

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
500 W. Fir Avenue, Fergus Falls, MN  
Tuesday, May 19, 2009  
9:15 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, May 19, 2009, at 9:21 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners Everett Erickson, Chair; Roger Froemming, Vice-Chair; John Lindquist, Doug Huebsch and Lee Rogness present.

**Approval of Agenda**

Motion by Froemming, second by Rogness, and unanimously carried to approve the Board of Commissioners agenda of May 19, 2009 as mailed.

**Approval of Minutes**

Motion by Froemming, second by Huebsch, and unanimously carried to approve the Board of Commissioners meeting minutes of May 12, 2009 as mailed.

**Approval to Pay Bills**

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

**Committee of the Whole Discussion**

Discussion took place regarding county and state budgets. Reductions at the State level are not known at this time.

**WACCO Presentation**

Western Area Cities Counties Cooperative Director, Laurie Mullen, presented two defibrillators to Sheriff, Brian Schlueter. Ms. Mullen has written grants to obtain the funding to provide the Sheriff's Department with defibrillators. She presented a certificate valued at \$5,600 for 8 County employees to attend a NAMI (National Alliance for the Mentally Ill) training session which is being hosted by WACCO. Discussion took place regarding the connection between Otter Tail County and the WACCO organization.

**Professional GIS Consultant Services**

Motion by Lindquist, second by Rogness, and unanimously carried to authorize the appropriate County Officials' signatures to execute an Agreement for Professional GIS Consultant Services between Pro-West & Associates, Inc. and the County of Otter Tail. Consultant services are estimated at \$17,000 and include work with LIDAR, upgrading web services and upgrading GIS data to a different platform.

**Feedlot Information**

County Coordinator, Larry Krohn, contacted the Minnesota Pollution Control Agency (MPCA) to obtain a breakdown of the number of feedlots by township. He provided several documents including a list of all the counties, their contact person, and whether or not the program is delegated or operated by the State. The documents identified 704 feedlots registered in Otter Tail County. Discussion took place regarding potential funding. Mr. Krohn stated that additional information is available on the MPCA website. Further research regarding funding questions will be brought back to the Board.

**County Wide Seal Coat Project**

After advertising for bids for S.A.P. 56-601-47 & Etc., the following bids were opened at 1:00 p.m. on May 13, 2009:

	<u>Bid Amount</u>	<u>Corrected Bid</u>
Asphalt Surface Technologies Corporation (ASTECH) St. Cloud, MN	\$1,424,976.04	\$1,424,976.07
Morris Sealcoat & Trucking, Inc. Morris, MN	\$1,462,752.67	\$1,463,855.87

Motion by Rogness, second by Lindquist, and unanimously carried to award S.A.P. 56-601-47 & Etc, in the amount of \$1,424,976.07 to the low bidder, Asphalt Surface Technologies Corp. of St. Cloud, MN.

**2009 County Wide Traffic Marking**

After advertising for bids for C.P. 09:TM, the following bids were opened at 1:00 p.m. on May 13, 2009:

AAA Striping Service Co. St. Michael, MN	\$287,004.64
Tri-State Striping, Inc. West Fargo, ND	\$300,563.52
Swanston Equipment Companies Fargo, ND	\$305,915.42

Motion by Froemming, second by Rogness, and unanimously carried to award C.P. 90:TM, in the amount of \$287,004.64 to the low bidder, AAA Striping Service Co. of St. Michael, MN.

**Recess & Reconvene**

At 10:15 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 10:20 a.m.

**License Applications**

Motion by Huebsch, second by Froemming, and unanimously carried to approve the following applications for licenses:

Big Chief 33518 Big Chief Road Fergus Falls, MN 56537	Off-Sale 3.2 Malt Liquor
Heisler's Country Pub 31870 County Highway 130 Vergas, MN 56587	Renewal of Consumption and Display Permit
Perham Oasis 43937 Fort Thunder Road Perham, MN 56573	Off-Sale 3.2 Malt Liquor
Rolling Hills 49730 County Highway 9 Pelican Rapids, MN 56572	On/Off-Sale 3.2 Malt Liquor

Ye Olde School House Bar and Grill  
24028 Emery Drive  
Erhard, MN 56534

On/Off-Sale 3.2 Malt Liquor  
Transfer Issue Date through June 30, 2009  
Renewal-July 1, through June 30, 2010

Zorbaz of Little Pine Lake, Inc.  
45738 County Highway 51  
Perham, MN 56573

On-Sale and Sunday Liquor

**Payment Approval**

Motion by Froemming, second by Huebsch, and unanimously carried to approve payment, in the amount of \$314.33 from the Capital Improvement Fund to Young & Associates for the 60-Bed Chemical Dependency Treatment Center.

