



**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
515 W. Fir Avenue, Fergus Falls, MN  
April 23, 2019  
9:00 a.m.**

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**Call to Order**

The Otter Tail County Board of Commissioners convened at 9:00 a.m. Tuesday, April 23, 2019, at the Government Services Center in Fergus Falls, MN, with Commissioners Doug Huebsch, Chair; Lee Rogness, Vice-Chair; Wayne Johnson, John Lindquist and Betty Murphy present.

**Approval of Agenda**

Chair Huebsch called for approval of the Board Agenda. Motion by Rogness, second by Murphy and unanimously carried to approve the Board of Commissioners Agenda of April 23, 2019.

**Consent Agenda**

Motion by Lindquist, second by Johnson and unanimously carried to approve Consent Agenda items as follows:

1. April 09, 2019 Board of Commissioners' Meeting Minutes
2. Warrants/Bills for April 23, 2019 (Exhibit A)
3. Human Services & Public Health Warrants/Bills for April 23, 2019 (Exhibit A)
4. Approval of West Central Ag-Air – Authorization for Aerial Spraying of Tent Worm Caterpillars
5. Approval of 2019 HHW Mobile Collections
6. Issue an On-Sale Liquor, including Sunday Liquor, to Spanky's Stone Hearth for July 1, 2019 – June 30, 2020
7. Issue an On-Sale Wine and On/Off Sale 3.2 Malt Liquor License to Ten Mile Lake Resort for July 1, 2019 – June 30, 2020
8. LG220 Application for Exempt Permit for an Event August 25, 2019, at the Finn Creek Open Air Museum
9. Issue an On-Sale Seasonal Liquor License, including Sunday Liquor, to Zorbaz of Pelican Lake for May 1, 2019, through October 31, 2019.

**PROCLAMATION In Support of  
"FOSTER CARE MONTH OF MAY 2019"**

**Otter Tail County Resolution No. 2019 - 36**

Commissioner Johnson offered the following and moved its adoption:

WHEREAS, the family, serving as the primary source of love, identity, self-esteem and support, is the very foundation of our communities, our state, and our Country.

WHEREAS, in 2019, to date there were 47 children in the Otter Tail County licensed foster homes. Foster care provides a safe, secure and stable home for children also providing compassion and nurturance of a family setting, and

WHEREAS, in 2019, to date Otter Tail County Human Services currently has 40 licensed foster families who have opened their homes and hearts to children whose families are in crisis, play a vital role helping children and families heal, reconnect, and launch children into successful adulthood, and

WHEREAS, there are over 160 adults in licensed adult family foster care homes, and

WHEREAS, there are over 43 licensed adult family foster care providers, who have opened their homes to provide a family environment to individuals with developmental disabilities, mental illness or who are elderly, and

WHEREAS, there are numerous individuals, public and private organizations who work to increase public awareness of the needs of children and adults in foster care as well as the enduring and valuable contribution of foster care providers.

NOW, THEREFORE, we, the Otter Tail County Board of Commissioners, do hereby proclaim May as FOSTER CARE MONTH in Otter Tail County and urge all citizens to volunteer their talents and energies on behalf of children/adults in foster care, foster parents, and the professional staff working with them during this month and throughout the year.

Commissioner Rogness seconded the motion and, upon being put to vote, the resolution was unanimously adopted this 23<sup>rd</sup> day of April 2019.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

By: \_\_\_\_\_  
Doug Huebsch, Board Chair

Attest: \_\_\_\_\_  
John Dinsmore, Clerk

#### **Human Services 2018 Annual Report**

Human Services Director Deb Sjostrom presented the Human Service 2018 Annual Report summary via a video which provided an overview of the various programs offered through the County as well as the number of individuals receiving services through each of the programs in 2018. This video along with a two-page document summarizing the data will be available through the County's website. Discussion points included that the County received 1,139 reports alleging child maltreatment or welfare reports, of which 611 were opened for assessment. Additionally, there was discussion about whether the programs are improving the lives of recipients, acknowledging that the number of individuals receiving services may increase due to the aging population.

#### **Nationwide Retirement Solutions**

Internal Services/Human Resources Director Nicole Hansen advised that Nationwide will be making changes to its 457b retirement account. The plan currently includes a Fixed Account with a guaranteed interest rate of 3.5%, which will be phased out. The Benefits Committee is meeting on May 9, 2019, at which a representative from Nationwide will be presenting different options that the County can choose because the Fixed Account guaranteed interest will no longer be available. Further information will be provided to the Board at a later meeting.

