

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, January 8, 2008
9:30 a.m.**

Call to Order

Pursuant to Minnesota Statute, the Otter Tail County Human Services Board convened Tuesday, January 8, 2008, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Dennis Mosher, Roger Froemming, Bob Block, Everett Erickson, and Syd Nelson present.

Year 2008 Otter Tail County Human Services Board Chair

County Coordinator, Larry Krohn, requested nominations for CY2008 Otter Tail County Human Services Board Chair. Motion by Mosher, second by Froemming, and unanimously carried to elect Commissioner Syd Nelson as the Otter Tail County Human Services Board Chair for 2008.

Year 2008 Otter Tail County Human Services Board Vice-Chair

Chairman, Syd Nelson, assumed the chair and requested nominations for CY2008 Otter Tail County Human Services Board Vice-Chair. Motion by Froemming, second by Mosher, and unanimously carried to elect Commissioner Everett Erickson as the Otter Tail County Human Services Board Vice-Chair for 2008.

Approval of Agenda

Motion by Froemming, second by Erickson, and unanimously carried to approve the Human Services Board agenda of January 8, 2008, with the following change:

9:50 a.m. – Cancel Public Health Director's Agenda Items

Approval of Minutes

Motion by Erickson, second by Block, and unanimously carried to approve the Human Services Board minutes of December 26, 2007, as presented.

Approval to Pay Bills & Claims

Motion by Mosher, second by Froemming, and unanimously carried to approve payment of the Human Services bills and claims as presented.

DWI Court Positions

Probation Director, Chuck Kitzman, reported that \$66,000 in grant funds have been received by Otter Tail County for the DWI Court Program. Mr. Kitzman briefed the Board on two DWI Court positions that he will need to hire. Motion by Mosher, second by Erickson, and unanimously carried to authorize the Probation Director to proceed with the hiring process for the part-time DWI Court Surveillance Officer Position at compensation Grade 13 and to approve the position description as submitted. Motion by Block, second by Froemming, and unanimously carried to authorize the Probation Director to proceed with the hiring process for a part-time Probation Officer for the DWI Court Program when needed.

Human Services Labor Management Committee

Human Services Director, John Dinsmore, presented a handout with details of accomplishments during 2007 and goals and priorities for 2008. Mr. Dinsmore discussed details of entering data on laptops for public health nurses and social workers at remote locations. A grant, in the amount of \$15,000, has been received through Medica for purchase of 10 computers for this application. He further discussed Telecommuting as the Human Service LMC's No. 1 goal, which will require development of procedures and policies.

Performance Standards & Strategic Planning

Mr. Dinsmore provided Performance Standards and Strategic Planning Packet for 2008 – 2012 including proposed Human Service System Outcome Measures, Key Strategic Planning Issues (draft), and Agency Information Technology Strategic Plan. The packet includes 21 goals in 10 program areas.

Human Services Contracts

Motion by Froemming, second by Block, and unanimously carried to authorize the Chairman's signature to execute the following Human Services Contracts:

Agency	Program	Contract Period	Targeted Population	Funding
Blue Sky, Inc.	Semi-independent Living Services (SILS)	01/01/2008 through 12/31/2008	Persons with MR or related conditions	Unit Cost - \$34.60 per hr. County of Financial Responsibility – SILS Grant
The Social Connexion	Social Club Activities	01/01/2008 through 12/31/2008	Adults with Serious and Persistent Mental Illness	Max payment of \$72,805 using BCOW Initiative Funds
Permanent Family Resource Center	Concurrent Planning Foster Care	01/01/2008 through 12/31/2008	Children requiring concurrent foster care placement	\$23.34 per day per child with difficulty of care rates established by DHS – County of Financial Responsibility
Blue Plus	Minnesota Health Maintenance (MSHO) Care Coordination	01/01/2008 through 12/31/2008	Elderly	County of Financial Responsibility
Lakeland Mental Health Center	Adult Case Management	01/01/2008 through 12/31/2008	Adults with Serious and Persistent Mental Illness	MA rate - \$236.95/mo. Non-MA rate - \$67.72 per hr with clinical supervision rate of \$79.00 per hr. CMH block grant and local county dollars fund non-MA rate
Lakeland Mental Health Center	Children's Case Management	01/01/2008 through 12/31/2008	Children with Serious and Persistent Mental Illness	MA rate - \$442.90/mo. Non-MA rate - \$88.58 per hr with clinical supervision rate of \$79.00 per hr. CMH block grant and local county dollars fund non-MA rate
Lakeland Mental Health Center	Outpatient Mental Health Services	01/01/2008 through 12/31/2008	Adults & Children with Serious and Persistent Mental Illness	Eligibility of client determined by the Agency's Community Social Service Plan
Lakeland Mental Health Center	Children's Therapeutic Support Services (CTSS)	01/01/2008 through 12/31/2008	Children	\$339,897 – County of Financial Responsibility and MA
Lakeland Mental Health Center	Community Support Program & Rehab Options	01/01/2008 through 12/31/2008	Adults & Children with Serious and Persistent Mental Illness	Max of \$242,050 – Rule 78/CSP Grant & County Dollars