**Wildlife Management Land Acquisition Request**

DNR Representative, Don Shultz, requested approval of an 80 acre land acquisition from Property Owner, Dale & Deborah Frost. Neighboring Property Owner, Curt Grenier, requested more time to work out easement concerns before the County approves the acquisition request. County Attorney, David Hauser, advised the Board that if they deny approval for the acquisition, under Minnesota Statute, the Board must state the reasons why and the DNR could appeal that decision. Commissioner Huebsch stated that no one is opposed to selling the land to the DNR and the neighboring property owners can work out an easement solution on the west side of the property.

**Review of Proposed State Wildlife Land Acquisition  
Otter Tail County Resolution No. 2009 – 32**

Motion by Commissioner Huebsch, seconded by Commissioner Froemming, to approve the acquisition by the DNR of the 80 acre property described below with the condition that there is an easement on the west side of said property from markers B to C for use by adjacent properties now owned by Grenier and Frost (see map Attachment B).

In accordance with Minnesota Statutes 97A.145 Subd. 2, the Commissioner of the Department of Natural Resources on May 19, 2009 provided the County Board and the appropriate town officers with a description of lands to be acquired by the State of Minnesota for water and wildlife conservation purposes.

Lands to be acquired are described as follows:

NE½SE¼ of Section 3, T. 136N, R.37W

IT IS HEREBY RESOLVED, by the Board of County Commissioners of Otter Tail County on May 19, 2009, that the State's proposed acquisition of the above described property be approved.

Commissioner Erickson called for a vote and the resolution was unanimously adopted.

Adopted this 19<sup>th</sup> day of May, 2009

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

Larry Krohn, Clerk

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

Everett P. Erickson, Board of Commissioners Chair

### **Recess & Reconvene**

At 11:00 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed for a Capital Improvement Committee meeting. The Board of Commissioners' meeting was reconvened at 11:14 a.m.

### **Planning Commission**

#### **Conditional Use Permit – Patrick F. & Frances L. Didier:**

Motion by Rogness, second by Lindquist, and unanimously carried to approve a Conditional Use Permit for an after-the-fact earthmoving request as presented. The property is described as N 251' of W 193.28' of GL1 ex pt to Twp Road, Section 25 of Clitherall Township; Clitherall Lake (56-238), RD & Crane Lake (56-293), RD.

#### **Conditional Use Permit – Teresa Ann Melvey:**

Motion by Huebsch, second by Froemming, and unanimously carried to approve a Conditional Use Permit to operate a small business as presented. The property is described as WLY 25' of Lot 3, Lot 4 & E½ of Lot 5, Mary's North Shore Beach, Section 26 of Gorman Township; Little Pine Lake (56-142), GD.

#### **Conditional Use Permit – Dora Township, % Norbert Benke:**

Motion by Erickson, second by Rogness, and unanimously carried to approve a Conditional Use Permit to widen and reconstruct an existing road (2 miles of 410<sup>th</sup> St.) with a condition as recommended by the Planning Commission. The property is described as 2 miles of 410<sup>th</sup> St., Section 27, 28,33 & 34 of Dora Township; East Silent Lake (56-517), RD.

#### **Conditional Use Permit – Ken & Dori Larson:**

Motion by Huebsch, second by Rogness, and unanimously carried to approve a Conditional Use Permit to operate a commercial business to sell organic foods and meat products onsite as presented. The property is described as SE¼ NE¼ (40 AC), Section 33 of Rush Lake Township, Unnamed Lake (56-216), GD.

#### **Conditional Use Permit – Cameron .J & Debora L. Wischer:**

Motion by Erickson, second by Froemming, and unanimously carried to approve a Conditional Use Permit for an earthmoving project for a new location for the septic system with a condition as recommended by the Planning Commission. The property is described as Lot 9 Blk 1 Puppy Point, Section 34 of Dunn Township, Franklin Lake (56-759), RD.

#### **Conditional Use Permit – Greg & Janette Gustafson:**

Motion by Lindquist, second by Rogness, and unanimously carried to approve a Conditional Use Permit for an earthmoving project for a walkout basement with conditions as recommended by the Planning Commission. The property is described as Lot 6 Blk 1 Western Exposure, Section 29 of Scambler Township, Pete Lake (56-941), NE.

