

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
515 W. Fir Avenue, Fergus Falls, MN
Tuesday, July 20, 2010
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, July 20, 2010, at 9:30 a.m. at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners Roger Froemming, Chair; John Lindquist, Vice-Chair; Everett Erickson, Doug Huebsch and Lee Rogness present.

Approval of Agenda

Motion by Lindquist, second by Rogness, and unanimously carried to approve the Board of Commissioners agenda of July 20, 2010.

Approval of Minutes

Motion by Erickson, second by Huebsch, and unanimously carried to approve the Board of Commissioners meeting minutes of July 13, 2010 as presented.

Approval to Pay Bills

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

Historical Mill Discussion

Friends of Phelps Mill Association President, Vern Foster; Association Member, Mary Peterson; and Historical Society Executive Director, Chris Schuelke; provided some background about the historical preservation of the Mill located in the Phelps Mill Park. The Friends of Phelps Mill have raised funds to provide signage, a video tape system, and security system. They showed pictures of problems with water in the basement of the Mill and sheeting on the outside of the Mill that is missing or falling off. They stressed the importance of the preservation of the Mill because it is the only wood flour Mill with original equipment in the State and draws many tourists to the area. They requested permission to submit an application for grant funding to provide a long term preservation plan for the Mill. Motion by Huebsch, second by Lindquist, and unanimously carried to authorize the Friends of Phelps Mill Association to submit a grant application to the Minnesota Historical Society for a Historic Structures Report for the Mill. Mr. Schuelke estimated a cost of \$6000.00 for the report.

Mr. Foster also requested permission to install authentic lightning protection rods. Motion by Rogness, second by Lindquist and unanimously carried to authorize placement of lightning rods on the Mill provided the cost of the project is taken care of by the Friends of Phelps Mill and the materials, installation, and installer meet minimum code requirements.

Tobacco Retail License Administrative Citation Hearing

Public Health Director, Diane Thorson, stated that Mr. Schlosser, owner of JC's General Store, located in Dalton, MN, requested this hearing before the Board. Mr. Schlosser acknowledged that the sale of tobacco to a minor took place in his business; however, he expressed frustration to the Board about paperwork mistakes relative to tobacco compliance checks and a change in the look of the "under 21" licenses. Motion by Erickson, second by Rogness, and carried with Lindquist abstaining, to find that a retail tobacco compliance violation occurred at JC's General Store June 8, 2010, and the penalty is based on the current County Ordinance.

License Approval

Motion by Huebsch, second by Erickson, and unanimously carried to approve the following applications for license:

DK's Fashings, Inc.
Dba Minnesota Warehouse
Highway 59 South
Erhard, MN 56534

Pawnbroker

West Central 1 Stop
(formerly Vergas One Stop)
32021 County Road 4
Vergas, MN 56587

Tobacco
Off-Sale 3.2% Malt Liquor

PLMSWA Enterprise Fund

Motion by Froemming, second by Huebsch, and unanimously carried to authorize the Otter Tail County Auditor's office to establish the Prairie Lakes Municipal Solid Waste Authority Enterprise Fund.

U.S. Fish & Wildlife Service Habitat Easement Certifications

Realty Specialist, Don Kleven, requested certification of two habitat easements to protect wetlands while allowing agricultural use. Motion by Huebsch, second by Erickson, and unanimously carried to certify the following described properties as wetland easements to be secured by the U.S. Fish & Wildlife Service:

Fergus Falls Fish and Game Club, Inc.
T. 131N., R. 44 W., 5th P.M.
Section 16, SW¹/₄

Hedrick, Mark A.
T. 131 N., R. 40 W., 5th P.M.
Section 35, NE¹/₄SE¹/₄, part of the E¹/₂NE¹/₄

The above motion also included an Otter Tail County policy/philosophy of no additional government owned land. This would allow County certification for the USFWS and/or the DNR to purchase land next to established public hunting and fishing land contingent upon selling other publicly-owned land that are stand-alone properties. Commissioners expressed concern with loss of tax revenue if the State decides to unallot payments in lieu of taxes. They spoke in favor of a program similar to PLOTS that North Dakota offers which pays farmers \$2.00 to \$4.00 per acre to open their private land to public hunting.

