

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, September 11, 2001
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, September 11, 2001, at 9:34 a.m. at the Otter Tail County Courthouse with Commissioners Dennis Mosher, Chair; Syd Nelson, Malcolm Lee, and Roger Froemming present. Vice-Chair Bob Block was absent.

Approval of Agenda

Motion by Froemming, second by Lee, and unanimously carried to approve the Human Services Board agenda of September 11, 2001 as mailed.

Approval of Minutes

Motion by Lee, second by Nelson, and unanimously carried to approve the Human Services Board minutes of August 28, 2001 as mailed.

West Central Regional Juvenile Center

Court Services Director, Chuck Kitzman, and Commissioner Syd Nelson, recently attended a WCRJC Advisory Board meeting and received significant information on the status of the facility. Mr. Kitzman reported that the facility has lost \$225,000 over the past two years. He provided a handout containing information regarding the shelter care and secure detention programs. He reported that financially, the shelter care program is doing fine; however, the secure detention program is not meeting occupancy projections. The Advisory Board raised the per diem to \$130 for the secure detention program. Discussion followed. Commissioner Nelson reported that officials at the center will consider refinancing the bonds on the facility that could reduce the building payment.

Grant Agreement with the MN Department of Health

Motion by Lee, second by Nelson, and unanimously carried to authorize the Chair's signature to execute a grant agreement between the State of Minnesota and Otter Tail County Public Health for a Tri-Project Immunization Grant. The grant is for administering Perinatal Hepatitis B follow-up, Immunization Practices Improvement clinic site visits, and 2001-02 Retrospective Kindergarten Immunization survey.

Community Health Services Plan Summary

Ms. Thorson provided a copy of the CHS Plan Summary. Ms. Thorson stated that a public hearing will be scheduled for input to update and prioritize the plan.

Purchase of Service Agreements

Motion by Nelson, second by Froemming, and unanimously carried authorize the Chair's signature to execute Purchase of Service Agreements between the Otter Tail County Department of Social Services and the following for Home Health Care services for the period of July 1, 2001 through June 30, 2002:

Vikingland Home Health, Inc.
Greater Staples Hospital CARE Center and Home Care
CARE 2000 Home Health Care Services, Inc. of Fergus Falls
New Dimensions Home Health Care, Inc.

Adult Foster Care Rate Changes

Social Worker, Lori Jaros, reported that previously, adult foster care rates have been charged as packages of services with the price based on the case mix category. Recognizing that people with the same case mix level may need different cares, the federal and state governments have directed that packages be unbundled beyond the most basic services. Motion by Nelson, second by Froemming, and unanimously carried to approve a new rate system effective October 1, 2001, for Otter Tail County's Homes Plus homes to allow the case managers to individualize rates up to the program caps and based on the services as presented.

Local Service Unit Plan Contract

Motion by Lee, second by Froemming, and unanimously carried to authorize the Chair's signature to execute a contract between the County of Otter Tail Department of Human Services and Rural MN CEP for local intervention grants to assist with employment, food stamps, and self-sufficiency for MFIP clients.

Children's Day Treatment Program Agreement

Motion by Lee, second by Froemming, and unanimously carried to authorize the Chair's signature to execute an agreement between the Otter Tail County Human Service Department, Fergus Falls Area Special Education Cooperative District #935, and Lakeland Mental Health Center for the period from July 1, 2001 to June 30, 2002 for the Fergus Falls Children's Day Treatment Program. This agreement replaces the agreement approved on August 28, 2001, separates out the case management services, and reduces the cost to \$245,749.50 with a County share of \$117,959.76.

Approval of Bills & Claims

Motion by Nelson, second by Lee, and unanimously carried to approve the Human Services bills and claims as presented.

Correspondence Acknowledged

The Commissioners discussed a letter with the Human Services Director that was received by the Chairman from a constituent. In the letter, concerns were expressed regarding the use of child support funds to pay for out-of-home placement costs. No action was taken.

Adjournment

At 10:21 a.m., upon a motion by Nelson and seconded by Froemming, the meeting of the Otter Tail County Human Services Board was adjourned until 9:30 a.m. on Tuesday, September 25, 2001.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____
Dennis Mosher, Human Services Chair

Attest: _____
Larry Krohn, Clerk

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, September 11, 2001, at 10:40 a.m. at the Otter Tail County Courthouse with Roger Froemming, Chair; Dennis Mosher, Vice-Chair; Syd Nelson, and Malcolm Lee present. Commissioner Bob Block was absent.

Approval of Agenda

Motion by Mosher, second by Nelson, and unanimously carried to approve the County Board agenda of September 11, 2001 with the following addition:

2:30 p.m. - Dead Lake Township Road Grating Project

Approval of Minutes

Motion by Nelson, second by Mosher, and unanimously carried to approve the County Board minutes of September 4, 2001 as mailed.