Conditional Use Permit – Joshua Brekke:

Land & Resource Administrator, Bill Kalar, stated that this CUP request is for a restaurant/bar business and the Planning Commission recommends denial. Applicant, Joshua Brekke, requested that the County Board table the CUP request to allow time to address the concerns expressed at the Planning Commission meeting. Mr. Kalar advised that the Planning Commission discussed tabling the request; however, recommended that a new application be submitted because the changes would be fairly significant.

Motion by Huebsch, second by Lindquist, and unanimously carried to deny a Conditional Use Permit to operate a restaurant/bar business, as recommended by the Planning Commission and for the reasons as stated in the May 13, 2009 Planning Commission minutes. The property is described as Pt of GL 8 E of Hwy & S of River (1.10 AC), Section 2 and N 175.57' of GL 1 E of Hwy 22 (1.60 AC), Section 11 (parcels not to be split), of Dunn Township, Pelican River (56-PR), AG/Little Pelican Lake (56-761), RD and Pelican Lake (56-786), GD.

Conditional Use Permit – Phillip & Muriel Foster, Virginia J. Kruger, Yvonne Marie Erickson & Charles Erickson – Agent:

Motion by Froemming, second by Rogness, and unanimously carried to approve a Conditional Use Permit to approve a driveway project to serve residences as presented. The property is described as GL 2, pt of SW¼ SW¼ & Lot 5 & pt of Lot 6, Section 18 & 19 of Amor Township and pt of GL 10, 11 & all Lots 6, 7 & 9, Section 24 of Maine Township, Twin Lake (56-382), RD.

Conditional Use Permit – “Lakeside on Lida”/Marty A. & Nancy L. Hanson:

Motion by Erickson, second by Rogness, and unanimously carried to approve a Conditional Use Permit for a resort conversion with a condition as recommended by the Planning Commission. Details are available on drawing at Land & Resource office. The property is described as Pt GL 4 & 5 (4.12 AC), Section 17 of Lida Township, Lake Lida (56-747), GD.

**Pelican Point First Addition**

Land & Resource Director, Bill Kalar, discussed a proposed Corrective Replat entitled “Pelican Point First Addition”. Lot lines were redrawn such that 22 land owners would have their cabin or lake home located on their property. Since that approval, 2 additional property owners would like to join the Plat (24 total lots). Motion by Rogness, second by Lindquist and unanimously carried to approve 24 lots (rather than 22 lots as previously granted) in the proposed Final Plat of “Pelican Point First Addition”.

**Wellness Committee Event**

Motion by Rogness, second by Froemming, and unanimously carried to request Department Heads to encourage their employees to participate in the Poker Run Wellness Activity during their lunch hour and to authorize employees who participate in the County sponsored event to flex their work time accordingly.

**Committee Appointments**

Motion by Froemming, second by Lindquist, and unanimously carried to appoint Commissioner John Lindquist to the Bois De Sioux Watershed District Board for CY2009.

Commissioner Lindquist reported that Eric Mounts would be serving as an alternate on the Local Radio Group working with the Allied Radio Matrix for Emergency Response (ARMER).

**Recess & Reconvene**

At 11:52 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. At 1:00 p.m., Chairman Erickson reconvened the meeting at the Otter Tail County Courthouse for the Fergus Falls Heritage Preservation Commission ceremony and the unveiling of the National Designation Plaque.

**Adjournment**

At 1:30 p.m., a motion was offered by Froemming, seconded by Rogness, and unanimously carried to adjourn the Otter Tail County Board of Commissioners meeting until Tuesday, May 26, 2009.