#### **U.S. Fish and Wildlife Service (USFWS) Waterfowl & Habitat Easements**

USFWS Supervisory Realty Specialist Stacy Salvevold and Project Leader Neil Powers appeared before the Board and requested certification of a habitat protection easement and a wetland easement. Documentation was previously submitted regarding the request. Motion by Lindquist, second by Murphy and unanimously carried to approve certification for the USFWS to secure the following habitat protection and wetland easements:

Lindberg, Joane M. – Habitat Protection Easement

T. 131 N., R. 39 W., 5<sup>th</sup> P.M.

Section 12, NE $\frac{1}{4}$  NW $\frac{1}{4}$ , legal description as described in Exhibit A

Smedsrud, Milton E. – Wetland Easement

T. 132 N., R. 41 W., 5<sup>th</sup> P.M.

Section 35, E½SE¼, SE¼NE ¼, and E 745.00 feet of SW¼NE¼

Section 36, parts of SW¼

T. 131 N., R. 41 W., 5<sup>th</sup> P.M.

Section 2, parts of Government Lots 1 and 2

Legal Description as described in Exhibit B

#### **Recess & Reconvene**

At 9:38 a.m., Chair Huebsch declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The Board of Commissioner's meeting was reconvened at 9:45 a.m.

#### **Otter Tail Dock and Riparian Ordinance**

Michelle Ressler is a homeowner on Pelican Lake and requested to see more specification in the shoreline description, such as a more specific angle of change or degree of slope, within the Otter Tail Dock and Riparian Ordinance. She described that the placement of a neighbor's dock last summer impacted her own dock. Land & Resource Director Chris LeClair and Sheriff Barry Fitzgibbons offered assistance last summer to remedy the situation between Ms. Ressler and her neighbor. Discussion included possible changes to the ordinance to address this type of issue as well as adding language that docks should be placed in the most center portion of lots. The board did not take any action but understands the situation of Ms. Ressler and will consider the comments made at the time of the meeting. It was also discussed that violating the ordinance is a misdemeanor violation, but often these matters are considered a civil property dispute between homeowners/neighbors.

#### **HRA**

Commissioner Johnson provided an update from the HRA Board Meeting which included discussion about contradictions and ambiguities in the County's proposed contract with the Fergus Falls HRA. Issues to be addressed include ending the contract each year on December 31 (the proposed contract was for 3 years and 8 months), determining how the hourly rate is calculated, and reviewing the contracted average hours per week for the County and the City of Fergus Falls based on 9 FTE staff. The contract will be reviewed and revised by an attorney and reviewed again by the board at their meeting in June 2019. Commissioner Johnson also advised that there will be an RFP for accounting services for the HRA. Discussion also included daycare concerns in the New York Mills area recognizing that its need is a priority, but it has been difficult to find a local group to champion it.

#### **Ottertail Operations Center**

Discussion held regarding improving the sound system at the Ottertail Operations Center due to its regular usage for training and public activities. Sheriff Barry Fitzgibbons advised that past consideration for a sound system has found it to be costly, but he will work with IT Director Rick Kelsven for improvements.

#### **ACCEPTING DEDICATED DONATION TO SUPPORT SAFE COMMUNITIES PROGRAM**

#### **Otter Tail County Resolution No. 2019 – 37**

Commissioner Rogness offered the following and moved its adoption:

WHEREAS, West Central Initiatives has offered to donate funds in the amount of \$1000.00 to the County of Otter Tail on behalf of the Otter Tail County Public Health Department to assist in the Safe Communities Coalition Injury Prevention program.

WHEREAS, Minnesota Statute 465.03 requires a county to accept the gift by resolution expressed in terms prescribed by the donor in full; and

WHEREAS, the donation will be for the purpose of helping to fund an experienced motivational speaker that has agreed to work with both the Underwood School and the Fergus Falls Kennedy School along with their National Honor Society students to develop a week long program which will engage the students in various activities to help educate them on various risks and to lead them in organizing activities which will help students to understand the importance of making good decisions in all areas of life.

NOW, THEREFORE, BE IT RESOLVED that the Otter Tail County Board of Commissioners does accept the above-described funds/donation and extends its grateful appreciation.

Commissioner Murphy seconded the motion and, upon being put to vote, the resolution was unanimously adopted this 23<sup>rd</sup> day of April 2019.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

By: \_\_\_\_\_  
Doug Huebsch, Board Chair

Attest: \_\_\_\_\_  
John Dinsmore, Clerk

**Public Health Items**

Motion by Johnson, second by Lindquist and unanimously carried for Public Health Director Jody Lien to travel out-of-state to attend the 2019 NACCHO Annual Conference in Orlando, FL, from on or about July 9 – 11, 2019. The registration fee, airfare and lodging will be paid for by the Local Public Health Association.

