



MEMORANDUM OF AGREEMENT TO PROVIDE SHORELAND PERMITTING AND INSPECTION SERVICES

This Memorandum of Agreement (MoA) for Otter Tail County providing shoreland development permitting and inspection services is made and entered into by and between:

- The County of Otter Tail, hereinafter referred to as "County".
- The City of Vergas, Minnesota, hereinafter referred to as "City".

WHEREAS, Minnesota Statute 471.59 provides that two or more governmental units, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise any power common to the contracting parties or any similar powers; and

WHEREAS, Minnesota Statute 471.59 (8) provides the board of county commissioners of any county to, by resolution, enter into agreements with any other governmental unit to perform on behalf of that unit any service or function which that unit would be authorized to provide for itself; and

WHEREAS, Minnesota Statute 394.32 provides that the governing body of any municipality may contract with the county board for planning and zoning services to be provided by the county, and the contract may provide that the municipality pay such fees as agreed for the services provided; and

WHEREAS, the Otter Tail County Shoreland Management Ordinance was first adopted on October 15, 1971 and was most recently revised on July 1, 2021; and

WHEREAS, the Otter Tail County Shoreland Management Ordinance meets the minimum standards set forth in Minnesota Rules, Chapter 6120, Shoreland Management, administered by the Minnesota Department of Natural Resources; and

WHEREAS, the City of Vergas has a Shoreland Management Ordinance that was last revised on March 5, 1992; and

WHEREAS, the County and the City recognize the importance of cooperating on land use issues in order to promote the public health, safety, and general welfare of the public; promote and provide for the orderly development of shoreland areas to preserve the natural and scenic areas of the County; and to provide official controls to implement the goals and policies of each respective local unit of government; and

WHEREAS, the County and the City desire to enter into a Memorandum of Agreement in order for the County to provide permitting and inspection services for shoreland development within the boundaries of the City to ensure better consistency in shoreland development and the implementation of those regulations; and



WHEREAS, the County and the City desire to enter into a Memorandum of Agreement to ensure mutual understanding of each parties roles and responsibilities related to shoreland development within the boundaries of the City.

NOW THEREFORE IT IS AGREED, by the County of Otter Tail and the City of Vergas that the County will provide the following services:

1. The receipt and administration of permit applications and the appropriate permit fees for erecting a structure or conducting shoreland alteration within the Shoreland District of the City of Vergas;
2. Conduct required inspections to erect a structure of conduct shoreland alteration with the Shoreland District of the City of Vergas; and,
3. The Land & Resource Director, or designee, may appear at City Council meetings on occasion to provide input on any land use decisions requiring a Conditional Use Permit, a Variance, or a preliminary plat.

NOW THEREFORE IT IS ALSO AGREED, by the County of Otter Tail and the City of Vergas that the County will not provide the following services:

1. Land use permits requiring a Conditional Use Permit;
2. Variance applications must be administered by the City;
3. Preliminary plats must be administered by the City;
4. Any necessary enforcement must be administered by the City. Enforcement may be referred to the City Attorney by the Otter Tail County Land & Resource Management Director;
5. Any land use permits outside of the Shoreland District of the City of Vergas must be administered by the City of Vergas.

This agreement will terminate 24 months after signed by both parties. This will be the only such agreement Otter Tail County enters into for 24 months. If this Memorandum of Agreement is not renewed at the end of the 24-month period, any permits issued by the County at the end of the 24 month period that are outstanding will be given to the City for completion.

The terms of this Memorandum of Agreement will take effect on January 1, 2025.

Kurt A. White 12-17-2024
County Board Chair Date

Travis E. Eide 12-18-2024
County Attorney Date

Nicole Harpe 12-17-2024
Clerk of the Board Date

City of Vergas Mayor Date

City Attorney Date

City Clerk Date