Food Service Contract

Motion by Rogness, second by Lindquist, and unanimously carried to authorize the Chairman's signature to execute Amendment Number Six to the Food Service Management Agreement between the County of Otter Tail and A'viands, LLC. Cost of the meals for the period of July 1, 2010 through June 30, 2011 will not change. For the period of July 1, 2011 through June 30, 2012, cost of the meals will increase by 3%.

Out of State Travel for Training

Motion by Huebsch, second by Erickson, and unanimously carried to authorize out of state travel for the Assistant Detention Facility Administrator to attend a training session in Hudson, WI.

Vehicle Purchase

Motion by Erickson, second by Huebsch, and unanimously carried to authorize the appropriate County officials' signatures to execute the Sublease Agreement between the County of Otter Tail and the West Central Minnesota Narcotics Task Force to facilitate the purchase of two vehicles for the Task Force and authorize the appropriate signatures on related mortgage and leasing documents.

Highway Contract

Motion by Erickson, second by Rogness, and unanimously carried to authorize the Chairman's signature to execute a Highway Construction Contract between the County of Otter Tail and Mark Sand & Gravel, Co. for work in Maplewood State Park on Beach Road (loop and parking lot), S.A.P. 056-600-024.

Recess & Reconvene

At 10:45 a.m., Chairman Froemming recessed the Board of Commissioners' meeting for a Personnel Committee meeting. The meeting was reconvened at 11:10 a.m.

Planning Commission Recommendations

Conditional Use Permit – Oscar Township & Steve Stenerson:

Motion by Lindquist, second by Rogness, and unanimously carried to approve a Conditional Use Permit to drain water away from a township road as presented. The project's location – SE $\frac{1}{4}$ SW $\frac{1}{4}$ & 300th Street, Section 20 of Oscar Township; Unnamed Lake (56-994), NE.

Preliminary Plat & Conditional Use Permit – "Huber First Addition" – Mark Huber:

Motion by Huebsch, second by Erickson, and unanimously carried to approve a Preliminary Plat entitled "Huber First Addition" consisting of 8 single family residential lots and 3 non-residential backlots and approve a Conditional Use Permit to construct a road to service the plat, with a condition as recommended by the Planning Commission. The proposal's location - Pt GL 2 (9.85 AC), Section 22 of Rush Lake Township; Round Lake (56-214), GD.

Preliminary Plat (CIC Number 63 – "Lida's Toy Storage" – Janel Helfrich & Brenda Krogestad:

Motion by Erickson, second by Huebsch, and unanimously carried to approve a Preliminary Plat of Common Interest Community Number 63 consisting of 18 storage units entitled "Lida's Toy Storage" with conditions as recommended by the Planning Commission. The proposal's location is Pt NE $\frac{1}{4}$ NW $\frac{1}{4}$ & pt SE $\frac{1}{4}$ NW $\frac{1}{4}$ (10 AC), Section 24 of Lida Township; Non-Shoreland.

COLA Guidebook

Land & Resource Director, Bill Kalar, provided an update regarding the Coalition of Lake Associations guidebook. Motion by Rogness, second by Lindquist, and unanimously carried to accept Mr. Kalar's report and 1,000 guidebooks for the Land & Resource Department available for distribution for 2011.

Recess & Reconvene

At 11:25 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:00 p.m.

Drainage System No. 63

Ditch Inspector, Randy Wasvick, stated that a public information meeting regarding Ditch No. 63 was held at 7:00 p.m. on June 29, 2010. Minutes of the meeting were submitted. Lengthy discussion took place regarding three property owners in the ditch system, who are paying the highest assessments without any benefit, length of time the ditch has not operated properly, problems with the size of some of the pipes in the system, outlet issues, and pros and cons of abandonment of the system. Motion by Erickson, second by Huebsch, and unanimously carried to suspend assessments on Drainage System No. 63 until further notice.