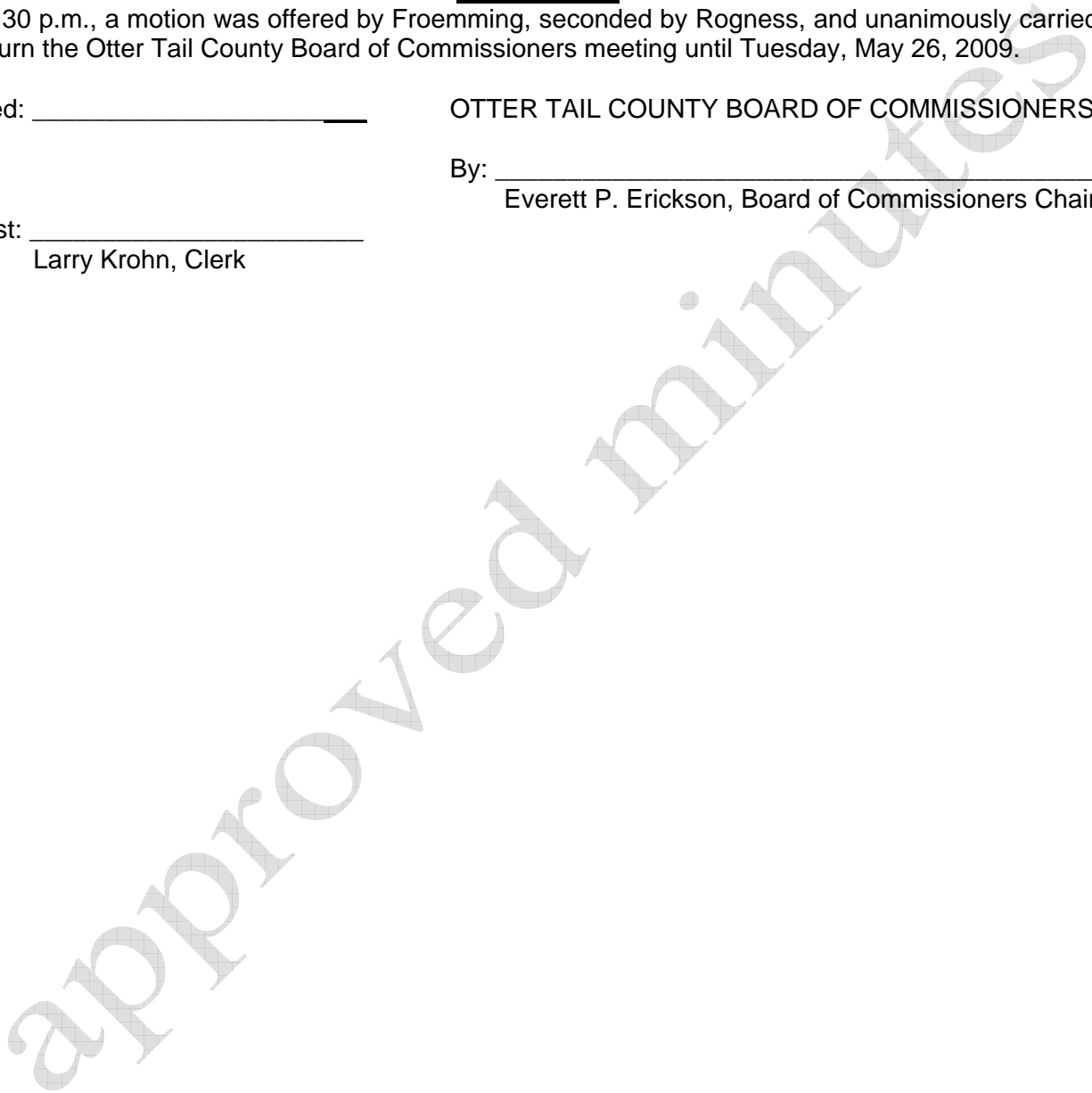
Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Everett P. Erickson, Board of Commissioners Chair

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

CB/kd



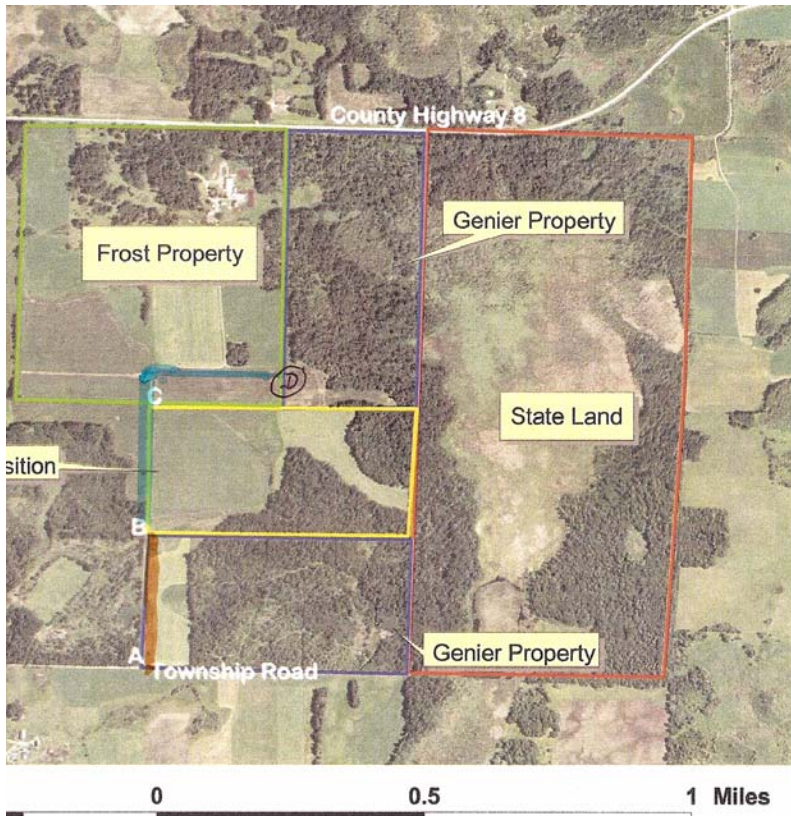
**WARRANTS APPROVED ON 5/19/2009 FOR PAYMENT 5/19/2009**

