



**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**
County Offices, 118 Main Ave, New York Mills, MN
August 7, 2018
8:30 a.m.

Call to Order

The Otter Tail County Board of Commissioners convened at 8:35 a.m. Tuesday, August 7, 2018, at the New York Mills County Offices with Commissioners Wayne Johnson, Chair; Roger Froemming, Vice-Chair; John Lindquist, Lee Rogness and Doug Huebsch present.

Approval of Agenda

Chairman Johnson called for approval of the Board Agenda. Motion by Froemming, second by Lindquist and unanimously carried to approve the Board of Commissioners Agenda of August 7, 2018, with the following addition: Spitzer Lake Update

Consent Agenda

Motion by Huebsch, second by Froemming and unanimously carried to approve Consent Agenda items as follows:

1. July 24, 2018, Board of Commissioners' Meeting Minutes
2. Warrants/Bills for August 7, 2018 (Exhibit A)
3. Authorize Issuance of County Credit Cards to Elisabeth Spilde, Benjamin Olson, and Charles Beery
4. Approve On-Sale Liquor License Submitted by Birak Shrine Club
5. Approve Final Payment - C.P. 17:TM, 2017 County Wide Traffic Marking Project to Traffic Marking Service, Inc.

Human Services Bills & Claims

Assistant Finance Director Kris Vipond spoke with the Board regarding the process for approval of the Human Services bills and claims. Proceeding forward, the administrative bills will list the vendor, dollar amount, and the fund/account in which the payment is issued. Other claims which may have a private or confidential component will be summarized by category. These bill listings will be provided to the Administration office by 2:00 p.m. Thursday for the following Tuesday County Board meeting. This deadline is the same for other supporting documentation.

Spitzer Lake High Water Update

Commissioner Lindquist provided an update regarding Spitzer Lake. Property owners on the lake are talking with the Coalition of Lake Association (COLA) for information on how to form an association. Mr. Lindquist indicated that flooding is occurring on one portion of the lake; however, property owners on other parts of the lake are satisfied with the lake level.

Proposed Meeting with MN Department of Natural Resources (DNR) Commissioner

Commissioners discussed the forum for an upcoming meeting with the State DNR Commissioner. This meeting is for the County Officials and the DNR. The public may attend and listen to the conversation or submit written commentary; however, the public will not be invited to speak. The County Administrator and DNR will provide an Agenda for the lunch meeting.

Public Meeting – Feedlot Expansion, Mark Riestenberg Pork Farm

At 9:05 a.m., Chairman Johnson convened a public meeting held for the Mark Riestenberg Pork feedlot expansion on behalf of the MN Pollution Control Agency (MPCA) under M.S. 116.07, Subd. 7(l). Mark Riestenberg is proposing to expand the site on Highway 108 to add 3,300 hogs for a total of 4,500 hogs which equates to 1,250 animal units. The MPCA is responsible for issuing a permit for the feedlot expansion. The County provides a local forum for the public to express their opinions regarding the project.

Jeff Bauman from Anez Consulting stated that neighbors within 5,000' of the project had been notified by certified mail. The location of the feedlot is 41588 State Hwy 108, Perham, MN. Mr. Bauman indicated that the new facility will be tied into the existing facility and there will be additional washing and scrubbing and more air flow to provide for a drier, healthier environment. The under-barn manure pits provide 16 months of storage.

Commissioner Johnson opened the meeting to public comment summarized as follows:

Property Owner Wayne Larson, Hwy 108:

- Wayne lives close to the barns, is not against farming but indicated that now, the odor is 3-6 days a couple times per year and with an expansion, this will get worse. Opposed to tripling this facility, in part, because previous agreements to mitigate smell have not been met.

Property Owner Clarence Schultes, 405th St.:

- Opposed to this swine feedlot expansion.

Property Owner Donald Riepe, Hwy 108:

- Expressed his opinion that Mr. Riestenberg should build closer to his place and keep the smell there.