Public Health Director Lien informed the commissioners that the Partnership 4 Health Community was awarded a 1.8-million-dollar grant to expand the evidenced based Family Home Visiting Programs, which begins on May 1, 2019, and funds through December 2022.

Kristi Wentworth has been named the Assistant Public Health Director effective May 1, 2019.

**Out-of-State Travel**

Motion by Johnson, second by Rogness and unanimously carried for Fraud Investigator Sandy Holo and Collections Officer Crystal Herman to attend the United Council of Welfare Fraud Conference in Chattanooga, TN, from on or about August 26 – 29, 2019.

**Paying Agent Agreement/Resolution with Bond Trust Services Corporation**

Motion by Johnson, second by Murphy and unanimously carried to authorize the appropriate county Officials' signatures to sign the Paying Agent Agreement/Resolution between Otter Tail County (the Issuer) and Bond Trust Services Corporation (the agent), which outlines the duties and responsibilities of Bond Trust Services Corporation as they related to the paying agent, transfer agent and registrar, as well as the duties and responsibilities of Otter Tail County as they pertain to the payment of principal and interest. (Initial Fee - \$450.00 and Annual Administration Fee - \$475.00)

**St. Lawrence Church – Liquor License and LG220 Application**

Motion by Lindquist, second by Murphy and unanimously carried to approve the issuance of a Temporary On-Sale 3.2 Malt Liquor License to St. Lawrence Church for an event scheduled for Sunday, August 4, 2019, at St. Lawrence Church located at 46404 County Highway 14.

Motion by Johnson, second by Murphy and unanimously carried to approve the LG220 Application for Exempt Permit as submitted by St. Lawrence Church for an event scheduled for Sunday, August 4, 2019, at St. Lawrence Church located at 46404 County Highway 14.

**General Obligation Capital Improvement Bond Series 2019A**

Motion by Johnson, second by Lindquist and unanimously carried to authorize the Chair of the Otter Tail County Board of Commissioners and the County Administrator to sign the following General Obligation Capital Improvement Bond Series 2019A related documents:

1. Certificate as to Official Statement,
2. Continuing Disclosure Certificate, and
3. Signature and No-Litigation Certificate.

**Recess & Reconvene**

At 10:55 a.m., Chair Huebsch declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The Board of Commissioner's meeting was reconvened at 11:00 a.m.

**Conditional Use Permit**

Motion by Johnson, second by Rogness and unanimously carried to approve the Conditional Use Permit Application submitted by Rommesmo Family LTD Partnership as submitted with conditions that Land & Resource Management receives and approves a Storm Water Prevention Plan and the retaining wall must be designed by a structural engineer.

**AIS Task Force**

AIS Specialist Spencer McGrew presented AIS Task Force Minutes from their meeting on April 8, 2019. Mr. McGrew also provided the 2018 AIS Prevention Program Summary, which was approved by the AIS Task Force.

**Highway Projects**

Motion by Rogness, second by Murphy and unanimously carried to award projects as follows:

Award of 2019 Highway Signing Materials project to M-R Sign Company, Inc., Fergus Falls, with the lump sum low quote of \$43,051.15.

Award of 2019 Highway Sign Posts project to Newman Signs, Inc., Jamestown, ND, with the lump sum low quote of \$37,657.25.

**CSAH 34 Update**

Jeff Langan, PE, of Houston Engineering, Inc., provided a summary of environmental review regarding the CSAH 34 Reconstruction and reviewed the permitting process. Discussion included that the Corps of Engineers (COE) will not proceed with permitting until the wetland mitigation issues are resolved which could take 60-90 days. Mr. Langan relayed his concerns that all the available wetland credits could be used by the project based upon information from the DNR and COE, which he believes is inconsistent from past projects. He will continue to work with staff and agencies to preserve the local banked wetland credits. It is apparent that this project will be delayed due to the permitting process by the COE. County Engineer Chuck Grotte advised commissioners of the plan to bid in early July 2019 but discussed that the project may not be able to be bid due to delays in permitting.