Productive Alternatives, Inc. (Willows)	Day Training & Habilitation Services	01/01/2008 through 12/31/2008	Persons with MR or related conditions	Full Day - \$108.72 Part Day - \$81.53 Transportation - \$10.56 Waivered Funding
Productive Alternatives, Inc. (Waivered)	Day Training & Habilitation & Supported Employment	01/01/2008 through 12/31/2008	Persons with MR or related conditions	State Waiver Dollars
Productive Alternatives, Inc. Detox & Holds	Detox and Holds	01/01/2008 through 12/31/2008	Chemically Dependent Individuals	\$320.00 per day for non OTC clients. \$200,000 for life of contract – County of Financial Responsibility
St. Williams	Community Support Training (CSP)	01/01/2008 through 12/31/2008	Adult Mental Health	Not to exceed \$49,344 & additional funding of \$19,507 from Adult MH Initiative

Motion by Mosher, second by Erickson, and unanimously carried to authorize the Chairman's signature to execute the following 2007 Amendments to the Adult Foster Care Provider Contracts effective October 1, 2007, which provide for a 2% increase in reimbursement rates as set by the State DHS:

Alice Karst, Fergus Falls, MN
 Terri & Duane Haugen, Perham, MN
 Tamarac Place, LLC, Pelican Rapids, MN

Adjournment

At 10:35 a.m., Chairman Nelson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, January 22, 2008.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____
 Syd Nelson, Human Services Board Chair

Attest: _____
 Larry Krohn, Clerk

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, January 8, 2008, at 11:00 a.m., at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Everett Erickson, Vice-Chair; Bob Block, Roger Froemming, and Dennis Mosher present.

Approval of Agenda

Motion by Froemming, second by Block, and unanimously carried to approve the County Board agenda of January 8, 2008, as mailed.

Approval of Minutes

Motion by Mosher, second by Froemming, and unanimously carried to approve the County Board minutes of January 2, 2008, as presented.

Approval to Pay Bills

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

Cohort Leadership Group

Brian Armstrong and other members of the Cohort Leadership Group discussed, with the Board, the training sessions they participated in over a period of time that included 8 full day sessions with 1 follow-up session and a critique of the program. Mr. Armstrong explained that this was not supervisory training; rather, training in leadership and understanding that you can be a leader without being a supervisor. The program was provided by the Association of Minnesota Counties, who train future leaders in County Government. The Cohort Group requested funding to bring this training to Otter Tail County. There will be 20 positions with at least 1 representative from each department with a presentation of what each department does in conjunction with the Right to Know Training. Motion by Block, second by Erickson, and unanimously carried to approve, up to \$10,000.00, for Cohort Leadership Training for CY2008, to be paid out of the General Fund.

Compensatory Time to Post Employment Health Plan Accounts

Auditor, Wayne Stein, presented a plan to correct PERA calculations and Federal, State and FICA/Medicare taxes as it relates to compensatory time funds that have been put into Post Employment Health Plan Accounts during CY2007. The County Board endorsed Mr. Stein's plan to correct the identified errors.