<b><u>VENDOR NAME</u></b>	<b><u>AMOUNT</u></b>
A & S TRAINING	5,800.00
A-1 ENGRAVING	59.64
A-1 LOCK & KEY LLC	40.00
A'VIANDS LLC	5,698.65
AL'S REFRIGERATION	223.49
AMERICAN WELDING & GAS INC	123.08
AMERICINN FERGUS FALLS	76.54
APPLIED CONCEPTS INC	7,484.00
ARROWWOOD RESORT & CONFERENCE	53.47
ARVIG COMMUNICATION SYSTEMS	40.00
AUTO SAFETY SERVICE	395.98
BOUND TREE MEDICAL LLC	273.88
BRANDON COMMUNICATIONS INC	10,089.75
BREITBACH CONSTRUCTION CO	75,856.55
BRIGGS CORPORATION	178.67
BUY-MOR PARTS & SERVICE LLC	201.50
CAREER TRACK	198.00
CARR'S LAKE COUNTRY SUPERMARKE	657.03
CBCINNOVIS INC	12.25
CDW GOVERNMENT INC	438.04
CENTRAL STATES WIRE PRODUCTS I	3,893.64
CIT TECHNOLOGY FIN SERV INC	189.86
CO OP SERVICES INC	89.58
COMPANION ANIMAL HOSPITAL	10.11
COMSTOCK CONSTRUCTION INC	325.00
COOPERS TECHNOLOGY GROUP	169.26
CULLIGAN WATER COND	116.25
DACOTAH PAPER COMPANY	435.95
DENZEL'S REGION WASTE INC	1,241.15
DESIGN ELECTRONICS	112.85
DEWEY'S SEPTIC SERVICE	200.00
KATHY DOMHOLT	29.10
EMERGENCY AUTOMOTIVE TECHNOLOG	3,686.70
ERICKSON ELECTRONICS	28.14
MICHAEL EULL	2,177.00
EVERTS LUMBER CO	4.47
FARGO FREIGHTLINER	1,173.76
FARMERS CO OP OIL ASSN	1,330.56
FARNAM'S GENUINE PARTS INC	133.51
FARNAM'S GENUINE PARTS INC PR	404.06
FASTENAL COMPANY	107.54
FERGUS ELECTRIC	422.35
FERGUS FALLS DAILY JOURNAL	4,249.60
FERGUS FALLS MEDICAL GROUP	219.00
FERGUS FALLS POLICE DEPT	567.02
FERGUS POWER PUMP INC	1,044.30
FERGUS TIRE CENTER	300.36
DAVID FIEDLER	150.00
FORCE AMERICA	858.56
FOTH & VAN DYKE	18,244.24
FRANKLIN FENCE CO INC	13.42
FRED PRYOR SEMINARS	149.00
FREMONT INDUSTRIES INC	31.09
FRONTIER POWERSPORTS	17,093.19
G & K SERVICES	1,749.77
GALL'S INC	73.99
GE CAPITAL (CA)	372.74