Drainage System No. 70

Mr. Wasvick submitted the County Ditch No. 70 Ditch Viewers Report and related assessment report. He briefed the Board regarding the redetermination process. Motion by Huebsch, second by Lindquist, and unanimously carried to approve the County Ditch No. 70 Ditch Viewers Report as submitted. A Public Hearing date will be established.

Drainage System No. 16

Mr. Wasvick reported that he has completed paperwork to obtain permits for the proposed work in Ditch No. 16. The Army Corp of Engineers contacted the County's Engineer for the project and requested channel probe data every 200 ft. from Bonnie Beach Road to Clitherall Lake Road. Motion by Lindquist, second by Froemming, and unanimously carried to authorize \$1,390.00 for Houston Engineering to complete the work as requested by the Corp of Engineers in Ditch No. 16.

Otter Tail Lakes COLA Annual Meeting

Motion by Erickson, second by Lindquist, and unanimously carried to authorize Commissioner Doug Huebsch to attend the Coalition of Lake Association annual meeting on Saturday, July 24, 2010.

Public Safety ARMER Radio System

The Board of Commissioners acknowledged receipt of resolutions from the City of Parkers Prairie, Fergus Falls, and Battle Lake requesting that the County pay for conversion equipment for the statewide 800 Megahertz Communication System.

Adjournment

At 2:30 p.m., Chairman Froemming adjourned the meeting of the Otter Tail County Board of Commissioners until Tuesday, July 27, 2010.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

WARRANTS APPROVED ON 7/20/2010 FOR PAYMENT 7/20/2010

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	6,667.91
ABG MAINTENANCE INC	171.00
ACCURATE CONTROLS INC	37.50
AL'S REFRIGERATION	164.47
AMERICAN INSTITUTIONAL SUPPLY	180.94
ARVIG COMMUNICATION SYSTEMS	200.00
ASHBY LEGION POST 357	200.00
BEN HOLZER UNLIMITED	84.24
TERRY BENNETT	8.21
BOB BARKER COMPANY INC	174.98
BRANDON COMMUNICATIONS INC	1,847.44
BRIGGS CORPORATION	82.92
BUY-MOR PARTS & SERVICE LLC	29.50
CATCO PARTS AND SERVICE	74.60
CDW GOVERNMENT INC	820.03
CIT TECHNOLOGY FIN SERV INC	190.53
CO OP SERVICES INC	1,681.31
CODE 4 SERVICES LLC	129.13
COMPANION ANIMAL HOSPITAL	48.81
COOPERS TECHNOLOGY GROUP	1,721.10
D & T VENTURES LLC	739.00
DACOTAH PAPER COMPANY	404.57
DAN'S TOWING & REPAIR	18.00
DEANS COUNTRY MARKET	11.81
DEPT OF PUBLIC SAFETY	510.00
KATHY DOMHOLT	135.00
CHUCK EHRENBERG	129.99
EVERGREEN EQUIPMENT INC	340.32
FERGUS ELECTRIC	1,386.05
FERGUS FALLS DAILY JOURNAL	2,792.64
FERGUS FALLS POLICE DEPT	394.56
FERGUS TIRE CENTER	3,159.80
FSH COMMUNICATIONS LLC	64.13
G & K SERVICES	1,064.36
GE CAPITAL (CA)	374.05
GODFATHERS EXTERMINATING INC	350.66
GRAINGER INC	223.08
MARK HAUGEN PHD LP	718.75
HAWES SEPTIC TANK PUMPING	75.00
HENNING HARDWARE	98.40
HENRY'S FOODS INC	1,068.33
HERZOG ROOFING INC	3,605.88
HIGH PLAINS TECHNOLOGY	2,506.22
HONEYWELL	2,076.00
HOOTS SPORTS	125.03
INDEPENDENT EMERGENCY SERVICES	64.22
INSTITUTIONAL EYE CARE	16.85
INTAB INC	81.38
J C'S GENERAL STORE	12.49
JK SPORTS	330.00
JONES AND MAGNUS ATTORNEYS AT	5,123.36
KEEPRS INC CY'S UNIFORMS	262.96
KELLY SERVICES INC	700.00
THE KIEFER COMPANIES	1,303.37
AL KREMEIER	300.00
L & L SERVICE	57.80
SAMANTHA LAHMAN	462.00
LAKE REGION DENTAL CENTER	1,733.00
LAKE REGION HEALTHCARE CORP	678.10