Operating Transfer of Funds

Motion by Mosher, second by Erickson, and unanimously carried to approve an operating transfer, in the amount of \$192.78, from the General Fund to County Drainage System No. 25 to cover the cost of the outlet hearing advertisement which exceeds the available fund.

Legal Notices, Publications and Commissioners' Minutes

After previously advertising for bids to be received for printing and publishing of the county board minutes, legal notices, delinquent tax list and county's annual financial statement, the County Auditor opened the following bids:

Legal Notices, Publications and Commissioners' Minutes:

Daily Journal \$13.15 per S.A.U.

Annual Financial Statement

Parkers Prairie Independent	First Publication	\$13.15 per S.A.U.
Review Enterprises, Inc.	Second Publication	\$12.69 per S.A.U.

Delinquent Tax List

Citizens Advocate	First Publication	\$13.15 per S.A.U.
Citizens Advocate	Second Publication	\$ 8.18 per S.A.U.

After consideration, motion was made by Block, seconded by Froemming, and unanimously carried to designate the following papers for Otter Tail County's 2008 publishing and printing requirements with the exception of the official publication for highway project advertisements for bids, which will be posted to the Otter Tail County website as authorized by Minnesota Statute 331A.12 Subdivision 2:

Legal Notices, Publications and Commissioners' Minutes:

Daily Journal \$13.15 per S.A.U.

Annual Financial Statement

Parkers Prairie Independent First Publication \$13.15 per S.A.U.

Review Enterprises, Inc. Second Publication \$12.69 per S.A.U.

Delinquent Tax List

Citizens Advocate First Publication \$13.15 per S.A.U.

Citizens Advocate Second Publication \$ 8.18 per S.A.U.

Delinquent Tax List Fee

Motion by Mosher, second by Erickson, and unanimously carried to set the cost assessed to delinquent real estate parcels that are published in the Delinquent Tax List at \$37.50 per parcel per M.S. 279.092.

Payment Approval

Motion by Erickson, second by Froemming, and unanimously carried to approve payment, in the amount of \$3,644.50, from the Capital Improvement Fund to Young & Associates for professional services provided to Project No. 0601 (Chemical Dependency Health Center).

Premise Permit

Otter Tail County Resolution No. 2008 – 05

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 Block seconded the motion, and upon being put to a vote, the resolution was unanimously adopted.

Adopted and signed this 8th day of January 2008.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
 Sydney Nelson, County Board Chair

Attest: _____
 Larry Krohn, Clerk

Property Sale – US Bank Building

Motion by Erickson, second by Mosher, and unanimously carried to approve an advertisement for Property Sale of 225 W. Cavour Avenue, Fergus Falls, MN, with sealed bids to be received by Friday, February 1, 2008, and the Bid Opening scheduled at 1:30 p.m. on Tuesday, February 5, 2008, at the Government Services Center in Fergus Falls.

Ditch No. 16

Motion by Froemming, second by Mosher, and unanimously carried to appoint the following Ditch Viewers to work on the redetermination process for Ditch No. 16: Howard Goese, Eldor Kugler, and Richard Bergquist. The County Attorney will write an Order for the Ditch Viewers to proceed with the Redetermination of Benefits for this Drainage System.

Recess & Reconvene

At 12:06 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:00 p.m.

Highway Department Wetland Bank Credits

Motion by Mosher, second by Froemming, and unanimously carried to increase the cost of Wetland Restoration credits to \$.25 per credit, as recommended by the Highway Engineer. This would occur when the Otter Tail County Highway Department sells land to other entities for wetland restoration purposes.

Snowplow Equipment

Motion by Erickson, second by Block, and unanimously carried to approve purchase of snowplow equipment for 4 trucks from J-Craft of Lake Crystal, MN, in the amount of \$96,283.46 per unit under State Contract 438588.