**DESIGNATING STATE AID HIGHWAY LOCATION  
COUNTY STATE AID HIGHWAY NO. 34****Otter Tail County Resolution No. 2019 – 38**

Commissioner Johnson offered the following and moved its adoption:

WHEREAS, it appears to the County Board of Commissioners of the County of Otter Tail that the highway right of way required for County State Aid Highway No. 34 under Project No. S.A.P. 056-634-011 should be accurately described and located by a highway right of way plat.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Commissioners of the County of Otter Tail that the Board of County Commissioners for the County of Otter Tail is hereby designating the definite location of County State Aid Highway No. 34, in Sections 10, 11, 12, 13, 14, 15 & 16, Township 136 North, Range 40 West and Sections 7, 8, 9, 16, 17 & 18, Township 136 North, Range 39 West, all in the 5<sup>th</sup> Principal Meridian as shown on the 12 sheets of OTTER TAIL COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 31.

Commissioner Rogness seconded the motion and, upon being put to vote, the resolution was unanimously adopted this 23<sup>rd</sup> day of April 2019.

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

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Doug Huebsch, Board Chair John Dinsmore, Clerk

**RESOLUTION REVOKING COUNTY STATE AID HIGHWAY**  
**Otter Tail County Resolution No. 2019 – 39**

Commissioner Johnson offered the following and moved its adoption:

WHEREAS, it appears to the Otter Tail County Board of Commissioners that the highway hereinafter described should be revoked as a County Aid State Highway under the provisions of Minnesota Law.

NOW THEREFORE, BE IT RESOLVED, by the Otter Tail County Board of Commissioners that the road described as follows, to-wit:

**County State Aid Highway No. 1:** From the intersection of County State Aid Highway No. 1, Alcott Avenue, Tower Road and County State Aid Highway No. 15 in the City of Fergus Falls east on Alcott Avenue to the intersection of Alcott Avenue and Union Avenue a distance of 1.18 miles and from the intersection of Vernon Avenue and Cascade Street in the City of Fergus Falls north on Cascade Street to the intersection of Cascade Street and Summit Avenue thence east on Summit Avenue to the intersection of Summit Avenue and Friberg Avenue thence northeasterly on Friberg Avenue to its intersection with County State Aid Highway No. 1 at the intersection of Friberg Avenue and Fir Avenue a distance of 1.60 miles. The total mileage of County State Aid Highway No. 1 being revoked is 2.78 miles.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FUTHER RESOLVED, that the County Board Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration of revocation of said road or portion thereof.

Commissioner Rogness seconded the motion and, upon being put to vote, the resolution was unanimously adopted this 23<sup>rd</sup> day of April 2019.

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

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Doug Huebsch, Board Chair John Dinsmore, Clerk

**RESOLUTION REVOKING COUNTY STATE AID HIGHWAY**

**Otter Tail County Resolution No. 2019 – 40**

Commissioner Johnson offered the following and moved its adoption:

WHEREAS, it appears to the Otter Tail County Board of Commissioners that the highway hereinafter described should be revoked as a County Aid State Highway under the provisions of Minnesota Law.

NOW THEREFORE, BE IT RESOLVED, by the Otter Tail County Board of Commissioners that the road described as follows, to-wit:

**County State Aid Highway No. 7:** From the intersection of County State Aid Highway No. 7 and County State Aid Highway No. 26 at the Southeast Corner of Section 31, Western Township (T131N,R44W) north on County State Aid Highway No. 7 to the intersection of County State Aid Highway No. 2 and County State Aid Highway No. 7 at the Northeast Corner of Section 7, Western Township (T131N,R44W) a distance of 5.0 miles.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FUTHER RESOLVED, that the County Board Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration of revocation of said road or portion thereof.

Commissioner Rogness seconded the motion and, upon being put to vote, the resolution was unanimously adopted this 23<sup>rd</sup> day of April 2019.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

By: \_\_\_\_\_  
Doug Huebsch, Board Chair

Attest: \_\_\_\_\_  
John Dinsmore, Clerk

**RESOLUTION REVOKING COUNTY STATE AID HIGHWAY**

**Otter Tail County Resolution No. 2019 – 41**

Commissioner Johnson offered the following and moved its adoption:

WHEREAS, it appears to the Otter Tail County Board of Commissioners that the highway hereinafter described should be revoked as a County Aid State Highway under the provisions of Minnesota Law.

NOW THEREFORE, BE IT RESOLVED, by the Otter Tail County Board of Commissioners that the road described as follows, to-wit:

**County State Aid Highway No. 25:** From the intersection of Cascade Street and Minnesota Trunk Highway No. 210 in the City of Fergus Falls north on Cascade Street to the intersection of Cascade Street and Vernon Avenue a distance of 1.11 miles.

be, and hereby is revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FUTHER RESOLVED, that the County Board Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration of revocation of said road or portion thereof.

