

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
500 W. Fir Avenue, Fergus Falls, MN  
Tuesday, February 19, 2008  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, February 19, 2008, at 9:30 a.m. at the Otter Tail County Government Services Center with Chairman Syd Nelson and Commissioners Bob Block, Roger Froemming and Dennis Mosher present. Vice-Chairman Everett Erickson was absent.

**Approval of Agenda**

Motion by Froemming, second by Mosher, and unanimously carried to approve the County Board agenda of February 19, 2008, with the following addition:

State of MN 150<sup>th</sup> Birthday Celebration Discussion

**Approval of Minutes**

Motion by Mosher, second by Block, and unanimously carried to approve the County Board minutes of February 12, 2008, as presented.

**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.

**ADOPTION OF THE  
OTTER TAIL COUNTY ALL HAZARD MITIGATION PLAN  
Otter Tail County Resolution No. 2008 - 09**

Upon a motion by Mosher and second by Block, the following resolution was adopted:

WHEREAS, Otter Tail County is participating in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000; and

WHEREAS, the Act establishes a framework for the development of a County Hazard Mitigation Plan; and

WHEREAS, the County as part of the planning process established an extensive public participation process and local coordination among County and neighboring local units of government, businesses and other organizations; and

WHEREAS, the plan includes a risk assessment including past hazards, hazards that threaten the County, maps of hazards, an estimate of structures at risk, a general description of land uses and development trends; and

WHEREAS, the plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Otter Tail County will maintain public participation and coordination; and

WHEREAS, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

WHEREAS, Otter Tail County has notified the public of its intent to adopt the Otter Tail County All Hazard Mitigation Plan, and has held a public hearing prior to final adoption by the County Board.

NOW THEREFORE BE IT RESOLVED, that Otter Tail County formally adopts the Otter Tail County All Hazard Mitigation Plan.

Board Member	YEA	NAY	ABSENT
Commissioner Mosher	X		
Commissioner Froemming	X		
Commissioner Block	X		
Commissioner Erickson			X
Commissioner Nelson	X		

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

By: \_\_\_\_\_  
 Syd Nelson, Board of Commissioners Chair

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

**Mutual Aid Agreement Revision**

Motion by Block, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute the Minnesota Homeland Security Emergency Management Region 4 Mutual Aid Agreement 2008 Revision.

**Tax System Software Contract**

Motion by Froemming, second by Block, and unanimously carried to authorize the Chairman's signature to execute an Amended and Restated Joint Powers Agreement between the Minnesota Counties Computer Cooperative (MCCC) and the County of Otter Tail which extends the tax system software contract for 3 years.

**Tax Software Maintenance and Support Agreement**

Motion by Froemming, second by Block, and unanimously carried to authorize the Chair's signature to execute the Maintenance and Support Agreement between Affiliated Computer Services, Business Records Corporation, and MCCC and the County of Otter Tail effective January 1, 2009 through December 31, 2011.

**Premise Permit**

**Otter Tail County Resolution No. 2008 - 10**

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 American Legion Post 357, Ashby, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at the Stalker Lake Golf Course, located at 15786 Golf Course Road in St. Olaf 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 American Legion Post 357, Ashby, MN, at the Stalker Lake Golf Course located at 15786 Golf Course Road in St. Olaf 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 American Legion Post 357, Ashby, MN, at the Stalker Lake Golf Course, located at 15786 Golf Course Road in St. Olaf 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 St. Olaf 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 19th day of February, 2008.

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

By: \_\_\_\_\_  
Syd Nelson, Board of Commissioners Chair

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

#### **Credit Card Approval**

Motion by Mosher, second by Block, and unanimously carried to approve the issuance of an Otter Tail County Credit Card with a 30 day limit of \$1,000.00 to Deputy Sheriff, Robert Hucceby.

#### **Reappointment - Extension Committee**

Motion by Froemming, second by Nelson, and unanimously carried to reappoint Donna Gill and Roger Ruckheim to the Otter Tail County Extension Committee effective January 1, 2008 for a 3 year term.