Solid Waste Haulers

Motion by Froemming, second by Block, and unanimously carried to approve the following Solid Waste Haulers' licenses:

Ballard Sanitation Pelican Rapids, MN	Big Red Boxes Fergus Falls, MN	City Dray Sanitation Wadena, MN
Corrie's Sanitation Carlos, MN	Denzel's Region Waste Dalton, MN	Fuch Sanitation Glyndon, MN
Ken Saurer Garbage Clitherall, MN	Metro Disposal Fargo, ND	Minn-Kota Recycling Fargo, ND
Ottertail Trucking Fergus Falls, MN	Steve's Sanitation Perham, MN	Stockman's Glencoe, MN
Toutges Sanitation Henning, MN	Waste Management, Inc. Alexandria, MN	Waste Management, Inc. Detroit Lakes, MN
Waste Management, Inc. Milwaukee, WI	West Central Roll-Off Vining, MN	

Calendar Year 2008
Board of Commissioners' Committee Appointments

Motion by Erickson, second by Block, and unanimously carried to adopt the committee appointments as submitted by Chairman Nelson.

AMC Delegates	Five Seated Commissioners County Coordinator County Attorney Highway Engineer
Natural Resources Committees:	
Judicial Ditches	Mosher Erickson
Noxious Weed Appeal (statutory)	Erickson - West Froemming - East
Shoreland Rules Revision Committee	Block
Soil & Water Conservation District (EOT)	Nelson
Soil & Water Conservation District (WOT)	Mosher
Financial Committees:	
Budget/Audit Committee	Froemming Nelson
Capital Improvement Committee	Mosher Froemming
Investment Committee	Erickson Mosher
Facilities:	
Building Committee (statutory)	Nelson Block
Criminal Justice Planning Advisory Committee	Block Erickson
Personnel Related Committees:	
Personnel Committee	Mosher Erickson
Labor Management Committee	Block
Public Health Labor Management Committee	Block
Human Services Labor Management Committee	Froemming
Departmental Policy Committees:	
Courtroom Security Committee	Mosher
Employee Safety Committee	Froemming
Extension Committee (statutory)	Nelson Mosher
Highway Committee	Mosher Nelson
Land & Resource Committee	Block Erickson
Optional Forms of County Government	Mosher Erickson
Solid Waste Committee	Froemming Erickson
Technology Committee	Block Erickson

Board Appointments to other Organizations:	
Agriculture Advisory Representative	Nelson
Area Transportation Partnership Committee (WCI)	Nelson
Community Health Services (CHS) Advisory Board	Diane Thorson Alternate - Froemming
County Solid Waste Coordinating Committee for Perham Resource Recovery Facility	Froemming
Family Services Collaborative Executive Committee	Block Nelson
Lake Region Community Partners	Nelson Block
Lakeland Mental Health Center	Block
Law Library (statutory)	Froemming
Minnesota Rural Counties Caucus (MRCC)	Delegate - Nelson Alternate – Froemming
Otter Tail/Wadena Community Action Council	Nelson
Transportation Advisory Committee (TAC) (Regional MnDOT determines open seats)	Nelson
West Central Area Agency on Aging (WCAAA) Land of the Dancing Sky	Block
West Central MN EDD (economic development)	Nelson
WCR Juvenile Center Advisory Board	Nelson Alternate – Chuck Kitzman
WCR Treatment & Correctional Steering Committee (TCSC)	Erickson
800 Megaheartz Radio Joint Powers Board	Block Alternate - Froemming

Employees' Committee Request

Motion by Froemming, second by Mosher, and unanimously carried to approve an expenditure of \$880.46, for the Employee of the Month jackets and Years of Service Certificates for 2007. The Funds will be transferred from the Commissioners Fund to the Employees' Committee Fund.

**Consideration of Amendment to the Shoreland Management Ordinance
Public Hearing – 1:30 p.m.**

Introduction -

At 1:30 p.m., Chairman, Syd Nelson, opened the Public Hearing for comments regarding proposed revisions of the Otter Tail County Shoreland Management Ordinance (SMO). Commissioners Nelson, Erickson, Block, Mosher (present until 4:09 p.m.) Froemming (present until 3:45 p.m.) and County staff were present along with 75 members of the public as identified by signature on the Attendance Roster. Chairman Nelson called upon Land & Resource Administrator, Bill Kalar, to review the proposed revisions. He noted that comments would be received as revisions were discussed.

Opening Remarks –

Bill Kalar referred to a document entitled "Shoreland Management Ordinance of Otter Tail County Listing of Proposed Changes" (Draft 11-28-07). The document was provided to the public.