Property Owners Dwayne & Susan Nelson, Hwy 108:

- Opposed to this feedlot expansion. Indicated that they believe Mr. Riestenberg has other locations that are more conducive to this type of feedlot expansion.

Property Owner Eugene Doll, Hwy 108:

- When there is a Southeast wind, they get the odor. They were previously told that there was going to be trees planted to disburse the odor, but nothing has been done, so opposed to the proposed expansion.

Property Owner Tina Becker, Hwy 108:

- Concerned with the odor and no trees

Property Owner Nick Lein, Hwy 49:

- Mr. Lein lives Southeast of the feedlot and stated that the curtains are down now and there was an odor last night. He is concerned that when the fan is operating all the time, the smell will be constant. He also questioned if the manure is injected after application.

Property Owner John Rutten, Hwy 49:

- Mr. Rutten is not against the barn but there is a smell sometimes and expressed curiosity why this is the chosen site when Mr. Riestenberg has other land he could build on that would be less impactful to others.

Property Owner Adam Holzer, Hwy 108:

- Mr. Holzer owns a water treatment business and has no problem with the barn; however, he expressed concern that when the facility has dumped manure in the past it has sloshed over the tank and all over the road.

Property Owner Luke Flink, Hwy 49:

- Mr. Flink lives about ¼ of a mile Southeast of the feedlot. He indicates that he is pro agriculture but shares the same concerns as his neighbors have expressed regarding this feedlot.

Property Owner Perry Becker, Hwy 108:

- Expressed concern regarding what could happen to the value of his real estate.

Property Owner Lawrence Dykhoff, Hwy 108:

- Completely opposed to this expansion, concerned about the retail value of his property and sewage that ends up all over the road.

Commissioner Johnson opened the public meeting to comments from the County Board members:

Discussion took place regarding the fact that the new rule with the expansion is that manure must be injected after application. Commissioner Johnson questioned if there is enough acreage for the amount of manure produced based on the gallons and nitrogen numbers cited in the MPCA application. Mr. Riestenberg indicated that there are neighbors who will take extra manure. Commissioner Huebsch stated that we need farms, expansions, and organic matter for the fields. You cannot smell commercial fertilizer and chemicals do not hold without manure. We need to think about food in this country for future years and decide how to live in harmony with livestock and be good neighbors. These minutes will be forward to the MN Pollution Control Agency in Detroit Lakes. After review, the MPCA will put this request on public notice for 30 days and the MPCA must respond to those comments.

Public Meeting – Feedlot Expansion, Turco-Brood Farm

Jeff Baumann from Anez Consulting stated that Jennie-O Turkey-Brood Farm at 41963 Co. Hwy 53 in New York Mills is replacing a barn that burned and expanding a few animal units. After notices had been mailed, the PCA determined that the public meeting was not a requirement for this application/request. Property owner Russell Palubicki spoke to the Board regarding birds being buried and vultures and eagles flying over his property with these carcasses. Mr. Baumann indicated that he would check on this as they should be put in dumpsters and hauled off site.

Recess & Reconvene

At 9:43 a.m., Chair Johnson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The County Board meeting was reconvened at 9:50 a.m.

T21 Ordinance Public Hearing

Discussion took place regarding the T21 Public Hearing scheduled August 14, 2018 at 1:00 p.m. at the Government Services Center in Fergus Falls. Commissioners will give an additional opportunity for the public to comment at a continued T21 Public Hearing at 7:00 p.m. on Monday, August 27, 2018, also located at the Government Services Center. Motion by Huebsch, second by Froemming and unanimously carried to send a letter to the Public Health Law Center to request their presence at the T21 Public Hearing. The Public Health Director will send a letter to all city officials in the County regarding the Public Hearing.

Out-of-State Travel for Training

Motion by Froemming, second by Lindquist and unanimously carried to approve out-of-state travel to Alabama for Deputy Jon Karger to attend secret service training for computer evidence recovery as requested by Lieutenant Keith Van Dyke. All expenses are paid by the federal government for this training.