#### **2008 Special Assessment - Oscar Lake Outlet**

Motion by Mosher, second by Block, and unanimously carried to certify a Payable 2008 Special Assessment against the benefited property owners of the Oscar Lake Outlet area in the amount of 2.3305% of the total benefits or approximately \$1,111.67.

#### **Payment Approval**

Motion by Froemming, second by Mosher, and unanimously carried to approve payment, in the amount of \$7,550.81, from the Capital Improvement Fund to Young & Associates for professional services provided for construction of the Chemical Dependency Health Center, Project No. 0601.

#### **Ambassador for Otter Tail County**

Commissioner Bob Block was authorized to serve as Ambassador for Otter Tail County to celebrate the 150<sup>th</sup> birthday of the State of Minnesota.

**PUBLIC WATER ACCESS  
COOPERATIVE AGREEMENT  
Crystal Lake in Otter Tail County, Minnesota  
Otter Tail County Resolution No. 2008 - 11**

Upon motion by Froemming, seconded by Block, and unanimously carried, the following resolution was adopted:

WHEREAS: the Commissioner of Natural Resources has the authority, duty, and responsibility under Minnesota Statutes Section 97A.141 to provide public water access sites on lakes and rivers, where access is inadequate; and

WHEREAS: the State and the County are authorized under Minnesota Statutes Section 471.59, to enter into agreements to jointly or cooperatively exercise common power; and

WHEREAS: the State and the County have determined this public water access on Crystal Lake is of high priority under the state public water access program; and

WHEREAS: the County owns land described as: Sec. 3, T.136N, R.42W, Otter Tail County, as shown in the attached Cooperative Agreement; and

WHEREAS: the State is willing to operate and maintain a Public Water Access to Crystal Lake; hereinafter referred to as "facilities"; and

WHEREAS: in consideration of the mutual benefit to be derived by the public bodies hereto and for the benefit of the general public.

NOW, THEREFORE, BE IT RESOLVED, that the Cooperative Agreement between the County of Otter Tail and the State of Minnesota Department of Natural Resources, a copy of which is attached hereto, is hereby approved; and

BE IT FURTHER RESOLVED, that the Chair of the County Board of Commissioners and the County Board Clerk are hereby authorized to sign said Cooperative Agreement.

Dated at Fergus Falls, Minnesota, this 19<sup>th</sup> day of February, 2008.

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

By: \_\_\_\_\_  
Syd Nelson, Board of Commissioners Chair

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

**PUBLIC WATER ACCESS  
COOPERATIVE AGREEMENT  
Little Pickeral Lake in Otter Tail County, Minnesota  
Otter Tail County Resolution No. 2008 - 12**

Upon motion by Froemming, seconded by Block, and unanimously carried, the following resolution was adopted:

WHEREAS: the Commissioner of Natural Resources has the authority, duty, and responsibility under Minnesota Statutes Section 97A.141 to provide public water access sites on lakes and rivers, where access is inadequate; and

WHEREAS: the State and the County are authorized under Minnesota Statutes Section 471.59, to enter into agreements to jointly or cooperatively exercise common power; and

WHEREAS: the State and the County have determined this public water access on Little Pickeral Lake is of high priority under the state public water access program; and

WHEREAS: the County owns land described as: Sec. 26, T.134N, R.39W, Otter Tail County, as shown in the attached Cooperative Agreement; and

WHEREAS: the State is willing to operate and maintain a Public Water Access to Little Pickeral Lake; hereinafter referred to as "facilities"; and

WHEREAS: in consideration of the mutual benefit to be derived by the public bodies hereto and for the benefit of the general public.

NOW, THEREFORE, BE IT RESOLVED, that the Cooperative Agreement between the County of Otter Tail and the State of Minnesota Department of Natural Resources, a copy of which is attached hereto, is hereby approved; and

BE IT FURTHER RESOLVED, that the Chair of the County Board of Commissioners and the County Board Clerk are hereby authorized to sign said Cooperative Agreement.