Commissioner Rogness seconded the motion and, upon being put to vote, the resolution was unanimously adopted this 23<sup>rd</sup> day of April 2019.

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

By: \_\_\_\_\_  
Doug Huebsch, Board Chair

Attest: \_\_\_\_\_  
John Dinsmore, Clerk

**RESOLUTION ESTABLISHING COUNTY STATE AID HIGHWAY**

**Otter Tail County Resolution No. 2019 – 42**

Commissioner Johnson offered the following and moved its adoption:

WHEREAS, it appears to the Otter Tail County Board of Commissioners that the highway hereinafter described should be designated County Aid State Highway under the provisions of Minnesota Law.

NOW THEREFORE, BE IT RESOLVED, by the Otter Tail County Board of Commissioners that the road described as follows, to-wit:

**County State Aid Highway No. 1:** From the intersection of County State Aid Highway No. 1, Alcott Avenue, Tower Road and County State Aid Highway No. 15 in the City of Fergus Falls northeasterly on Tower Road to the intersection of Tower Road and Fir Avenue thence easterly on Fir Avenue to its intersection with County State Aid Highway No. 1 at the intersection of Fir Avenue and Friberg Avenue a distance of 3.51 miles.

be, and hereby is established, located, and designated a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FUTHER RESOLVED, that the County Board Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a County State Aid Highway of the County of Otter Tail, to be numbered and known as County State Aid Highway.

Commissioner Rogness seconded the motion and, upon being put to vote, the resolution was unanimously adopted this 23<sup>rd</sup> day of April 2019.

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

By: \_\_\_\_\_  
Doug Huebsch, Board Chair

Attest: \_\_\_\_\_  
John Dinsmore, Clerk

**RESOLUTION ESTABLISHING COUNTY STATE AID HIGHWAY**

**Otter Tail County Resolution No. 2019 – 43**



Commissioner Johnson offered the following and moved its adoption:

WHEREAS, it appears to the Otter Tail County Board of Commissioners that the highway hereinafter described should be designated County Aid State Highway under the provisions of Minnesota Law.

NOW THEREFORE, BE IT RESOLVED, by the Otter Tail County Board of Commissioners that the road described as follows, to-wit:

**County State Aid Highway No. 88:** From the intersection of Tower Road and Fir Avenue in the City of Fergus Falls thence northwesterly on Fir Avenue to its intersection with County State Aid Highway No. 88 at the intersection of Fir Avenue and Deerfield Drive at the northerly Corporate Limits of the City of Fergus Falls a distance of 0.79 miles.

be, and hereby is established, located, and designated a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FUTHER RESOLVED, that the County Board Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration, and that upon his approval of the designation of said road or portion thereof, that same be constructed, improved and maintained as a County State Aid Highway of the County of Otter Tail, to be numbered and known as County State Aid Highway.

Commissioner Rogness seconded the motion and, upon being put to vote, the resolution was unanimously adopted this 23<sup>rd</sup> day of April 2019.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

By: \_\_\_\_\_  
Doug Huebsch, Board Chair

Attest: \_\_\_\_\_  
John Dinsmore, Clerk

**RESOLUTION ESTABLISHING COUNTY STATE AID HIGHWAY**

**Otter Tail County Resolution No. 2019 – 44**

Commissioner Johnson offered the following and moved its adoption:

WHEREAS, it appears to the Otter Tail County Board of Commissioners that the highway hereinafter described should be designated County Highway under the provisions of Minnesota Law.

NOW THEREFORE, BE IT RESOLVED, by the Otter Tail County Board of Commissioners that the road described as follows, to-wit:

**County Highway No. 121:** From the intersection of former County State Aid Highway No. 7 and County State Aid Highway No. 26 at the Southeast Corner of Section 31, Western Township (T131N,R44W) north on former County State Aid Highway No. 7 to the intersection of County State Aid Highway No. 2 and former County State Aid Highway No. 7 at the Northeast Corner of Section 7, Western Township (T131N,R44W) a distance of 5.0 miles.

be, and hereby is established, located, and designated a County Highway of said County.

BE IT FUTHER RESOLVED, that the County Board Clerk is hereby authorized and directed to designate said road or portion thereof, that same be constructed, improved and maintained as a County Highway of the County of Otter Tail, to be numbered and known as County Highway.

