowed under statutory authority. Mr. Hauser reviewed budgeted line items as follows; 1) pest control is an allowable item for expenditure with specific statutory authority, 2) expenses to publish a newspaper – no specific authority for a LID to publish a newspaper exists; however, it seems to be an inherent cost in educating the public. Articles informing property owners what they should or should not be doing around the lake to improve water quality seems to be an appropriate use of funds, 3) funding for legal defense fund – Mr. Hauser could not find authority that allows this as an appropriate use of funds, and 4) funding walleye stocking is not something the County could do and the County Attorney did not find authority to stock walleyes; however, this funding is not included in the 2005 LID Budget. PGOLID Board Members, Norman Robinson and Mike Ostbye, spoke in favor of the proposed activities of the PGOLID and presented rationale for the budgeted line items. They noted that there were a large number of property owners at the annual meeting where the budget was approved. They stressed that the PGOLID is a group of very active, non-paid group of constituents that care deeply about Pelican Lake, water quality, and safety issues. Members of the Pelican Lake Property Owners Association (PLPOA), Vic Horne and Mack Traynor, discussed fish stocking and stressed that the stocking is done under the direction of

the Minnesota Department of Natural Resources. This is not a 2005 budgeted item, rather a request from the 2004 budget. Mr. Traynor presented rationale and authority to stock fish under a cooperative agreement with State government or County officials. Mr. Hauser stated that the preliminary budget has been approved. Amendments to the budget can be made in December when the County's final budget is approved.

**RESOLUTION FOR CREATING A PRIORITIZED BRIDGE REPLACEMENT LIST
 2005 – 2009**

Otter Tail County Resolution No. 2004 - 47

Commissioner Block offered the following and moved its adoption:

WHEREAS, Otter Tail County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government; and

WHEREAS, Otter Tail County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years.

NOW, THEREFORE, BE IT RESOLVED that the following deficient bridges are high priority and Otter Tail County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available,

Old Bridge Number	Road Number or Name	Township	Total Project Cost	Township or State Bridge Funds	Federal Funds	Local or State Aid Funds	Proposed Constr. Year
9095	Ridgewood Circle	Dane Prairie	\$690,000	\$670,000		\$20,000	2005
L5936	245 th St.	Aurdal	\$337,080	\$47,416	\$269,664	\$20,000	2005
3300	Rush Lake Loop	Rush Lake	\$300,000	\$280,000		\$20,000	2005
8200	CSAH 82		\$300,000	\$75,000	\$150,000	\$75,000	2006
56509	CSAH 83		\$400,000		\$320,000	\$80,000	2006
L0844	Water St. Road	Maine	\$350,000	\$330,000		\$20,000	2006
4824	Old 59 Road	Dunn	\$350,000	\$330,000		\$20,000	2007
L2600	Nitche Lake Road	Pine Lake	\$200,000	\$180,000		\$20,000	2008
N/A	100 th St.	Eastern	\$200,000	\$190,000		\$10,000	2009

FURTHERMORE, Otter Tail County does hereby request authorization to replace, rehabilitate, or remove such bridges; and

FURTHERMORE, Otter Tail County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

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

Adopted at Fergus Falls, Minnesota, this 21st day of September, 2004.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Sydney Nelson, County Board Chair

Attest: _____
Larry Krohn, Clerk

Request for Payment of Invoices

Motion by Froemming, second by Mosher, and unanimously carried to authorize payment of the following invoices for an industrial compactor and compactor side load transfer station hopper for the Pelican Rapids Transfer Station:

Invoice #1770 (Compactor)	Payable to Olympic Sales, Inc. of Fargo, ND	\$31,000.00
Invoice #1774 (Hopper)	Payable to Olympic Sales, Inc. of Fargo, ND	\$12,500.00

Perham Recovery Facility Coordinating Committee

Motion by Mosher, second by Block, and unanimously carried to authorize Solid Waste Director, Mike Hanan, to vote at the Perham Recovery Facility Coordinating Committee meeting on September 22, 2004, on behalf of Commissioner Roger Froemming, who is unable to attend.

Request for Payment

Motion by Block, second by Mosher, and unanimously carried to approve payment to the Otter Tail County Public Health Department, in the amount of \$1,702.59, for 2004 Tobacco Compliance Checks.

Recess & Reconvene

At 10:40 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 10:58 a.m.

Request for Extension of CUP #6070

Motion by Nelson, second by Mosher, and unanimously carried to authorize a request of the Head Lake Camp Association to extend Conditional Use Permit #6070 until September 26, 2006. This CUP is for replacing mobile homes on the Head Lake Camp Property on Head Lake.

Planning Commissioner Recommendations

Conditional Use Permit – South Turtle Lake Resort/Roger F & Harriett Hertel:

Motion by Mosher, second by Block, and unanimously carried to approve a Conditional Use Permit to relocate the owner's mobile home and use as rental unit, add a double-wide home for the residence, and add five (5) campers with a condition as recommended by the Planning Commission. The property is described as Pt GL 4...(8.44AC) & Lots 1 & 2 Rolfson Beach, Section 36 of Sverdrup Township; South Turtle Lake (56-377).