Vehicle Purchase

Motion by Rogness, second by Lindquist and unanimously carried to approve a transfer, in the amount of \$33,163.75, from the Capital Improvement Fund to the Road and Bridge Fund for the purchase of the 2018 GMC Sierra 2500 HD Pickup from Nelson Auto Center.

Canvassing Board

Motion by Rogness, second by Lindquist and unanimously carried to appoint Commissioners Rogness and Lindquist to serve on the Canvassing Board scheduled for 10:00 a.m. on Friday, August 17, 2018, for the State primary election.

Final Payment – County Attorney Offices Remodel Project

Motion by Huebsch, second by Rogness and unanimously carried to approve Final Payment No. 1 to Gast Construction Co, Inc. of Fargo, ND, in the amount of \$68,800.00, for County Attorney office remodel as presented by the Physical Plant Manager.

Lake Entertainment Safety Discussion

Lengthy discussion took place regarding bar establishments on the ice and various music events attracting many people on pontoons, boats, etc. to specific locations on various County lakes. Often these areas are close to shore and are creating some controversy with the loud music, type of music, drinking and sanitation. Roger Stadum, Tom and Marshall Smart, and Dave Majkrzak all testified about issues with these gatherings on Pelican Lake. Sheriff Schlueter stated that his office issues permits for these formal events on the lake and submitted basic guidelines that could be used when the permit is issued. Commissioners requested that the County Sheriff, County Attorney, and County Administrator work together to formalize the guidelines for lake events.

Amor Park 100th Anniversary

Motion by Huebsch, second by Froemming and unanimously carried to waive the Otter Tail County Exhibitions and Shows Ordinance for the 100th Anniversary celebration of Amor Park on August 11, 2018, subject to organizers providing security, adequate portable facilities, insurance, and notification to law enforcement regarding the event, which has been past practice.

Recess & Reconvene

At 10:45 a.m., Chair Johnson declared the meeting of the Otter Tail County Board of Commissioners recessed for an Internal Services Committee meeting. The County Board meeting was reconvened at 11:15 a.m.

Long Range Strategic Planning Update

Public Works Director Rick West and Administrator John Dinsmore presented a plan for meetings with focus groups throughout the County to learn what residents want the County to focus on for the future. Long range strategic focus groups will meet at 6:00 p.m. October 1 – 4, 2018, as follows:

- October 1, 2018 – City of Perham
- October 2, 2018 – City of Fergus Falls
- October 3, 2018 – City of Pelican Rapids
- October 4, 2018 – City of Parkers Prairie

Motion by Lindquist, second by Froemming and unanimously carried to start the October 2, 2018, County Board meeting at 1:00 p.m. instead of 9:30 a.m. to align with the focus group meeting in Fergus Falls.

Economic Development Updates

Economic Development Director Nick Leonard briefed the Board on the following:

Broadband:

A phone survey will be conducted over the next several weeks in the southern portion of Otter Tail County. The market survey will be used to collect resident input to better understand broadband availability and preferences to move towards rural broadband integration.

OTC 150th Anniversary Celebration:

This celebration will take place in the Justice Two building in Clitherall, MN. The County Board meeting is scheduled in the morning with a brief lunch at noon and an historic presentation following lunch.

OTC Economic Development Authority (EDA):

Mr. Leonard submitted a list to consider for a County EDA Committee which is needed to adopt economic development powers under M.S. 469.1082 Subd. 2. Motion by Huebsch, second by Lindquist and unanimously carried to schedule an EDA Committee meeting from 11:00 a.m. to 1:00 p.m. on Tuesday, September 18, 2018. All Commissioners are authorized to attend.

Highway Department New Position

Motion by Huebsch, second by Lindquist and unanimously carried to approve an Accounting Support position in the County Highway Department as submitted by the HR Director.