LAKES AREA COOPERATIVE	814.36
LAKES RADIO	2,376.00
LAKEWAY MARKET LLC	1,239.37
LARRY OTT INC TRUCK SERVICE	1,450.00
LARRY'S SUPERMARKET	168.50
TROY LEE	36.65
LOCATORS & SUPPLIES INC	1,394.29
LONG WEEKEND SPORTSWEAR	21.00
KAREN LUNDIN	65.34
M-R SIGN COMPANY INC.	6,869.79
MARCO	964.42
MARCO INC ST LOUIS	331.65
MARKS FLEET SUPPLY INC	29.74
MCCC MI 33	14,593.37
MCQUAY INTERNATIONAL	4,626.33
GEORGE MEYER	134.61
MINNKOTA	29.00
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
NAPA FERGUS FALLS	2.34
NELSON AUTO CENTER	2,460.06
THE ORIGINAL HEATING MAN	2,206.28
OSI ENVIRONMENTAL INC	65.00
OTTER TAIL CO EMPLOYEES COMMIT	29.00
OTTER TAIL CO PROBATION	26.70
OTTER TAIL CO SHERIFF'S POSSE	3,978.51
OTTER TAIL CO SOLID WASTE	90,540.00
OUTDOOR RENOVATIONS LANDSCAPE	1,370.91
PAMIDA PHARMACY	2,635.28
PENROSE OIL COMPANY	726.18
CITY PERHAM	129,442.32
PETE'S AMOCO	365.81
PHILLIPE LAW OFFICE	448.00
PREMIUM WATERS INC	38.09
HENRY PRICE	292.00
PUBLIC SAFETY CENTER INC	183.29
THE RAZOR BLADE COMPANY	122.50
RDO TRUST #80-6130	70.40
RESEARCH SUPPLY & MARKETING	70.00
REVIEW ENTERPRISES INC	59.40
CHERI SCHULTZ	40.00
SCOTT HOFLAND CONSTRUCTION INC	7,775.00
SERVICE FOOD SUPER VALU	16.57
SIMPLEXGRINNELL LP	2,390.50
SOLUTIONS BEHAVIORIAL HEALTHCAR	1,200.00
SOUTH MILL SERVICE	36.57
SOUTHTOWN C-STORE	154.62
STATE INDUSTRIAL PRODUCTS	260.14
STEINS INC	1,492.38
STEVE'S SANITATION INC	4,132.26
STRAND HARDWARE & RADIO SHACK	768.22
STREICHERS	101.69
STRINGER BUSINESS SYSTEMS INC	73.28
SUBSURFACE	1,276.82
SUPER SEPTIC & EXCAVATION	77.19
T & K TIRE SERVICE	160.00
TCC DISTRIBUTORS INC	548.20
TNT REPAIR INC	615.57
UNIFORMS UNLIMITED	348.10
VE SYSTEMS INC	1,328.06
VOSS LIGHTING	400.78
WELLS ROAD GRADING	1,350.00
WEST PAYMENT CENTER	84.70
ZIEGLER INC	237.24

**** FINAL TOTAL.....

\$344,356.16 ****

Approved minutes