Written Communications -

Written communication was received and provided to the County Board prior to the Public Hearing from the following individuals:

Roger Neitzke	East Silent Resort, Brian Leonard & Family
Justine M. Kingham	Harriet Reed
Terry Colton	A.H. Moenkedick

Continued Opening Remarks –

Otter Tail County Attorney, David Hauser, stated that the Otter Tail County Board of Commissioners has the Statutory Authority to enact ordinances and is required to have a Shoreland Management Ordinance. In order to amend the SMO, there is a process that requires a Public Hearing, which gives the public an opportunity to comment on the proposed changes. The County Board could continue the Public Hearing to a later date, close the Public Hearing, and/or make adjustments to the proposed amendments. Before the revisions are enacted, the Board must conduct a Public Hearing and the Ordinance must be published.

Public Discussion -

Bill Kalar noted that potential revisions to the SMO began about 4 years ago, which began with a moratorium and resulted in considerable public input. The draft of 11-28-07 is a list of potential changes that the County Board indicated they would consider. The following is a summary of the proposed changes as presented by Mr. Kalar and corresponding public comments:

Definition – Access Lot:

- Bob Russell questioned the buildable area requirement and application.

Definition – Resort: (from Alternative Standards)

- Mike Penty of Four Seasons Resort – opposed to proposed definition of Resort that limits use of a dwelling unit for more than 30 days in a calendar year.

Definition – Duplex Lot:

- Stu Peterson questioned the language of the definition.

Definition – Controlled Access:

- Bob Russell stated that the definitions for Access Lot and Controlled Access are inconsistent. Controlled Access definition should be limited to non-riparian lots.

Definition – Impervious Surface - this definition was taken out of the State Alternative Shoreland Standards:

- Paul Jenson – opposed to including permeable pavers, which was not included in the previous definition. He stated that permeable pavers cut against the understanding of impervious and asked that the product, Ecostone, be accepted as well. He asked for a study to support the inclusion of these pavers and stated that many counties are accepting Ecostone. Bill Kalar responded that this is proposed to clarify the County's position as there is no assurance of long term porosity with Ecostone and there are concerns with the overall permeability and aesthetics, as well as "copy cat" products. Mr. Jenson referred to a University of Minnesota study and contested the word permeable pavers without accepting State of Minnesota products.
- Gene Miller requested review through design process regarding permeable pavers rather than including all pavers as Impervious Surface.

Definition – Resorts:

- Jim Leyde, United Sportsman Club on Dead Lake, asked for inclusion of non-profit clubs into this definition.
- Terry Colton, Resort Owner – remove limitation of 30 days usage in calendar year – too economically limiting for use of property.

Discussion occurred regarding the County's position that if a Resort is not operated as the definition, it is then not a Resort, but a Cluster Development. Discussion and disagreement also took place regarding the opinion of the Statewide Resort Association as it relates to approving this definition.

- Terry Colton expressed concern on how you prove and/or control the 30 day limitation.
- Brian Leonard agreed with Mr. Colton. There is an economic need to be creative for resorts as far as ownership is concerned. He expressed that this limitation would result in continued loss of resorts.
- Mike Pendency – a small resort of 8 cabins or less cannot cash flow and won't cash flow in the future with this Resort definition language and it limits sale to anyone except a developer.
- Representative of Fair Hills Resort – Fair Hills has elderly ladies that stay for more than 30 days and as a member of the Minnesota Resort Campground Association never heard any discussion about this Resort definition. Urged that this can be changed before final stages of enactment.

Definition - Scale Drawing:

- Steve Langlie – Scale Drawing definition includes easements – it would be very difficult to include public utilities.

Mr. Kalar responded that the intent is to include roads that go across properties, not utilities – language needs to be clarified/re-defined.

Definition – Setback:

- Wayne Johnson – opposed to using eaves for measuring setback to septic systems and drain fields – who is liable if the system is installed and the homeowner changes the roof line?
- Mel McGowan – too many problems with measuring from eaves. The eave/roof structure is not always known when a site permit is obtained – if update septic system and 10 ft. current setback – would you be required to remove the tank?