Commissioner Rogness seconded the motion and, upon being put to vote, the resolution was unanimously adopted this 23<sup>rd</sup> day of April 2019.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

By: \_\_\_\_\_  
Doug Huebsch, Board Chair

Attest: \_\_\_\_\_  
John Dinsmore, Clerk

#### **Highway Items**

Motion by Johnson, second by Lindquist and unanimously carried that Highway Department employees including Ryan Anderson, Wade Bugbee, Bob Ehlert, Jerry Loken, Jordan Pieper, Dave Sillerud and Tyler Sjolie are authorized to use a County vehicle for commuting to various projects intermittently and as approved by the County Engineer during the 2019 construction season from May to October 2019.

Motion by Rogness, second by Johnson and unanimously carried to authorize the appropriate county Officials' signatures for an agreement with Moore Engineering, Inc., to provide construction staking services for the CSAH 1 project.

Motion by Johnson, second by Lindquist and unanimously carried to authorize the appropriate county Officials' signatures for an agreement with L&O Acres Transport, Inc., Westport, SD, for a seasonal supply of salt for the 2019-2020 winter season.

#### **Recess & Reconvene**

At 11:45 a.m., Chair Huebsch declared the meeting of the Otter Tail County Board of Commissioners recessed for committee meetings. The Board of Commissioner's meeting was reconvened at 1:00 p.m.

#### **Continued Public Hearing for Revisions to the Subsurface Sewage Treatment Systems Ordinance**

Chair Huebsch opened the continued Public Hearing for the Sanitation Code for proposed revisions to the Subsurface Sewage Treatment Systems (SSTS) Ordinance. Land & Resource Director Chris LeClair presented an overview of revisions within the ordinance highlighting major changes including that if an existing SSTS is found to be an imminent threat, it needs to be repaired within 90 days, or by June 1 if found to be an imminent threat to the public health and safety between November 15 and April 15. The proposed ordinance revisions also reduce the time frame from 24-months to 12-months to replace or bring into compliance an existing SSTS that is found to be failing to protect groundwater. Additionally, soil verification needs to be completed before a permit is issued.

At 1:07 p.m., Chair Huebsch opened the public hearing for comments from the public summarized as follows:

- Concerns expressed from multiple attendees about the time frame to repair or replace non-compliant system being shortened from 24-months to 12-months. That time frame is too short, particularly with the difficulty of the winter season. (Staff explained that the County will work with property owners on time frames to allow for additional time as necessary while ensuring that the work is being completed.)
- Clarification was requested regarding that a violation of the ordinance is a misdemeanor level criminal offense that can be charged for each day of the continued violation as a separate offense. County Attorney Michelle Eldien explained that a criminal violation will assist in ensuring that the ordinance is followed by having a penal consequence as opposed to a homeowner just being able to pay a fine without resolving the violation. Additionally, although an individual can be charged for

each day as a separate offense, an individual is typically charged with one offense to address a violation of the ordinance.

- The changes were questioned as to whether any were necessary at all. Land & Resource Director LeClair advised that the additions and changes to the ordinance conform with language from Chapter 7082 of the Minnesota Administrative Rules, Minnesota Pollution Control Agency.
- It was questioned whether holding tanks required an operating permit and Land & Resource Director LeClair clarified that holding tanks for restaurants require an operating permit.
- Concerns that the County had previously advised installers and homeowners that the County did not have rock fragments and did not need the State required assessment. Questioned how the County is going to manage septic systems put in after 2011. Multiple attendees expressed concern regarding rock fragment assessments previously not required by the County and how that will affect many homeowners, particularly if the home is being transferred or sold to another owner. A lengthy discussion occurred about this issue and it was recommended that the County consider grandfathering those septic systems installed after 2011. Additionally, was discussed whether this issue should fall back on the licensed installer or the county inspector.
- Discussion regarding the holding tank requirements for minimum standards going from 1,000 gallons to 1,500 gallons. Existing holding tanks already in the ground that do not meet the minimum standard of 1,500 gallons will not be removed so long as the tank is not failing.
- Concerns regarding whether all repair work requires a permit and clarified that maintenance type of work on a system such as replacing a cap will not require a permit. The language in the ordinance gives staff discretion to require a permit if appropriate.
- Multiple attendees expressed concern about the requirement that the septic tank must be large enough to accommodate a garbage disposal. Many homeowners choose not to have a garbage disposal. A larger tank can also be more problematic during winter months. This provision makes the ordinance too regulatory. Setting the ordinance to include a garbage disposal is arbitrary and uses a standard that is very likely to be unnecessary.
- Concerns about staff availability to perform soil verifications and inspections timely. Discussed that it may take 3-4 hours to perform soil verifications and may need to approve overtime for staff.
- Questioned how much sand must be present to be viewed. Land & Resource Director LeClair explained that it will be adequate as long as the sand fill can be viewed, and the inspector can complete the soil observation log.
- Concerns expressed about voting on the updated SSTS at this meeting.