Dated at Fergus Falls, Minnesota, this 19<sup>th</sup> day of February, 2008.

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

By: \_\_\_\_\_  
Syd Nelson, Board of Commissioners Chair

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

**PUBLIC WATER ACCESS  
COOPERATIVE AGREEMENT  
West Lost Lake in Otter Tail County, Minnesota  
Otter Tail County Resolution No. 2008 - 13**

Upon motion by Froemming seconded by Block and unanimously carried, the following resolution was adopted:

WHEREAS: the Commissioner of Natural Resources has the authority, duty, and responsibility under Minnesota Statutes Section 97A.141 to provide public water access sites on lakes and rivers, where access is inadequate; and

WHEREAS: the State and the County are authorized under Minnesota Statutes Section 471.59, to enter into agreements to jointly or cooperatively exercise common power; and

WHEREAS: the State and the County have determined this public water access on West Lost Lake is of high priority under the state public water access program; and

WHEREAS: the County owns land described as: Sec. 33, T.134N, R.41W, Otter Tail County, as shown in the attached Cooperative Agreement; and

WHEREAS: the State is willing to operate and maintain a Public Water Access to West Lost Lake; hereinafter referred to as "facilities"; and

WHEREAS: in consideration of the mutual benefit to be derived by the public bodies hereto and for the benefit of the general public.

NOW, THEREFORE, BE IT RESOLVED, that the Cooperative Agreement between the County of Otter Tail and the State of Minnesota Department of Natural Resources, a copy of which is attached hereto, is hereby approved; and

BE IT FURTHER RESOLVED, that the Chair of the County Board of Commissioners and the County Board Clerk are hereby authorized to sign said Cooperative Agreement.

Dated at Fergus Falls, Minnesota, this 19<sup>th</sup> day of February, 2008.

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

By: \_\_\_\_\_  
Syd Nelson, Board of Commissioners Chair

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

**PUBLIC WATER ACCESS  
COOPERATIVE AGREEMENT  
West Red River Lake in Otter Tail County, Minnesota  
Otter Tail County Resolution No. 2008 - 14**

Upon motion by Froemming, seconded by Block, and unanimously carried, the following resolution was adopted:

WHEREAS: the Commissioner of Natural Resources has the authority, duty, and responsibility under Minnesota Statutes Section 97A.141 to provide public water access sites on lakes and rivers, where access is inadequate; and

WHEREAS: the State and the County are authorized under Minnesota Statutes Section 471.59, to enter into agreements to jointly or cooperatively exercise common power; and

WHEREAS: the State and the County have determined this public water access on West Red River Lake is of high priority under the state public water access program; and

WHEREAS: the County owns land described as: Sec. 29, T.134N, R.42W, Otter Tail County, as shown in the attached Cooperative Agreement; and

WHEREAS: the State is willing to operate and maintain a Public Water Access to West Red River Lake; hereinafter referred to as "facilities"; and

WHEREAS: in consideration of the mutual benefit to be derived by the public bodies hereto and for the benefit of the general public.

NOW, THEREFORE, BE IT RESOLVED, that the Cooperative Agreement between the County of Otter Tail and the State of Minnesota Department of Natural Resources, a copy of which is attached hereto, is hereby approved; and

BE IT FURTHER RESOLVED, that the Chair of the County Board of Commissioners and the County Board Clerk are hereby authorized to sign said Cooperative Agreement.

Dated at Fergus Falls, Minnesota, this 19<sup>th</sup> day of February, 2008.