County Drainage Systems

Ditch #19:

Ditch Inspector Kevin Fellbaum briefed the Board on high water conditions in section 6 of Eastern Township in Ditch 19. Motion by Rogness, second by Lindquist and unanimously carried to approve a drone fly over of Ditch 19 to identify plugged and/or problem flow areas. The neighbors would be willing to pay for work needed to solve the drainage issue.

Motion by Froemming, second by Huebsch and unanimously carried to authorize Mark Watkins to place a culvert under his driveway at a position that better fits the current ditch corridor bottom when his driveway is re-graded. The Highway Department will set proper grade for the installation and all costs incurred with this project will be covered by Mr. Watkins.

Ditch #31:

Motion by Lindquist, second by Huebsch and unanimously carried to authorize the Ditch Inspector to work with Rick Leitch to repair a culvert crossing on County Ditch 31 that he uses to access land for farming.

Ditch #18/37:

The Ditch Inspector has been contacted by Harold Thorson, a property owner on Ditch 37, regarding yearly flooding that takes place on his property. Motion by Huebsch, second by Lindquist and unanimously carried to authorize the Ditch Inspector to research and receive quotes regarding the cost to replace 800' of 12" tile with 800' of 24" tile as described in the engineer's report from 1978.

Highway Department Projects

Right of Way Acquisition – S.A.P. 056-634-011 & S.P. 056-090-013:

Motion by Huebsch, second by Froemming and unanimously carried to award acquisition services for CSAH 34 Reconstruction and Perham to Pelican Rapids Regional Trail – Phase 1, to Storm Right of Way Solutions, LLC, at the low quote of \$38,200.00 plus appraisals not to exceed \$1,500.00 and review appraisals not to exceed \$500.00.

Utility Relocation – S.A.P. 056-627-014:

Motion by Froemming, second by Rogness and unanimously carried to authorize the appropriate County Officials' signatures to execute the Utility Relocation Agreement between the County of Otter Tail and Otter Tail Power Company, for the CSAH 27 project from Woodland Drive to 1,358' North of CSAH 10, 4.33 miles.

Adjournment

At 12:16 p.m., Chairman Johnson declared the meeting of the Otter Tail County Board of Commissioners adjourned until 8:30 a.m. on Tuesday, August 14, 2018, at the Government Services Center in Fergus Falls.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Dated: _____

By: _____
Wayne Johnson, Chair

Attest: _____
John Dinsmore, Clerk

WARRANTS APPROVED ON 8/07/2018

<u>Vendor Name</u>	<u>Amount</u>
ABBOTT/CYNDI	59.61
ABRA MN FERGUS FALLS	1,288.00
ACME TOOLS FARGO	1,989.48
ADVANCED ENGRAVING INC	38.00
ALBANY RECYCLING CENTER	5,773.50
ALL TRAFFIC SOLUTIONS	147.50
ALLEN'S AUTO BODY & TOWING	246.00
ALLSTREAM	370.39
AMAZON CAPITAL SERVICES, INC	1,215.44
AMERIPRIDE SERVICES INC	49.96
AUTO FIX	698.18
AUTO VALUE FERGUS FALLS	130.86
AVERY, ATTORNEY AT LAW/JILL	4,032.00
BCA TRAINING & AUDITING	1,250.00
BELL BANK	3,800.25
BEN HOLZER UNLIMITED	112.00
BERGQUIST/RICHARD	253.34
BEYER BODY SHOP INC	645.00
BIG RIG COMPANIES LLC	14,971.75
BOBCAT OF OTTER TAIL COUNTY	25.14
BOY SCOUT TROOP 472	125.00
BRANDON COMMUNICATIONS INC	481.99
BRAUN VENDING INC	240.00
BRENNAN/KEVIN	231.54
BUREAU OF CRIM APPREHENSION	2,575.00
BUY-MOR PARTS & SERVICE LLC	1,106.15
CARR'S LAKE COUNTRY SUPERMARKET	62.46
CARR'S TREE SERVICE	2,624.50
CELLEBRITE USA INC	3,400.00
CERTIFIED AUTO REPAIR	43.67
CHS FERGUS FALLS EAST AGRONOMY	57.29
CITIZENS ADVOCATE	224.49
CLEAN SWEEP COMMERCIAL SERVICES	1,183.00
CODE 4 SERVICES, INC	105.50
CONCEPT CATERING	85.00
CONDUENT BUSINESS SERVICES LLC	5,695.92
COOPERS TECHNOLOGY GROUP	2,056.97
CROWNE PLAZA MILWAUKEE AIRPORT H	547.88
DACOTAH PAPER COMPANY	110.54
DAILY JOURNAL/THE	1,305.60
DAKOTA BUSINESS SOLUTIONS	57.99
DAV CHAPTER 25	200.00