At 2:10 P.m., the Public Hearing is recessed. The board will take the matter under advisement and will continue to take comments. No further decision will be made on the proposed ordinance changes until the fall. It is recognized that any changes to the ordinance will not be in effect until January 1, 2020.

**Adjournment**

At 2:25 p.m., Chair Huebsch declared the Otter Tail County Board of Commissioners meeting adjourned. The next Board meeting is scheduled at 9:00 a.m. on Tuesday, May 7, 2019, at the Government Services Center in Fergus Falls, MN.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

By: \_\_\_\_\_  
Douglas A. Huebsch, Board Chair

Attest: \_\_\_\_\_  
John W. Dinsmore, Clerk



WARRANTS APPROVED ON 4/23/2019

<u>Vendor Name</u>	<u>Amount</u>
A-OX WELDING SUPPLY CO INC	394.23
AABERG/JANICE	85.99
ACE SERVICE	159.00
ALEX RUBBISH & RECYCLING	599.73
AMAZON CAPITAL SERVICES, INC	1,158.28
AMERIPRIDE SERVICES INC	58.32
ANDERSEN BUILDERS OF OTC LLC	517.02
APEX ENGINEERING GROUP INC	84,000.00
ARNDT/SCOTT	6,015.00
ATSSA	1,015.00
AUTO VALUE PERHAM	41.87
BALLARD SANITATION INC	42.34
BATTERIES + BULBS	148.36
BATTERY JUNCTION	151.54
BAUER BUILT INC	3,861.28
BECKLUND OIL CO	2,543.65
BERG/PRESTON	16.94
BERGQUIST/RICHARD	255.16
BEYER BODY SHOP INC	265.00
BRANBY/STEVE	12.34
BRAUN INTERTEC CORPORATION	7,225.25
BRAUN VENDING INC	394.75
BRENNAN/KEVIN	256.96
BROWNELLS INC	184.00
BUREAU OF CRIM APPREHENSION	510.00
BUY-MOR PARTS & SERVICE LLC	7,840.99
CAROLINA SOFTWARE	2,350.00
CARR'S TREE SERVICE	1,856.00
CDW GOVERNMENT INC	614.04
CENTRAL CONCRETE CONSTRUCTION	385.00
CENTRAL STATES WIRE PRODUCTS INC	6,171.42
CERTIFIED AUTO REPAIR	215.00
CERTIFIED LABORATORIES	348.00
CITIZENS ADVOCATE	37,166.14
CLEAN SWEEP COMMERCIAL SERVICES	1,183.00
CO OP SERVICES INC	59.57
COATINGS UNLIMITED	1,150.00
CODE 4 SERVICES, INC	4,447.24
COMSTOCK CONSTRUCTION OF MN	8,509.00
CONCEPT CATERING	131.25
COOPERS TECHNOLOGY GROUP	992.43
CULLEN'S HOME CENTER	5.94

<u>Vendor Name</u>	<u>Amount</u>
CULLIGAN	32.75
CULLIGAN OF WADENA	81.25
D & T VENTURES LLC	1,089.00
D-D EMS TRAINING & MORE	1,300.00
DAILY JOURNAL/THE	496.00
DAKOTA WHOLESALE TIRE	570.20
DAN'S TOWING & REPAIR	1,320.90
DENBROOK/GARY	242.40
DICK'S STANDARD	83.43
DIGINEER CONSULTING LLC	119.90
EGGE CONSTRUCTION INC	285.00
EHLERS & ASSOCIATES INC	200.00
ELDIEN/ANIKA K	56.97
ENTERPRISE LEASING COMPANY	780.00
EVCO PETROLEUM PRODUCTS INC	534.50
EZWELDING LLC	560.00
FARMERS CO OP OIL ASSN	2,487.64
FARNAM'S GENUINE PARTS INC	1,351.65
FELLBAUM/KEVIN	144.54
FERGUS FALLS/CITY OF	4,104.00
FERGUS POWER PUMP INC	9,303.75
FIDLAR TECHNOLOGIES, INC	10,807.50
FIELD/TERRY	125.28
FJESTAD/ZACH	255.33
FORCE AMERICA DISTRIBUTING LLC	213.22
FOTH INFRASTRUCTURES & ENVIROMEN	3,167.98
GALLS LLC	1,453.82
GEIS/BRIAN	651.55
GOERDT/SARAH D	10.79
GOVERNMENT FINANCE OFFICERS ASSC	50.00
GRAINGER INC	952.35
H2M INC	2,500.00
HENNING AUTO PARTS INC	95.46
HENNING HARDWARE	172.49
HONEYWELL INTERNATIONAL INC	2,163.91
HOUSTON ENGINEERING INC	35,005.23
INDEPENDENT/THE	210.38
INTERSTATE POWER SYSTEMS INC	185.19
INTOXIMETERS INC	575.00
J.P. COOKE CO	96.95
JAKE'S JOHNS LLC	298.02
JANUSZEWSKI/GREGORY	17.16