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

By: \_\_\_\_\_  
Syd Nelson, Board of Commissioners Chair

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

**PUBLIC WATER ACCESS  
COOPERATIVE AGREEMENT  
Lye Lake in Otter Tail County, Minnesota  
Otter Tail County Resolution No. 2008 - 15**

Upon motion by Froemming, seconded by Block, and unanimously carried, the following resolution was adopted:

WHEREAS: the Commissioner of Natural Resources has the authority, duty, and responsibility under Minnesota Statutes Section 97A.141 to provide public water access sites on lakes and rivers, where access is inadequate; and

WHEREAS: the State and the County are authorized under Minnesota Statutes Section 471.59, to enter into agreements to jointly or cooperatively exercise common power; and

WHEREAS: the State and the County have determined this public water access on Lye Lake is of high priority under the state public water access program; and

WHEREAS: the County owns land described as: Sec. 18, T.132N, R.42W, Otter Tail County, as shown in the attached Cooperative Agreement; and

WHEREAS: the State is willing to operate and maintain a Public Water Access to Lye Lake; hereinafter referred to as "facilities"; and

WHEREAS: in consideration of the mutual benefit to be derived by the public bodies hereto and for the benefit of the general public.

NOW, THEREFORE, BE IT RESOLVED, that the Cooperative Agreement between the County of Otter Tail and the State of Minnesota Department of Natural Resources, a copy of which is attached hereto, is hereby approved; and

BE IT FURTHER RESOLVED, that the Chair of the County Board of Commissioners and the County Board Clerk are hereby authorized to sign said Cooperative Agreement.

Dated at Fergus Falls, Minnesota, this 19<sup>th</sup> day of February, 2008.

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

By: \_\_\_\_\_  
Syd Nelson, Board of Commissioners Chair

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

**PUBLIC WATER ACCESS  
COOPERATIVE AGREEMENT  
East Leaf Lake in Otter Tail County, Minnesota  
Otter Tail County Resolution No. 2008 - 16**

Upon motion by Froemming, seconded by Block, and unanimously carried, the following resolution was adopted:

WHEREAS: the Commissioner of Natural Resources has the authority, duty, and responsibility under Minnesota Statutes Section 97A.141 to provide public water access sites on lakes and rivers, where access is inadequate; and

WHEREAS: the State and the County are authorized under Minnesota Statutes Section 471.59, to enter into agreements to jointly or cooperatively exercise common power; and

WHEREAS: the State and the County have determined this public water access on East Leaf Lake is of high priority under the state public water access program; and

WHEREAS: the County owns land described as: Sec. 30, T.134N, R.37W, Otter Tail County, as shown in the attached Cooperative Agreement; and

WHEREAS: the State is willing to operate and maintain a Public Water Access to East Leaf Lake; hereinafter referred to as "facilities"; and

WHEREAS: in consideration of the mutual benefit to be derived by the public bodies hereto and for the benefit of the general public.

NOW, THEREFORE, BE IT RESOLVED, that the Cooperative Agreement between the County of Otter Tail and the State of Minnesota Department of Natural Resources, a copy of which is attached hereto, is hereby approved; and

BE IT FURTHER RESOLVED, that the Chair of the County Board of Commissioners and the County Board Clerk are hereby authorized to sign said Cooperative Agreement.

Dated at Fergus Falls, Minnesota, this 19<sup>th</sup> day of February, 2008.

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

By: \_\_\_\_\_  
Syd Nelson, Board of Commissioners Chair

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

**2008 Project Phasing**

Highway Engineer, Rick West, presented the Highway 2008 Project Phasing Plan including estimated cost of various projects. He identified one correction under S.A.P. 56-661-05.

**Performance Evaluation Summary**

The County Board acknowledged a commendable Performance Evaluation summary for Highway Engineer, Rick West, and requested that the summary be placed in his personnel file.

**Closed to the Public – Labor Negotiation Strategies**

At 10:25 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies relative to the GSC Technical Unit. Present were Commissioners Mosher, Froemming, Block, & Nelson, the County Attorney, County Coordinator, Assessor, Land & Resource Administrator and Board Secretary.

**West Central Initiative Program Update**

At 10:31 a.m., upon conclusion of the closed session, Chairman Nelson opened the meeting to the public and requested discussion with the West Central Initiative Program Directors. WCI Board Member, Brad Howland, spoke about the positive economic development efforts of WCI. Brianna McAleer discussed work training programs designed to increase skilled labor in the area which is the best way to provide economic stability and family income success. Vice-President Kim Embretson briefed the Board on other family programs.