<u>Vendor Name</u>	<u>Amount</u>
DELACRUZ/KATHY	79.99
DEM- CON MATERIALS RECOVERY	598.13
DENBROOK/GARY	241.35
DEPT OF HUMAN SERVICES	188.31
DEXYP	12.00
DICK'S STANDARD	287.89
DICK'S SUPER SOIL	1,850.00
DS SOLUTIONS INC	5,270.29
DULUTH TRADING CO	64.50
DYNAMIC SAFETY, LLC	7,222.93
EAGLE EYE AERIAL PHOTOGRAPHY	6,671.50
EGGE CONSTRUCTION INC	9,265.00
ELECTION SYSTEMS & SOFTWARE INC	286.94
ELECTRIC MOTOR SERVICE	80.38
ERGOMETRICS	452.50
EXTREME MARINE LLC	608.40
FERGUS FALLS/CITY OF	4,122.00
FERGUS POWER PUMP INC	1,280.00
FIDLAR TECHNOLOGIES, INC	2,000.00
FIRST LUTHERAN CHURCH	1,170.00
FOTH INFRASTRUCTURES & ENVIROMEN	11,651.58
FRONTIER PRECISION INC	180.46
GALLS LLC	250.76
GRAINGER INC	761.96
HEALTHCARE ENVIRONMENTAL SERVICE	119.00
HOFF/MARLAND	160.00
HOFLAND/ALEXANDRA	96.59
HOLM/SHELDON	225.00
HOMETOWN REPAIR	41.08
HOUSTON ENGINEERING INC	30,809.20
INFORMATION SYSTEMS CORP	845.00
INNOVATIVE OFFICE SOLUTIONS	1,855.02
J J KELLER & ASSOCIATES INC	1,986.10
JAKE'S JOHNS LLC	298.02
JJ'S COMPANY EXCAVATING LLC	680.00
JOHNSON CONTROLS	549.03
JOHNSON/MICHAEL	1,385.07
JONES LAW OFFICE	2,016.03
JORGENSON/MICHELLE	65.00
KADRMAS LEE & JACKSON INC	11,692.17
KELLY SERVICES INC	856.76
KIMBALL MIDWEST	181.64

