

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
500 W. Fir Avenue, Fergus Falls, MN  
Tuesday, June 3, 2008  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, June 3, 2008, at 9:30 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 Erickson, and unanimously carried to approve the Board of Commissioners agenda of June 3, 2008, with the following addition:

Request for Extension for Filing a Final Plat

**Approval of Minutes**

Motion by Froemming, second by Block, and unanimously carried to approve the Board of Commissioners meeting minutes of May 27, 2008, as presented.

**Approval to Pay Bills**

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

**4-H Update**

4-H Educator, Tammy Nordick, briefed the commissioners on an educational program, Chick Embryology, that she brings to area schools. She provided pictures and explanations of the 21 day life cycle of the egg and resulting chick.

**Recycling Collection Sites**

Solid Waste Director, Mike Hanan, requested that compartmentalized recycling containers be placed at the school sites rather than requiring recycling pickup at all the different school locations on a weekly basis. This would require just one stop per month to pick up recyclables for each school instead of several different stops. Mr. Hanan suggested using the funds set aside in the Capital Improvement Fund (Enterprise Fund) for two new can crushers as they are not needed at this time. Motion by Froemming, second by Mosher, and unanimously carried to authorize purchase of recycling containers to be placed at school sites throughout the County. This will save in fuel and labor costs in reducing the number of pickups required. The funding designated for two new can crushers will be used to purchase the recycling containers.

**Solid Waste Staffing**

Motion by Mosher, second by Erickson, and unanimously carried to approve an out-of-classification Grade 10 salary for Recycling Worker, Darran Meyer, during the summer when he is performing Recycling Operator duties.

**Public Meetings**

The Board of Commissioners will be holding public meetings in four different locations in the County for input on a proposed Junkyard Ordinance. The dates of the meetings are June 25<sup>th</sup>, June 26<sup>th</sup>, July 9<sup>th</sup>, and July 10<sup>th</sup> from 6:30 p.m. to 8:30 p.m. Specific locations for the meetings will be forthcoming.



**Committee Appointment**

Motion by Erickson, second by Block, and unanimously carried to reappoint Donn Siems and John Mehl to four year terms on the Otter Tail Water Management Board of Directors.

**Premise Permit**

**Otter Tail County Resolution No. 2008 – 45**

Commissioner Froemming 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, T.I.P. Otter Tail Chapter, Detroit Lakes, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at The Cactus, located at 43521 Fort Thunder Road in Perham 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 T.I.P. Otter Tail Chapter, Detroit Lakes, MN, at The Cactus, located at 43521 Fort Thunder Road in Perham 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 T.I.P. Otter Tail Chapter, Detroit Lakes, MN, at The Cactus, located at 43521 Fort Thunder Road in Perham 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 Perham by sending them a copy of this resolution.

Commissioner Block seconded the motion, which, upon being put to a vote, was unanimously carried.

Adopted and signed this 3rd day of June 2008.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Sydney Nelson, Board of Commissioners Chair

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

Larry Krohn, Clerk

**Extension for Filing Final Plat**

Motion by Erickson, second by Mosher, and unanimously carried to authorize an extension for filing the Final Plat for a Preliminary Plat entitled "RJ Estates" located in Section 3 of Star Lake Township; Star Lake (56-385) as requested by owners, Ronald and JoAnn Bina.

### **Engineering Services – Drawdown of Iverson Lake**

Motion by Mosher, second by Erickson, and unanimously carried to authorize the Highway Engineer's signature to execute an agreement for engineering services between the County of Otter Tail and Houston Engineering, Inc. of Thief River Falls, MN, for a Hydrology/Hydraulics Study for the Drawdown of Iverson Lake. The participation for funding of the project may be divided three ways between Otter Tail County, MnDOT, and Buse Township

### **Special Meeting**

The City of Perham requested a joint meeting with the Board of Commissioners. Motion by Erickson, second by Froemming, and unanimously carried to meet with the City of Perham, invite other counties who have an interest in the potential agenda item(s), and open the lines of communication. The meeting is scheduled at 5:00 p.m. on June 17, 2008, at the City of Perham Council Chambers.

