

PELICAN GROUP OF LAKES IMPROVEMENT DISTRICT

RESOLUTION

A RESOLUTION REQUESTING OTTER TAIL COUNTY TO ESTABLISH A PROGRAM FOR PERIODIC SPOT INSPECTIONS OF INDIVIDUAL SEWAGE TREATMENT SYSTEMS SERVING PROPERTIES ON PELICAN LAKE, LITTLE PELICAN LAKE, FISH LAKE, AND BASS LAKE, WITH APPROPRIATE ENFORCEMENT MEASURES TO BRING DEFICIENT SYSTEMS INTO COMPLIANCE

WHEREAS, the Pelican Group of Lakes Improvement District is organized to promote the protection, preservation, improvement, and responsible management of the water resources and shorelands within its jurisdiction; and

WHEREAS, Pelican Lake, Little Pelican Lake, Fish Lake, and Bass Lake are valuable natural resources that provide significant recreational, environmental, economic, and aesthetic benefits to Otter Tail County and its residents; and

WHEREAS, properly designed, installed, operated, and maintained individual sewage treatment systems are essential to protecting groundwater and surface-water quality and to preventing the discharge of untreated or inadequately treated wastewater into lakes, wetlands, drainage systems, and groundwater; and

WHEREAS, septic systems that are failing, improperly maintained, overloaded, inadequately designed, or otherwise not functioning in accordance with applicable requirements may contribute nutrients, bacteria, pathogens, and other pollutants to surrounding waters; and

WHEREAS, it is an individual property owner's responsibility to maintain their sewer and septic systems.

WHEREAS, in the Pelican Group of Lakes Improvement District there are approximately 1200 sewer/septic systems and the identification of deficient septic systems before they cause significant environmental or public-health impacts is in the best interests of property owners, lake users, neighboring properties, and the County as a whole; and

WHEREAS, SEH, a consultant hired by PGOLID, in a March 2024 study, estimates that of the district's roughly 1,220 septic systems and holding tanks, about 27% are noncompliant, 20% are estimated to be impacting lake waters, and 81% show insufficient maintenance — and states plainly that “existing individual system conditions are difficult to track without consistent, routine inspections.” Over half of all systems date to 1971–1990 and are now 33 to 52 years old; and

WHEREAS, reliance solely upon complaints, visible failures, or voluntary identification of failing systems may not identify all deficient systems and may allow conditions affecting water quality to continue undetected; and

WHEREAS, a reasonable program of periodic checks, conducted in accordance with applicable Minnesota law and County ordinances, would provide a proactive means of identifying potentially deficient sewage treatment systems and encouraging timely correction; and

WHEREAS, such a program should be administered in a manner that is fair, consistent, transparent, and respectful of property owners' rights, while providing reasonable notice, opportunities for correction, and appropriate consideration of financial hardship where warranted; and

WHEREAS, the County possesses the appropriate governmental authority, technical resources, and regulatory framework to establish and administer a septic-system inspection and compliance program; and

WHEREAS, neighboring Becker County has a standing practice to work through each lake in the county to inventory each septic system, notify owners of problems, and follow up until the lake is complying; and

WHEREAS, the Pelican Group of Lakes Improvement District believes that protecting the water quality of Pelican Lake, Little Pelican Lake, Fish Lake, and Bass Lake requires cooperation among lake-property owners, the Improvement District, township and municipal governments, and Otter Tail County.

NOW, THEREFORE, BE IT RESOLVED

Section 1. Request for County Action.

The Pelican Group of Lakes Improvement District respectfully requests that the Otter Tail County Commission direct the appropriate County department or departments to develop and implement a program for periodic spot inspections of individual sewage treatment systems serving properties located on or adjacent to Pelican Lake, Little Pelican Lake, Fish Lake, and Bass Lake.

Section 2. Scope of Spot-Check Program.

The requested program should, to the extent permitted by law and County authority:

1. Establish a reasonable schedule for random or risk-based spot inspections of septic systems within the designated lake areas.
2. Include both seasonal and year-round residential properties, rental properties, and other properties utilizing individual sewage treatment systems, as appropriate.
3. Prioritize systems based upon factors reasonably related to potential environmental impact, including system age, proximity to surface water, known history of deficiencies, previous compliance issues, system design, property use, or other appropriate criteria.

4. Include appropriate procedures for inspecting tanks, drainfields, soil treatment areas, pumps, alarms, effluent levels, and other components necessary to determine whether a system is functioning properly and meeting applicable requirements.
5. Coordinate, where practical, with existing County septic records and other available information to avoid unnecessary duplication of inspections.
6. Inspections shall be completed between April 1 and October 1. Property owners should have until October 1 of the following year to remediate any issues/repairs discovered in the inspection before any action is taken by Ottertail County.
7. If a property owner does not complete the repairs, as stated in the inspection, by October 1st in the following year of the inspection, Ottertail County will assign a licensed contractor to do it for the property owner at the property owner's expense. The Cost of the remediation will be added to the following years property tax statement from Ottertail County.