Definition - Sewage Treatment Area: Mr. Kalar explained that the rules require 2 septic system sites for new lots and the County is proposing to expand the current rule to require identification of sites by someone trained and licensed in septic system design.

- Dale Menze – questioned language including “future additional sites”.
- Steve Langlie – would like this requirement for identification of septic system sites, by letter, after initial approval but, before Final Plat approval, for economic reasons.
- Wayne Johnson – opposed to minimum sq. footage for septic system sizing in the chart when requiring a licensed designer to mark the site.
- Brad Nyberg – opposed to staking out septics in case an owner wants to place the septic system in a different, suitable spot.
- Gene Miller – concerned with anti-development language. Sewage system design is for soils not the lake – why different for different lakes? Requested this be looked at upon review.

- Mel McGowan – size of drain field should not matter on what lake – goes by number of bedrooms, soils, etc.
- Dale Menze – language is too stringent. Sometimes land is subdivided with no idea of building. Language should be appropriate for designer.

Definition – Setback:

- John Olson – questioned compliance if an individual put a new roof on – some cabins and homes wouldn't be compliant with the new rule. Would this be grandfathered in?

The County Attorney responded that it would be grandfathered in as it exists.

- John Olson – expressed concern with language – can the setback between house and tank be a reason to make the system non-compliant – this creates issues with updating.
- Steve Langlie – setback needs better explanation.
- Gene Miller – concern with changing architecture – you will create buildings with no overhang. Give design options – storm water plan if go right up to the setback line.
- Marv Hanson – suggested not following the same setback rules for lot lines and septic systems – keep septic systems setback measured from the foundation.

Definition – Tower:

- Rick Baker – questioned reason for 35 ft. height limitation.

Definition – Structure:

- Bob Russell – questioned the proposed definition of structure.
- Mr. Russell also expressed dissatisfaction that the proposed SMO changes do not include guidance for developers before going to the Planning Commission.
- A comment was made to look at current sewage sanitation systems rather than worry about new development – better for water quality in the County.

Definition – Shore Impact Zone:

- Mike Harris – opposed to the 50 ft. setback for ag land and expressed this as a disparity in general, good water preservation and should be the same as other use setbacks.
- Dale Menze – agreed with the definition including the 50 ft. ag setback and did not want this changed.
- Steve Langlie – no date under the SIZ definition.

Definition – Vegetative Strip:

- Mike Harris – concerned with language “maintained in all subdivisions created” – would cluster developments that do not require a division of land be exempt from this provision? State law and this ordinance would be placed at odds.
- Terry Colton – concern with noxious and invasive weeds, buckbrush and poison ivy. This is short term solution for long term problem.
- Mike Pandy – language is too broad and ambiguous. Would buildings need to be moved to get the vegetative strip? Needs to be spelled out so everyone knows what will be expected with new subdivisions or old resorts that could be considered new subdivisions.

Page 7 – Dropping the language of backlots of no less than 5,000 sq. ft:

- Steve Langlie – opposed to deleting this language from the ordinance. Backlots of 5,000 sq. ft. have served a good purpose and gave people a place to put garages or sheds. Non-residential backlots helps with 3rd tier development and there is no problem to leave the language.
- Additional comment to keep the existing language for backlots to be permanently attached to existing lots.

Page 7 & 8 – General Requirements – 3. Shoreland Alterations:

- Stu Peterson – use consistent language; “existing topography” is used in 3.B and “natural topography” in 3.D.

Page 8 – Stormwater Management:

- Gene Miller – Item 4 needs clarification as far as definition of easement, and again in Item 6 (impervious asphalt and impervious easement).
- Mike Pendency – opposed to Item 4 when right of way goes through a property for impervious surface calculations.

Page 8 – Subdivision Provisions: B – suggesting that all lots created on shoreland areas must be made by plat because of problems with metes and bounds descriptions.