### **Recess & Reconvene**

At 10:45 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for a Personnel Committee meeting and lunch break.

### **Public Meeting – Proposed Reclassification of Small Lakes**

Chairman Nelson opened the Public Meeting at 1:00 p.m. to receive input regarding a proposal to reclassify lakes in Otter Tail County that are 150 acres or less in size from Recreational or General Development to a Natural Environment classification. The roster of attendance included seven members of the public.

County Attorney, David Hauser, stated that the proposal is to better serve small lakes and control density around them. The process would be for Otter Tail County to petition to the Minnesota Department of Natural Resources to reclassify the smaller lakes (list of lakes provided dated April 29, 2008) to a Natural Environment classification and the NE rules would apply for development around these lakes rather than RD or GD rules.

Land & Resource Administrator, Bill Kalar, briefed the Board on development that is beginning around smaller lakes and the need to treat these areas as sensitive to preserve water quality. This proposal would change classification to the more restrictive NE classification for approximately 200 lakes that may have been misclassified originally. A map was presented which documented the list of lakes affected. The proposal does not include changing lakes that have more than one governmental jurisdiction.

Chairman Nelson opened the floor to public comment regarding the proposal. The following is a summary of the topics discussed:

- the proposal will affect new development the most because most of the small lakes do not currently have development around them; however, for example, if an existing lot was developed under the GD standard after 10/15/71 and this change is made to NE classification, the lot would be considered a substandard lot. If the NE setback and lot size requirements could not be met when changing an existing structure, variance would be required.
- Under the grandfather provision, a lot created after 10/15/71 would not be a lot of record. If an individual or developer chooses to build, then a variance would be required.
- State statute allows an existing non-conformance to be maintained and repaired, but to increase, an owner would need variance.

- Current classifications and corresponding setback and other requirements were requested.
- Discussion concerning a permitted use currently on GD or RD lake which may not be permitted if the classification is changed to NE. Industrial use is prohibited around NE lakes.
- The NE classification is the most restrictive.
- Discussion of the procedure required to change the classification of a lake that is partially in the jurisdiction of Otter Tail County and partially in the jurisdiction of the City of Vergas.
- Time frame of implementation is unknown – this would be under the control of the Minnesota DNR. It would be effective when the DNR acts on the requests.
- Further research could be done to determine how many current parcels would be affected by this change.
- The original scheme was to reclassify lakes 150 acres or less because of the sensitivity to development of small lakes.

Chairman Nelson thanked the public for their comments and stated that further written comments would be received by the Land & Resource Administrator and shared with the County Board. The Chairman adjourned the public meeting at 1:47 p.m.

**Vending Machine Discussion**

Board members requested information relative to the vending machines in various buildings with an additional machine being purchased for the Ottertail Operations Center. Auditor, Wayne Stein, reported vending machine income from January of 2004 to March of 2008 as \$52,642.47 and net cost of operating the machines not including employee labor to stock them or depreciation for replacement purposes as \$51,344.18 with a net gain of \$1,298.29. Motion by Mosher, second by Erickson, and carried with Froemming and Block opposed, to authorize payment to Liberman Companies, Invoice No. 1082639, in the amount of \$4,559.99 for a vending machine at the Ottertail Operations Center. This motion is subject to approval of these types of purchases in advance of actual purchase in the future.

**Credit Card Policy Receipts**

Lengthy discussion took place regarding the County's credit card and expense reimbursement policy. A special Department Head meeting will be scheduled to discuss the policy and procedures.

Chairman Nelson was absent from the meeting at 2:55 p.m. and returned at 3:00 p.m.