JOHN GOOD	74.88
GOVERNMENT FINANCE OFFICERS AS	645.00
GRAINGER INC	309.60
HAWES SEPTIC TANK PUMPING	70.00
HEALTHCARE ENVIRONMENTAL SERVI	29.10
HENNEPIN CO SHERIFF	70.00
HEWLETT PACKARD COMPANY	3,985.43
HIGH PLAINS TECHNOLOGY	50,683.35
HOBART SALES & SERVICE	9.05
HOMESTEAD BUILDING SUPPLIES	17.54
INDEPENDENT EMERGENCY SERVICES	64.00
THE INDEPENDENT	84.50
INNOVATIVE OFFICE SOLUTIONS	53.89
ISSUETRAK INC	600.00
KELLY SERVICES INC	1,040.00
LAKE REGION HEALTHCARE CORP	1,028.00
LAKELAND MENTAL HEALTH CENTER	109.00
LAKES AREA PEST CONTROL LLC	83.07
LAKES COUNTRY SERVICE CO OP	321.89
LAKEWAY MARKET LLC	527.45
LARRY OTT INC TRUCK SERVICE	375.00
LARRY'S SUPERMARKET	61.33
LAWMEN SUPPLY COMPANY INC	1,133.64
LEITCH EXCAVATING	5,640.00
MACPZA	35.00
MARCO INC ST LOUIS	319.76
MATTHEW BENDER & COMPANY INC	149.20
MIDWESTERN MAT RENTAL & SUPPLY	79.72
MINNESOA WANNER COMPANY	930.30
MN CO INSURANCE TRUST	2,500.00
MN HWY SAFETY AND RESEARCH CEN	732.00
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
MN ST BOARD OF ASSESSORS	690.00
MSANI	100.00
NANIK'S ELECTRIC	1,679.28
NAPA OF PERHAM	26.90
NATIONAL BUSINESS SYSTEMS INC	7,503.92
NELSON AUTO CENTER	101,222.42
NETWORK CENTER COMMUNICATIONS	707.50
NEW YORK MILLS HERALD	76.00
NORTHLAND BUSINESS SYSTEMS INC	14,377.51
OFFICEMAX INCORPORATED	126.36
OLSEN COMPANIES	628.38
OLSON OIL CO INC	137.08
THE ORIGINAL HEATING MAN	97.15
OTTERTAIL TRUCKING INC	14,186.40
OVERLAND MECHANICAL SERVICES	103.84
PACE ANALYTICAL SERVICES INC	8,030.00
PAMIDA PHARMACY	7,078.58
PARK REGION CO OP	477.14
PEBBLE LAKE TAKE 5	570.14
PERHAM ACE HARDWARE	141.54
PERHAM AREA EMS	330.00
PERHAM ENTERPRISE BULLETIN	38.00
PERSONNEL EVALUATION INC	20.00
PITNEY BOWES	209.24
PREMIER SPECIALTY VEHICLES INC	183.07
PREMIUM WATERS INC	25.83
PRO AG FARMERS CO OP	127.80

PRO BUILD FERGUS FALLS	2.77
PRODUCTIVE ALTERNATIVES INC	164.44
PUBLIC SAFETY CENTER INC	414.09
RDO EQUIPMENT CO FARGO	883.34
REED BUSINESS INFORMATION	428.04
REVIEW ENTERPRISES INC	252.00
RIDGEWATER COLLEGE	450.00
SAFELITE FULFILLMENT INC	49.95
CHERI SCHULTZ	139.00
SEEBAS SHOP	65.00
SERVICE FOOD SUPER VALU	6.18
HEATHER SEVERSON-TANEZ AND	71,000.00
SEWER SERVICE	80.00
SIMPLEXGRINNELL LP	324.83
SOUTHTOWN C-STORE	51.35
SPRINT	662.70
STATE OF MINNESOTA	2,320.00
STEINS INC	1,462.54
STEVE SCHIERER APPRAISALS	600.00
STEVE'S SANITATION INC	2,764.43
STREICHERS	1,616.61
SWANSTON EQUIPMENT CORP	20,288.95
VERGAS 66	858.90
VICTOR LUNDEEN COMPANY	42.60
VOSS LIGHTING	334.01
WADENA PIONEER JOURNAL	116.40
WALLWORK TRUCK CENTER	382.37
WASTE MANAGEMENT	45,687.61
RANDY WASVICK	69.92
WEST PAYMENT CENTER	2,953.10
WILKIN CO SHERIFF	1,929.52
XEROX CORPORATION	121.93
ZIEGLER INC	8.99
<u>**** FINAL TOTAL.....</u>	<u>\$557,684.99 ****</u>





- Frost property
- Proposed acquisition
- Genier property
- Bluff Creek WMA