- Steve Langlie, Anderson Land Surveying - Disagree with doing away with metes and bounds parcels because it is less intrusive to have property in 5 acre pieces rather than forcing platting and ending up with far more subdivisions. The Planning Commission will not have time and just an existing farm site would need to be platted.
- Dale Menze – keep metes and bounds – the platting process is much too arduous to plat everything.
- Charlie Kirchenwitz – agree with 5 acres and also wants to keep the additional 5,000 sq. ft. backlots option.
- Brad Nyberg – Keep metes and bounds. If a farmer wants to give 5 acres to a family member, it costs about \$7,000 whereas, metes and bounds is about \$1,500 and can be completed in 1 month. Subdivision is a long process and there is no harm in 5 acre plats.
- Rod Boyer from the Planning Commission commented not to overlook that this is in the shoreland area only.
- Dale Menze – 5 acres will impact the lake less – what you have now is working. There is a lot of property that touches that 1,000 ft. SMO mark. Cost and time is huge from personal experience of spending 1½ yrs getting a plat done.
- Terry Colton – keep metes and bounds current provision because 5 acres is better environmental preservation than too many subdivisions and better economically.
- Comment that there is no substitute for common sense and good judgment. The problems doing away with 5 acre lots will cause is economic, and down the road, the County will pay the price as we are affecting our kids and grandkids. Concern was expressed for the people and small businesses this will affect in the County. The individuals closer to the lake spraying for dandelions and fertilizer are more detrimental to the environment than the people on the backlots.
- Suggestion to handle metes and bounds differently if there are road access issues.
- Tim Moore – against 5 acres with separate driveways. Could do away with metes and bounds if plat process was easier and didn't take so long.

- Dale Menze – not all subdivisions are for the purpose of building.
- Steve Langlie – no problems with the current 5 acre plats. There are some old problems, but correct that with guidelines to the 5 acre metes and bounds. Becker County has a system to sign off and not go through Planning Commission.
- Mike Phister – I am currently doing a 5 acre metes and bounds in a different county and it is reviewed in the zoning office as an administrative subdivision with soil test, legal access and basic requirements. Cost is 1/3rd but still makes sure of a buildable site.
- Steve Langlie – concern was expressed if parcels have already been surveyed and are for sale but not recorded.
- Terry Colton – would a 13 acre duck slough need to be platted? An affirmative response was given if within the shoreland zone.
- Adam Menze – against getting rid of 5 acre metes and bounds

Continued Public Discussion on various proposed revisions -

- Jim Leyde – United Sportsman Club Member, addressed provisions exempting resorts from having to get a Conditional Use Permit when changing structures. Requested that private organizations be viewed the same way as Resorts and to require only a site permit when changing structures.
- Cheryl Harris - If private clubs get the same exemption, then they should be licensed, pay insurance, and be inspected.
- Mike Penty – Concern that proposed changes do not include exemptions for Resort conversions.
- Perry Coleman – requested ability to use additional dwelling (tent, camper) for 10 days instead of 3.
- Brian Leonard – SMO 11. C (3) – Cluster Developments: Language is vague and other counties don't have any language like this.
- Steve Langlie – Page 10 13 (a) Exemptions: question on road authority

Motion by Erickson, second by Block, and unanimously carried to continue the Public Hearing for Consideration of Amendments to the Shoreland Management Ordinance until 1:00 p.m. on Tuesday, January 15, 2008.

Adjournment

At 4:15 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, January 15, 2008.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Syd Nelson, Board of Commissioners Chair