**Peer Groups for Compensation Purposes**

Motion by Mosher, second by Erickson, and carried on a vote of 4-0 to approve the following counties to be used as the Peer Groups for Classification/Compensation purposes as recommended by Department Heads:

- |          |            |
|----------|------------|
| Beltrami | Blue Earth |
| Clay     | Crow Wing  |
| Douglas  | Kandiyohi  |
| Rice     | Sherburne  |
| Stearns  |            |

**Adjournment**

At 3:10 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, June 10, 2008.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Syd Nelson, Board of Commissioners Chair

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

Larry Krohn, Clerk

**WARRANTS APPROVED ON 6/03/2008 FOR PAYMENT 6/03/2008**

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	2,607.13
ARVIG COMMUNICATION SYSTEMS	55.26
ASSET RECOVERY CORPORATION	580.15
GAYLON BAKKEN	13.40
MARK BECKER	12.33
BELTRAMI COUNTY SHERIFF'S OFFI	50.00
BIG FOOT GAS & GROCERY	300.00
BRAINSTORM INC	203.04
HEATHER BRANDBORG	34.34
BRIGGS CORPORATION	30.65
CARLTON CO SHERIFF'S OFFICE	40.00
CARQUEST AUTO PARTS	11.69
CARR'S LAKE COUNTRY SUPERMARKE	727.62
COLLEGE WAY AUTO INC	1,037.61
COOPERS TECHNOLOGY GROUP	12,890.81
ELECTION SYSTEMS & SOFTWARE IN	29,101.68
MICHAEL EULL	6,020.00
F-M TYPEWRITER SERVICE	391.14
FASTENAL COMPANY	11.26
FRAZEE FORUM INC	85.68
GALL'S INC	4,869.16
GODFATHERS EXTERMINATING INC	132.06
HENRY'S FOODS INC	1,424.28
HINTERMEISTER INC	20.70
RANDY HOFFMAN	12.33
SHELDON HOLM	255.58
IMAGETECH SERVICES	130.29
THE INDEPENDENT	151.90
INNOVATIVE OFFICE SOLUTIONS	1,888.09
INSIGHT PUBLIC SECTOR	1,669.52
RODNEY JENSEN	100.00
K.I.D.LEASING	256.44
JON KARGER	7.56
ALLAN KELLER	12.36
KELLY SERVICES INC	1,237.19
LAB SAFETY SUPPLY INC	250.98
LAKE REGION HEALTHCARE CORP	1,287.99
LARRY OTT INC TRUCK SERVICE	1,000.00
PAT LARUM	235.60
JERRY LEIN	15.00
MAAO	115.00
MAIN STREET GAS & GOODS	3,384.67
VIOLA MANDERUD	35.35
MARCO INC ST LOUIS	653.37
MFSRC FALL CONFERENCE	285.00
MINNESOTA REVENUE	425.00
MN CO ATTORNEYS ASSOCIATION	60.75
MN MOTOR COMPANY	372.97
MN STATE AUDITOR	21,694.00
ROBERT MOE	12.88
NAPA FERGUS FALLS	6.59
NELSON AUTO CENTER	516.01
NORTHSTAR TECHNOLOGY GROUP INC	9,137.96
KIRSTEN OLSON	31.26
OSI ENVIRONMENTAL INC	50.00
OTTER TAIL CO TREASURER	41.00

OTTER TAIL TELCOM	113.34
OTTERTAIL TRUCKING INC	8,228.40
PACE ANALYTICAL SERVICES INC	9,623.00
PELICAN RAPIDS PRESS	271.17
PETE'S BODY SHOP & TOWING	2,522.60
PUBLIC SAFETY CENTER INC	351.23
REED BUSINESS INFORMATION	194.22
REVIEW ENTERPRISES INC	30.25
ROYAL TIRE INC	46.00
SAFELITE FULFILLMENT INC	204.97
THE SAND CREEK GROUP LTD	3,312.20
CHERI SCHULTZ	8.60
RICK SHEILS	14.13
SIGNWORKS	527.18
SOUTH MILL SERVICE	36.08
STEINS INC	457.02
TNT REPAIR INC	1,659.85
TRANQUILITY BUILDING SERVICES	452.63
VICTOR LUNDEEN COMPANY	85.79
WADENA CO SOCIAL SERVICES	300.00
<u>**** FINAL TOTAL.....</u>	<u>\$134,421.29 ****</u>