<u>Vendor Name</u>	<u>Amount</u>
SHI CORP	7,582.00
SIGNWORKS SIGNS & BANNERS LLC	180.00
SJOLIE/TYLER	28.85
SRF CONSULTING GROUP INC	13,233.84
STEINS INC	1,477.78
STEVE'S SANITATION INC	2,541.00
STOEL RIVES LLP	2,995.00
STREICHERS	865.37
SUMMIT FOOD SERVICE, LLC	14,888.00
TERMINAL SUPPLY CO.	73.95
THIS WEEKS SHOPPING NEWS	58.20
THOMSON REUTERS - WEST	3,343.24
THRIFTY WHITE PHARMACY	5,303.04
THYSSEN KRUPP ELEVATOR CORPORAT	1,932.68
TIGGES/DENNIS	441.75
TOWMASTER	827.65
TULIBASKI/THEODORE	20.74
UGSTAD PLUMBING INC	190.00
ULINE	935.32
UNLIMITED AUTO GLASS INC	530.00
US AUTOFORCE	480.00
VAUGHN AUTO & MARINE CO	223.40
VIKING COCA-COLA	337.50
VISUAL GOV SOLUTIONS LLC	220.69
WALLWORK TRUCK CENTER	52.32
WASTE MANAGEMENT	9,562.72
WEINRICH/DAVE	12.00
WELLER OIL CO	139.24
WERNER/JACK	225.00
WEST CENTRAL INITIATIVE	1,500.00
WESTMOR INDUSTRIES LLC	192.44
WIEBE/JEFFREY JON	238.92
WINDELS/LORI	12.00
ZIEGLER INC	146.89
<b>Final Total:</b>	<b>607,652.17</b>

<u>Vendor Name</u>	<u>Amount</u>
COOPERS TECHNOLOGY GROUP	664.74
COUNTIES PROVIDING TECHNOLOGY	240.00
DAN'S TOWING & REPAIR	45.92
DOWELL/BRUCE	200.00
HASKINS HOME	278.00
JACOBS/SHELLY	19.81
LAKE REGION HEALTHCARE	109.78
LAKES & PRAIRIE COMM ACTION PARTNE	11,174.25
MAHUBE OTWA-ACTION PARTNERSHIP	31,608.72
MIDWEST MONITORING	1,465.00
MINNESOTA MONITORING INC	208.47
MINNESOTA MOTOR COMPANY	68.67
MINNKOTA ENVIRO SERVICES INC	205.00
MN DEPT OF HUMAN SERVICES	3,153.75
MN DEPT OF HUMAN SERVICES	96,585.00
OTTER TAIL CO ATTORNEY'S OFFICE	2,990.00
OTTER TAIL CO SHERIFF	252.70
OTTER TAIL CO TREASURER	3,673.32
OTTER TAIL COUNTY TREASURER-EXPRI	9,701.64
PACIFIC INTERPRETERS	947.70
PRAIRIE LAKES YOUTH PROGRAMS	4,063.00
PREMIER BIOTECH LABS, LLC	640.45
PRODUCTIVE ALTERNATIVES INC	9,761.32
RASMUSSEN/KIMBERLY	167.98
VICTOR LUNDEEN COMPANY	304.85
WEST CENTRAL REG JUVENILE CTR	46,166.00
<b>Final Total:</b>	<b>224,696.07</b>

<u>Vendor Name</u>	<u>Amount</u>
CENTURYLINK	174.42
FRANSEN/JON	68.49
LAKE REGION HEALTHCARE	375.00
MARCO INC ST LOUIS	656.53
MCCC MI 33	7,695.13
MINNKOTA ENVIRO SERVICES INC	25.00
OFFICE DEPOT	116.54
OTTER TAIL COUNTY TREASURER-EXPRI	1,809.60
PACIFIC INTERPRETERS	22.10
PRODUCTIVE ALTERNATIVES INC	75.00
<b>Final Total:</b>	<b>11,017.81</b>