Attest: _____

Larry Krohn, Clerk

CB/kd

WARRANTS APPROVED ON 1/08/2008 FOR PAYMENT 1/08/2008

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	12.00
ABG MAINTENANCE INC	90.53
AMC	20.00
AMEM	100.00
AMERIGAS	550.10
ARVIG COMMUNICATION SYSTEMS	200.00
AUTO VALUE FERGUS FALLS	192.30
AUTO VALUE WADENA	13.21
BEN HOLZER UNLIMITED	20.02
BLUESTONE TECHNOLOGIES INC	9,000.00
BOB'S STANDARD BULK SERVICE	129.64
BOND TRUST SERVICES CORP	1,350.00
BRANDON COMMUNICATIONS INC	265.19
JOHN BUSHMAN	14.07
C G PROPERTIES	1,061.20
DOUG CANNELL	59.98
CARR'S LAKE COUNTRY SUPERMARKE	1,752.88
COOPERS TECHNOLOGY GROUP	542.23
EAST SIDE OIL COMPANIES	30.00
EVERTS LUMBER CO	27.88
FARGO FREIGHTLINER	17.30
FARNAM TIRE CENTER	50.00
FERGUS ELECTRIC	2,099.57
FERGUS FALLS NEWSPAPERS INC	7,750.66
FERGUS FALLS POLICE DEPT	610.38
CITY FERGUS FALLS	7,336.40
FERGUS POWER PUMP INC	1,760.00
FERGUS TIRE CENTER	2,613.26
FERRELLGAS	53.40
FOTH & VAN DYKE	49,082.14
GALL'S INC	24.97
GEOCOMM	3,300.00
GR GRAPHICS INC ST LOUIS	433.65
MARK HAUGE	126.89
HEDAHLS HEADQUARTERS	4.15
INFORMATION SYSTEMS CORP	845.00
INNOVATIVE OFFICE SOLUTIONS	4,948.27
RODNEY JENSEN	297.44
KELLY SERVICES INC	489.14
KOEP'S CLITHERALL CORNER	402.60
LAKEWAY MARKET LLC	5,657.71
LARRY OTT INC TRUCK SERVICE	925.00
PAT LARUM	117.40
LITTLE BEAR TOWING	74.55
M & I LOCKBOX MCCC	775.00
MANNY'S - ROCKY'S BAIT	1,479.08
MARCO	462.20
MATTHEW BENDER & COMPANY INC	771.55
MCCC MI 33	15,183.02
JACKIE MCGRAND	142.50
MERICKEL LUMBER & ACE HARDWARE	52.72
THE MIDWEEK	117.60
MIDWESTERN MAT RENTAL & SUPPLY	94.20
MN ASSOC OF TOWNSHIPS	15.00
MN DEPT OF AGRICULTURE	10.00
MN MOTOR COMPANY	260.35

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MN STATE AUDITOR	1,036.12
MN TRANSPORTATION ALLIANCE	4,085.00
MOCIC	200.00
MODERN INFORMATION SYSTEMS INC	800.00
NELSON DODGE GMC	1,864.30
NEW YORK MILLS HERALD	96.69
OFFICE DEPOT	297.00
OFFICEMAX CONTRACT INC	219.93
OTIS ELEVATOR CO	101.91
OTTER TAIL CO EMPLOYEES COMMIT	135.00
OTTER TAIL CO TREASURER	235,844.50
OTTER TAIL POWER CO	12,731.20
OTTER TAIL TELCOM	150.00
OTTERTAIL TRUCKING INC	10,944.60
OVERHEAD DOOR COMPANY	36.00
PEBBLE LAKE TAKE 5	118.88
PELICAN RAPIDS PRESS	109.45
PEPSIAMERICAS	458.04
PERHAM CO OP CREAMERY	619.50
PERHAM ENTERPRISE BULLETIN	58.60
PERHAM PRINTING & SUPPLY	4.42
CITY PERHAM	56,919.07
PETE'S AMOCO	4,556.28
PHELPS FAMILY FORD	72.34
PITNEY BOWES GLOBAL FINANCIAL	1,584.72
REED BUSINESS INFORMATION	486.14
SCOTT HOFLAND CONSTRUCTION INC	4,590.00
SERVICE FOOD SUPER VALU	18.45
SEWER SERVICE	330.00
PAUL SIMENGAARD	67.92
SIMPLEXGRINNELL LP	383.40
ST JOSEPH EQUIPMENT INC	181.32
LAYNE STENSLIE	150.00
STRAND ACE HARDWARE	53.81
STREICHERS	21.28
THYSSEN KRUPP ELEVATOR CORPORA	759.31
TITAN MACHINERY	2,088.37
TRI STAR RECYCLING	6,295.52
UGSTAD PLUMBING INC	16.38
UNIFORMS UNLIMITED	123.16
VEOLIA ENVIRONMENTAL SERVICES	9,937.38
VICTOR LUNDEEN COMPANY	193.95
VIKING COCA-COLA	131.26
WASTE MANAGEMENT	506.12
YELLOW PAGE DIRECTORY SERVICES	312.45
210 LUBE EXPRESS	27.06
<u>**** FINAL TOTAL.....</u>	<u>\$483,531.16 ****</u>