Section 3. Notice and Due Process.

The County is requested to establish reasonable procedures providing property owners with appropriate notice of inspections and written notice of any identified deficiencies.

Property owners identified as having deficient or noncompliant systems should be provided:

1. A written description of the deficiency;
2. The applicable requirement or standard;
3. A reasonable period within which to correct the deficiency;
4. Information regarding available compliance options and qualified service providers, where appropriate; and
5. An opportunity to demonstrate that the system complies or that the alleged deficiency has been corrected.

Nothing in this Resolution is intended to authorize inspections or enforcement actions inconsistent with Minnesota law, applicable constitutional protections, or existing County ordinances.

Section 4. Compliance and Enforcement.

The Pelican Group of Lakes Improvement District respectfully requests that the County establish clear and effective enforcement mechanisms for systems determined to be failing or otherwise deficient.

Such mechanisms should provide for progressive enforcement, as appropriate, including:

1. Written notice of deficiency;
2. A reasonable corrective-action period;
3. Required submission of a compliance or corrective-action plan for significant deficiencies;
4. Reinspection following corrective work;
5. Administrative penalties, fees, or other remedies authorized by law for continued noncompliance;
6. Orders requiring repair, replacement, abandonment, or upgrading of a deficient system where legally authorized;
7. Referral to the appropriate County or state authority for further enforcement when voluntary compliance is not achieved; and
8. Any other lawful enforcement mechanism necessary to achieve compliance and protect public health and water quality.

The objective of enforcement should be timely correction of deficient systems rather than punishment of property owners.

Section 5. Coordination with the Improvement District.

The Otter Tail County Commission is requested to work cooperatively with the Pelican Group of Lakes Improvement District in developing and implementing the program.

The Improvement District is willing to assist, to the extent authorized and appropriate, with public education, communication with lake-property owners, distribution of information concerning septic-system maintenance, and efforts to encourage voluntary compliance.

Section 6. Reporting.

The Pelican Group of Lakes Improvement District requests that the County provide periodic reports concerning the program, including, to the extent permitted by law:

1. The number of systems inspected;
2. The number and general nature of deficiencies identified;
3. The number of systems brought into compliance;
4. The number of unresolved deficient systems;
5. Enforcement actions taken; and
6. Recommendations for improving the program.

7. Such reporting will assist the Improvement District and the County in evaluating whether the program is effectively protecting lake and groundwater resources.

Section 7. Implementation.

The Pelican Group of Lakes Improvement District respectfully requests that the Otter Tail County Commission refer this Resolution to the appropriate County staff for review and development of a proposed septic-system spot-check and compliance program, with recommendations regarding program scope, legal authority, staffing, funding, inspection procedures, enforcement mechanisms, and implementation schedule.

Section 8. Statement of Purpose.

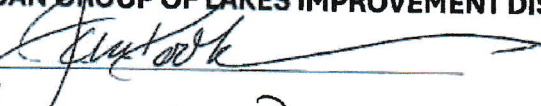
The purpose of this Resolution is to encourage a proactive, fair, and effective approach to identifying and correcting deficient septic systems in order to protect the water quality, environmental health, recreational value, and long-term sustainability of Pelican Lake, Little Pelican Lake, Fish Lake, and Bass Lake.

BE IT FINALLY RESOLVED, that the Pelican Group of Lakes Improvement District respectfully requests that the Otter Tail County Commission consider and act upon the recommendations contained in this Resolution and take such further lawful action as may be necessary to establish an effective septic-system inspection and compliance program for the designated lake areas.

ADOPTED

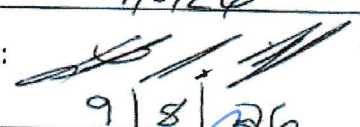
Adopted by the Pelican Group of Lakes Improvement District at a duly called meeting held on the 8th day of September, 2026.

PELICAN GROUP OF LAKES IMPROVEMENT DISTRICT

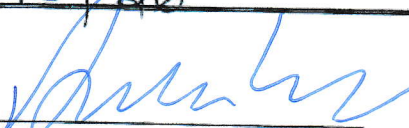
By: 
Chair

Printed Name: Jim Poolman

Date: 9/8/26

Attest:  - FRANK HAG
9/8/26

Secretary

Printed Name: 

Date: 9/10/2026

Adrian Lund Secretary PGOLFID