<u>Vendor Name</u>	<u>Amount</u>
KNOW INK	109,335.50
KRIS ENGINEERING INC	1,366.20
L & O ACRES TRANSPORT INC	8,237.06
LAKE REGION HEALTHCARE	6,468.10
LAKELAND MENTAL HEALTH CENTER	2,754.00
LAKES COUNTRY SERVICE CO OP	29.50
LARRY OTT INC TRUCK SERVICE	2,550.00
LOCATORS & SUPPLIES INC	424.67
M- R SIGN COMPANY INC.	3,440.68
MALMSTROM/WESTON	29.09
MARCO INC ST LOUIS	304.35
MARCO TECHNOLOGIES LLC	2,932.71
MARK SAND & GRAVEL CO	1,003.49
MARKS FLEET SUPPLY INC	6.07
MFSRC FALL CONFERENCE 2018	190.00
MIDWEST MACHINERY CO	2,277.98
MIDWEST PRINTING CO	120.00
MINNESOTA MOTOR COMPANY	185.90
MINNESOTA NATIONAL BANK	113.00
MINNESOTA WAREHOUSE FURNITURE	1,435.50
MINNKOTA ENVIRO SERVICES INC	738.00
MN CO INTERGOVERNMENTAL TRUST	171.00
MN COUNTIES COMPUTER CO- OP	2,344.77
MN POLLUTION CONTROL AGENCY	720.00
NELSON AUTO CENTER	43,787.47
NESS/PAMELA	20.05
NETWORK SERVICES COMPANY	1,015.73
NEW YORK MILLS DISPATCH	151.59
NEWMAN PAINTING INC	3,450.00
NORTHWEST DIVERS	244.00
NORTHWEST IRON FIREMEN INC	210.91
NUTRIEN AG SOLUTIONS, INC	19,418.41
OFFICE OF MN.IT SERVICES	2,100.00
OMNI LEADERSHIP EXCHANGE, LLC	191.90
OTIS ELEVATOR CO	516.39
OTTER TAIL CO TREASURER	118.80
OTTERTAIL BAKERY	13.00
OTTERTAIL TRUCKING INC	14,842.02
PALMER/GEORGE	235.90
PARKERS PRAIRIE/CITY OF	325.00
PETE'S AMOCO	275.00
PIONEER RIM & WHEEL CO	204.41

<u>Vendor Name</u>	<u>Amount</u>
PITNEY BOWES	964.44
PRAIRIE RESTORATIONS INC	600.00
PRECISE MRM LLC	1,000.00
PRECISE SENSING	368.00
PRIORITY DISPATCH	3,600.00
PRO AG FARMERS CO OP	57.00
PRO SWEEP INC	2,058.75
QUILL CORPORATION	199.23
RASMUSSEN SCHEDOWSKI POST 4020	200.00
RDO EQUIPMENT CO	13.36
REGENTS OF THE UNIVERSITY OF MN	1,190.50
RINKE/ETHAN	184.95
ROSENTHAL/JACK	372.84
ROYAL TIRE INC	942.48
RUTHER EXCAVATING, INC	573.75
SANITATION PRODUCTS INC	1,289.98
SERVICE FOOD SUPER VALU	32.89
SIGNWORKS SIGNS & BANNERS LLC	624.00
SRF CONSULTING GROUP INC	1,274.68
STEINS INC	1,277.05
STEVE SCHIERER APPRAISALS	375.00
STONEBROOKE ENGINEERING INC	8,973.49
SUMMERSVILLE ELECTRIC, INC.	1,007.12
SUMMIT FOOD SERVICE, LLC	4,548.37
SWARTZ/LESLIE	21.61
SWEDBERG NURSERY	910.00
TABBUT/DEB	23.76
THIS WEEKS SHOPPING NEWS	130.00
THOMSON REUTERS - WEST	2,005.16
TIGGES/DENNIS	412.48
TIRES PLUS TOTAL CAR CARE	1,291.82
TNT REPAIR INC	2,461.13
TOSHIBA FINANCIAL SERVICES	403.80
UCOWF	295.00
ULSCHMID/SUSAN	189.12
ULTEIG ENGINEER'S INC	19,585.03
UNIQUE PAINT BODY & TRIM	8,399.38
UNITED PARCEL SERVICE	19.67
UNITED STATES POSTAGE SERVICE	10,000.00
VARITECH INDUSTRIES	21,398.40
VISUAL GOV SOLUTIONS LLC	1,995.99
WASTE MANAGEMENT	27,215.43

<u>Vendor Name</u>	<u>Amount</u>
WAYNE'S TOOLWAGON	73.50
WEBER'S WADENA HARDWARE CO.	10.99
WERNER/JOHN	225.00
WIEBE/JEFFREY JON	239.17
WILLIAMS/TRACY	18.15
WITT/RANDALL	274.05
Final Total:	531,699.14

approved minutes