**RESOLUTION IN SUPPORT OF  
2007 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY  
FOR WEST CENTRAL MINNESOTA  
Otter Tail County Resolution No. 2008 - 17**

Upon motion by Froemming, seconded by Block and unanimously carried, the following resolution was adopted:

**WHEREAS**, West Central Initiative has prepared a Comprehensive Economic Development Strategy (CEDS) for the region containing Becker, Clay, Douglas, Grant, Otter Tail, Pope, Stevens, Traverse, and Wilkin Counties of Minnesota (west central Minnesota); and

**WHEREAS**, The CEDS contains analysis, economic data, economic development projects, and goals and objectives for the betterment of the region; and

**WHEREAS**, Availability of an approved CEDS and related annual updates are a condition for qualifying for grants for local economic development projects from the Economic Development Administration of the U.S. Department of Commerce; and

**NOW THEREFORE BE IT RESOLVED**, That the Board of County Commissioners of Otter Tail County, Minnesota, approves the 2007 Comprehensive Economic Development Strategy for west central Minnesota.

Adopted this 19<sup>th</sup> day of February, 2008

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Syd Nelson, Board of Commissioners Chair

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

Larry Krohn, Clerk

**2008 Application Fees**

Motion by Block, second by Froemming, and unanimously carried to approve the following Land & Resource Management application/permit fees effective March 1, 2008:

<b>Application/Permit</b>	<b>Current Fees</b>	<b>New Fees</b>
Sewage	\$125.00	\$130.00
Site – 0-499 ft <sup>2</sup>	100.00	105.00
500 ft <sup>2</sup>	250.00	260.00
Grade & Fill	125.00	130.00
CUP	350.00	370.00
Variance	350.00	370.00
Subdivision	525.00	550.00
Lot	50.00	50.00
ATF	600.00	650.00
Appeal	250.00	300.00

**Final Plat – Beaver Dam Shores**

Motion by Block, second by Froemming, and unanimously carried to approve the Final Plat of Robert and Linda Honer entitled “Beaver Dam Shores” located in Section 7 of Dead Lake Township, Star Lake (56-385), with a condition that the plat correction for the bearing error is recorded prior to the sale of these lots.

**RESOLUTION FOR APPLICATION FOR  
DNR SNOWMOBILE TRAILS ASSISTANCE PROGRAM  
Otter Tail County Resolution No. 2008 – 18**

Upon a motion by Mosher, seconded by Block and unanimously carried, the following resolution was adopted:

WHEREAS, the Otter Country Trail Association (OCTA) Snowmobile Club has requested that the County of Otter Tail apply for a Snowmobile Trails Assistance Grant through the State of Minnesota Department of Natural Resources on their behalf; and

WHEREAS, due to increased flow of water in County Ditch #21, the OCTA Snowmobile Trail in Sverdrup Township crosses over an area that does freeze completely; and

WHEREAS, it has been determined that a bridge will be constructed over this area; and

WHEREAS, the cost of the bridge construction is estimated at \$10,878.64; and

WHEREAS, Otter Tail County will act as legal sponsor for an application for the DNR Snowmobile Trails Assistance Program; and

WHEREAS, Otter Tail County may enter into an agreement with the State of Minnesota for the DNR Snowmobile Trails Assistance Program; and

WHEREAS, Otter Tail County will comply with all applicable laws and regulations as stated in the Snowmobile Trails Assistance Program; and

WHEREAS, County Auditor, Wayne Stein, is authorized to act as the fiscal agent on behalf of the local unit of government; and

NOW, THEREFORE, BE IT RESOLVED, that Otter Tail County will act as sponsor for the Otter Country Trail Association Snowmobile Club to submit a grant application, in the amount of \$10,878.64, to construct a bridge on an OCTA Snowmobile Trail over County Ditch #21.