Preliminary Plat & Conditional Use Permit – “Pelican River Estates”/Merrell & Berniece E. Dalluge & Freeland/Weum Development L.L.C.:

Motion by Mosher, second by Froemming, and unanimously carried to approve the Preliminary Plat of Merrell & Berniece E Dalluge and Freeland/Weum Development L.L.C. known as “Pelican River Estates” as presented on the revised map (consisting of 29 lots) received at the September 15, 2004, Planning Commission meeting and approval of the Conditional Use Permit to construct the road. This motion is subject to all conditions as recommended by the Planning Commission with an additional condition that road construction must include appropriate temporary erosion control measures. The property is described as NE¼ ex S.L.A & ex tr & N 4½ rods of S.L. 1, 2, 3 ...(182.53 AC) in Section 17 of Fergus Falls Township; Pelican River (56-PR).

Preliminary Plat & Conditional Use Permit – “Interlaken”/Mike Vipond:

Motion by Froemming, second by Block, and unanimously carried to approve the Preliminary Plat of Mike Vipond known as “Interlaken” consisting of eleven (11) single family residential lots as presented on the revised map (received by Land & Resource Management on August 27, 2004) and a Conditional Use Permit to construct a road to service the plat with conditions as recommended by the Planning Commission. The property is described as Pt GL 5, 6, 7 & 8 ...(55.87 AC) in Section 22 of Dunn Township; Elbow Lake (56-774) and Franklin Lake (56-759).

Conditional Use Permit – Bradley C. & Mary C. Hastings:

Motion by Froemming, second by Mosher, and unanimously carried to approve a Conditional Use Permit for a Mail Order Business as presented. The property is described as Hilkoske’s River Ranch Beach ex WLY 75’ Lot 1 (a tri tr in SE cor) in Section 4 of Ottertail Township; Otter Tail River (56-OTR).

Conditional Use Permit – Red Horse Ranch:

Motion by Mosher, second by Froemming, and unanimously carried to approve a Conditional Use Permit to construct two approaches with turn lanes as presented. The property is described as Lots 11, 12 & SE¼ SE¼ & within Road Right-of-Way of Co. Hwy #10 in Section 31 of Friberg Township; Otter Tail River (56-ORD).

Conditional Use Permit – Hobart Township/David Dorn/Joann Bauers/Stephen Hero:

Motion by Block, second by Nelson, and unanimously carried to approve a Conditional Use Permit to flatten back slopes beyond the 33’ township road right-of-way of Rice Lake Road as presented. The property is described as Pt of Rice Lake Road on section line & W½ SW¼ (80 AC) in Section 13 & Lots 1 & 2 (54.95 AC) in Section 14 of Hobart Township; Rice Lake (56-363).

Conditional Use Permit – Viola Barrett % Nancy Ouderkirk:

Motion by Nelson, second by Mosher, and unanimously carried to approve an after-the-fact Conditional Use Permit to construct a driveway with a condition as recommended by the Planning Commission. The property is described as Lot 9 Blk 1 of McDonald Shores in Section 20 of Edna Township; Big McDonald Lake (56-386).

Conditional Use Permit – Jeffrey D. & Amy L. Drake:

Motion by Froemming, second by Block, and unanimously carried to deny, as recommended by the Planning Commission, a Conditional Use Permit to reduce the size of an unstable ice

ridge along the shore of the property. The property is described as Pt of GL 2 (6.84 AC) in Section 15 of Maine Township; Pickerel Lake (56-475).

Conditional Use Permit – Pair-A-Dice Resort & Campground/Joe & Lisa Harlow:

Motion by Nelson, second by Mosher, and unanimously carried to approve a Conditional Use Permit to expand a food service business with a condition as recommended by the Planning Commission. The property is described as Pt of GL 1 in Section 17 of Pine Lake Township; Big Pine Lake (56-130).

Preliminary Plat – “The Palms of Lida”/Darrel Forsgren & Q5 Inv. LLLP:

Motion by Block, second by Froemming, and unanimously carried to approve the Preliminary Plat of Darrel Forsgren & Q5 Inv. LLLP known as “The Palms of Lida” as presented on the revised drawing dated September 10, 2004, and a Conditional Use Permit to construct a road to service the plat with conditions as recommended by the Planning Commission. The property is described as Pt of Lots 5, 6 & 7, Section 9; Lot 1, 2 & Pt NW¼ NW¼, Section 16; and Pt NE¼ NE¼ & SW¼ NE¼ & Lot 1, Section 17 in Lida Township; Lake Lida (56-747).

Labor Management Discussion

County Coordinator, Larry Krohn, briefed the County Board on topics recently discussed by the Labor Management Committee. Motion by Nelson, second by Mosher, and carried with Block opposed, to install a water purifier in the lunch room at the New York Mills offices.

Health Insurance Rates for CY2005

Motion by Mosher, second by Block, and unanimously carried to acknowledge the BCBS 2005 health insurance renewal and approve an 11% increase for the Blue Cross Blue Shield copay health insurance plan and a 13% increase for the Blue Cross Blue Shield \$750 deductible health insurance plan effective January 1, 2005.

Closed to the Public

Adjournment

At 11:53 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 Public Health Director, Diane Thorson, pursuant to M.S. Chapter 13D.05 Subd. 3. Commissioners Nelson, Block, Mosher, and Froemming were present for the evaluation. A summary of performance conclusions will be provided at the next regular County Board meeting.

Upon conclusion of the Performance Evaluation, at 12:11 p.m., Chairman Nelson adjourned the meeting of the Otter Tail County Board of Commissioners until Tuesday, September 28, 2004.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Sydney Nelson, County Board Chair

Attest: _____

Larry Krohn, Clerk