BE IT FURTHER RESOLVED, that the OCTA Snowmobile Club is responsible in whole for the construction of the bridge and operations and maintenance of their Snowmobile Trails and the County of Otter Tail acts as sponsor/fiscal agent for dissemination of the grant funding.

Adopted this 19<sup>th</sup> day of February, 2008

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

By: \_\_\_\_\_  
Syd Nelson, Board of Commissioners Chair

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

#### Recess

At 11:43 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for a Technology Committee meeting and lunch break.

#### Continuation of SMO Public Hearing

##### **Introduction –**

At 1:00 p.m., Chair Nelson reconvened the Board of Commissioners' meeting and opened the meeting for purposes of continuing the Public Hearing for proposed revisions to the Shoreland Management Ordinance. Chairman Nelson and Commissioners Block and Mosher were present. Commissioner Froemming was present at 1:16 p.m. due to attendance at a Law Library Committee meeting over the lunch hour. There were 59 members of the public present as identified by signature on the Attendance Roster.

Land & Resource Administrator, Bill Kalar, discussed the background events in regards to the proposed revisions to the SMO. He stated that this Public Hearing began last month when the Board of Commissioners heard comment on a previous draft to the SMO. Between the previous Public Hearing and today, Mr. Kalar met with the County Board, continued to discuss the proposed revisions and presented a draft listing of proposed changes dated 2/19/08 that contained fewer changes based on the public comments. Mr. Kalar briefly reviewed the general changes between the original draft and the Draft Listing of Proposed Changes dated 02-19-08:

1. Measuring setback from the downward projection of roof eave has been removed.
2. The idea of removing the language for non-residential backlots of 5,000 sq. ft. was changed and the language will remain in the SMO.
3. Requiring subdivisions in shoreland areas to be platted is removed from the latest draft. Metes and bounds tracts of 5 acres or larger will be allowed, but will require a surveyor's drawing to accompany the metes and bounds request.
4. Language giving the Planning Commission final authority rather than providing recommendations was removed. The recommendations will continue to go to the County Board.
5. Replaced proposed Resort definition with the State Statute definition.
6. Added language to consider Natural Environment classification standards if an area is determined to be sensitive.
7. Added language dealing with residential districts and added Otter Tail County zoning map, which are adopted in Section 3 of the draft SMO.

8. RCU may be placed on standard lot for a temporary period of time, not to exceed 10 days.
9. Allowing septic areas set up when subdividing the land to be transferred, if appropriate, depending on where the house is built.
10. Added definition for Boardwalk.

Mr. Kalar noted that, procedurally, the County would need to send the final proposed revisions of the SMO to the Department of Natural Resources for their approval before the County can enact the new rules.

### **Written Communications -**

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

Jim Morgan (e-mail received 2/11/08) – questions regarding Vegetative Strip language.  
DNR Commissioner, Mark Holsten – Letter received 02/02/008  
Architect, Kelli Wegscheid – letter dated 02/18/08 – disagreement with the inclusion of rooftops in the impervious surface calculation and no credit given to permeable pavers in the calculation.

### **Continued Public Discussion -**

Chairman Nelson opened the floor to comments from the public regarding the most recent Draft Listing of Proposed Changes to the Shoreland Management Ordinance dated 02-19-08 and are summarized as follows:

- Why was the concept of duplexes on double sized lots dropped?  
Mr. Kalar stated that the concern was with enforcement and what kind of structure would become a duplex, so that proposal has been dropped.
- Under Section 10 D. 4.e: Does this mean septic must be designed and a reserve system staked before presenting the Preliminary Plat?  
Mr. Kalar stated intent is not that the system be designed; rather, an appropriate area setup for the system to be installed. This is to ensure that there is a legal site, actually, 2 legal sites at the time of platting. If there are undisturbed areas and an owner wishes to work with the designer and Land & Resource office, a change in location could be approved.
- Lengthy discussion took place regarding Otter Tail County's requirement for 2 ft. of good soil types for septic systems rather than the 1 ft. standard that the State enacted. The Board members agreed that the County would need to take a look at that requirement; however, that requirement is contained in the Sanitation Code not in the SMO.
- Grade and Fill Permit - Statewide standards allow earthmoving up to 50 cubic yards without a permit and Otter Tail County is at 20 cubic yards but the amendment is allowing more opportunities for road authorities to work without obtaining a permit if work is within the road right of way and the time limit does not pertain if the fill is outside of wetlands, bluffs, and the Shore Impact Zone.
- A comment that the total surface area of a property/lot divided by a road should be included for purposes of the impervious surface calculation contrary to the proposed revisions.  
Mr. Kalar stated that this is not a change – it was in a different section of the Ordinance.
- Comment about the storm water runoff regulations with small increases in requirements that likely will restrict some people from building and can have a huge impact on economics in the area. Suggestion to use french drains and/or storm water runoff design to take care of the issues. Concern expressed that clients will simply build in other places.
- Section V. 3. I. 6 – concern with “Near shore water depth” and the lack of definition.
- Comment on stringline language – may need to be clarified.
- Disagreed with allowing an RCU on property for 10 consecutive days because, technically, they could be gone for 1 day and come back for 10 days.

- Suggestion to remove restriction on RCU's (as long as they are not hooked up to electricity or water) because it is more realistic, practical and easier to enforce
- Comment in favor of allowing RCU's so family can visit and because it brings business to the surrounding communities.
- Comment that, at resorts, regulations are followed and RCU's allowed to park near homes may not have the same oversight.
- An example of the current issues with not allowing more than one dwelling on a lot for a temporary period of time is when celebrating a 50<sup>th</sup> Wedding Anniversary.
- Commissioner Mosher stated that 5 consecutive days with no hook up could be a compromise.
- Suggestion not to pass a requirement that cannot be enforced.
- Permeable pavers should have some credit in the impervious surface calculation.
- Additional comment to give credit for permeable pavers in the impervious surface calculation. Permeable pavers are a very good product and permeable concrete is currently being tested as well.
- Technology can take care of some of these issues – let design be the determining factor.
- Several comments opposed to the current regulation of one dwelling per parcel/lot as it relates to temporary guests.
- Suggestion to use a permit system for non-use campers to address occasional use.
- Disagreement with one dwelling per lot as it pertains to lot size over 5 acres and/or farms.
- Suggestion to keep the duplex lot language from the first draft proposal.
- In favor of county wide zoning to take care of the land that is more than 1,000 ft. from a lake and 300 ft. from a river so the lakeshore people don't have control of farming.
- Concern with sensitive areas in the subdivision provisions and who decides what is sensitive.
- A perception that Otter Tail County is writing policies to discourage tourism and expressed opposition to discouraging retail traffic.
- Concern with high taxes.
- In favor of reasonable time to allow non-use campers – a common sense approach.
- Concern with grandkids that aren't allowed to pitch a tent. Becker County allows weekend non-use camping and it has worked good for that County.

**Adjournment**

At 3:05 p.m., upon conclusion of the Public Hearing, Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, February 26, 2008.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Syd Nelson, Board of Commissioners Chair

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



<b>WARRANTS APPROVED ON 2/19/2008 FOR PAYMENT 2/19/2008</b>	
<b><u>VENDOR NAME</u></b>	<b><u>AMOUNT</u></b>
A'VIANDS LLC	5,958.62
ABG MAINTENANCE INC	90.53
ACCESS TELEVISION	500.00
AMERICAN INSTITUTIONAL SUPPLY	94.33
AMERICAN WELDING SUPPLIES INC	171.37
AMERICAN WELDING-WILLMAR FIRE	7.03
BAKKE ACOUSTICAL	425.00
BARRETT EMS TRAINING	1,000.00
BATTLE LAKE STANDARD	23.86
BEN FRANKLIN	9.76
BEYER BODY SHOP INC	70.00
BLUESTONE TECHNOLOGIES INC	482.51
BOB'S STANDARD BULK SERVICE	110.60
BOUND TREE MEDICAL LLC	74.29
STEVE BRANDNER	182.09
SANDRA BROWN	40.94
CARQUEST AUTO PARTS	1.91
CIT TECHNOLOGY FIN SERV INC	189.86
COMMISSIONER OF TRANSPORTATION	130.00
COOPERS TECHNOLOGY GROUP	32.83
CULLIGAN WATER COND	34.79
DEX MEDIA EAST	20.50
EVERGREEN EQUIPMENT INC	78.81
EVERTS TOWNSHIP	3,252.00
FERGUS FALLS DAILY JOURNAL	410.62
FERGUS FALLS MEDICAL GROUP	29.25
CITY FERGUS FALLS	8,154.60
GALL'S INC	201.25
GE CAPITAL (CA)	372.74
GODFATHERS EXTERMINATING INC	321.08
GR GRAPHICS INC FARGO	58.70
CHRISTINE GREENE	24.99
HEALTHCARE ENVIRONMENTAL SERVI	104.00
HENNING AUTO PARTS INC	243.68
HENNING HARDWARE	184.52
HIGH PLAINS TECHNOLOGY	119.34
SANDY HOLO	33.60
ROBERT HUCKEBY	9.94
INDEPENDENT EMERGENCY SERVICES	54.86
INFORMATION SYSTEMS CORP	223.21
INSIGHT PUBLIC SECTOR	89.46
JK SPORTS	29.99
KELLY SERVICES INC	923.03
LAKE REGION HEALTHCARE CORP	1,278.00
LAKES AREA PEST CONTROL LLC	83.07
LARRY OTT INC TRUCK SERVICE	350.00
LITTLE FALLS MACHINE INC	1,296.50
JERRY LOKEN	9.88
MEKALSON HYDRAULICS INC	627.48
THE MIDWEEK	2,817.36
MINN KOTA COMMUNICATIONS INC	158.00
MN BOARD OF WATER & SOIL RESOU	500.00
MN DEPT OF TRANSPORTATION	150.00
NAPA FERGUS FALLS	15.31
NELSON FORD LINCOLN MERCURY IN	20.82
NICE THREADS INC	382.56
OLSON OIL CO INC	285.64

ONE CALL LOCATORS LTD	11.50
OTTER TAIL CO TREASURER	19.08
OTTERTAIL TRUCKING INC	10,242.50
OUTDOOR RENOVATIONS LANDSCAPE	1,667.50
PACE ANALYTICAL SERVICES INC	780.00
PAMIDA INC 008	13.82
PENROSE OIL COMPANY	696.75
PEPSIAMERICAS	475.05
PERHAM AREA EMS	315.00
PERHAM CO OP CREAMERY	3,336.36
PERHAM STEEL & WELDING	9.59
PETE'S AMOCO	754.08
PHELPS FAMILY FORD	703.75
PITNEY BOWES	384.42
PREMIUM WATERS INC	5.33
PRO AG FARMERS CO OP	1,875.89
PRODUCTIVE ALTERNATIVES INC	82.72
RAPID CHEK INC	1,191.47
RELIABLE OFFICE SUPPLIES	44.94
REVIEW ENTERPRISES INC	265.93
CHERI SCHULTZ	42.58
SCOTT HOF LAND CONSTRUCTION INC	3,690.00
SOUTH MILL SERVICE	39.11
STEINS INC	369.91
STENERSON LUMBER	28.27
STREICHERS	296.95
SUSAN ULSCHMID	24.00
ULTIMATE OFFICE	56.61
UNICEL FERGUS FALLS	35.12
UNIFORMS UNLIMITED	510.10
VIKING COCA-COLA	157.51
VOSS LIGHTING	198.93
WADENA CO AUDITOR TREASURER	1,322.78
WASTE MANAGEMENT	42,683.36
SHARON WICKLUND	6.48
LORI WINDELS	49.98
ZIEGLER INC	64.43
<u>**** FINAL TOTAL.....</u>	<u>\$104,996.91 ****</u>