Approval to Pay Bills

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

Authorization for Exemption for Lawful Gambling Permit

Motion by Lee, second by Mosher, and unanimously carried to receive and approve, with no waiting period, the Pelican Rapids Area Chamber of Commerce's application for exempt permit for an event scheduled for Saturday, October 13, 2001 at the Blue Water Sports Bar in Pelican Township.

Approval of Bank Account

Motion by Nelson, second by Lee and carried, with Mosher abstaining, to authorize opening a bank account at Security State Bank for the processing of motor vehicle, driver's license, and game and fish transactions.

Authorization of Temporary Position

Motion by Lee, second by Froemming, and unanimously carried to authorize an additional temporary position, if needed, for the motor vehicle office.

**ADOPTION OF PRELIMINARY BUDGET AND LEVY
Otter Tail County Resolution No. 2001 - 47**

Commissioner Nelson introduced the following resolution and moved its adoption:

Proposed Total Budget and Net Property Tax Levy for Payable 2002

	<u>Payable 2002</u>	<u>Payable 2001</u>	<u>Percent</u>
Gross County Property Tax Levy	18,540,547	16,655,371	11.32
HACA Increase	2,799,216	2,696,404	3.81
Net County Property Tax Levy	15,741,331	13,958,967	12.77
Gross Lake Improvement District Property Tax Levy	168,000	110,500	52.04
Gross Market Value Tax Levy	146,231	144,604	1.13
Proposed Net Property Tax Levy	15,427,100	13,703,863	12.57

Commissioner Mosher seconded the motion, and upon being put to vote, was unanimously carried.

WHEREAS, on or before September 17, 2001, Otter Tail County must adopt a proposed budget for fiscal year 2002 and must adopt and certify a proposed net property tax levy for payable 2002, and

WHEREAS, the Otter Tail County Budget committee has held numerous committee meetings to consider and discuss the 2002 budget request and tax levy information.

BE IT RESOLVED, by the Otter Tail County Board of Commissioners of Otter Tail County, Minnesota, that

The amount of \$18,540,547 be adopted as the County's proposed gross property tax levy for the payable year 2002 representing a 11.32% increase over the gross property tax levy for the payable year 2001, and that the amount of \$15,427,100 be adopted as the County's proposed net property tax levy for the payable year 2002 representing a 12.57% increase over the net property tax levy for the payable year 2001;

And that,

The amount of \$168,000 be adopted as the County's proposed Lake Improvement District property tax levy for the payable year 2002, representing a 52.04% increase over the Lake Improvement District property tax levy for the payable year 2001.

The amount of \$146,231 be adopted as the County's proposed market value tax levy for the payable year 2002 representing a 1.13% increase over the market value tax levy for the payable year 2001, for a total proposed payable 2002 net property tax levy of \$15,741,331. (Attachment B.)

BE IT FURTHER RESOLVED, that the amount of \$48,500,000 be adopted as the County's proposed budget for the General Fund, for the Budgeted Special Revenue Funds and for the Budgeted Debt Service Funds for the fiscal year 2002, representing a change of 11.49% over the County's 2001 proposed budget. (Attachment C)

Adopted this 11th day of September, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, County Board Chair

Attest: _____
Larry Krohn, Clerk

General Obligation Veterans Home Bonds

Motion by Lee, second by Nelson, and unanimously carried, to elect to have the referendum market value based levy for Otter Tail County's \$1,500,000 General Obligation Veterans Home Bonds, Series 1996A which was voter approved prior to January 1, 2001, converted from a referendum market value basis to a net tax capacity basis as authorized during the 2001 special legislative session when 10 percent or more of a governmental entity's payable 2001 referendum

market value base is comprised of referendum market value which is now exempt from the referendum market value base. Exempted property includes the following:

Class 2a Agricultural Homestead - farmland and building excluding the house, garage, and one acre.

Class 2b Non-Agricultural Homestead - farmland and buildings excluding the house, garage, and one acre.

Class 2b Timberlands

Class 4c(1) Non-Commercial Seasonal Recreational Residential (Cabins).

Class 4c(4) post-secondary student housing.

**Request to Repurchase Tax Forfeited Property
Otter Tail County Resolution No. 2001 - 48**

Commissioner Mosher introduced the following resolution and moved its adoption:

RESOLVED, by the Otter Tail County Board of Commissioners of Otter Tail County, Minnesota, that

WHEREAS, Lauri Tabery, Personal Representative of the Estate of Charles Aasberg, has made application to repurchase the following legally described parcel:

Parcel No. 60-000-23-0205-001

Section 23, Township 131, Range 42, part of the Southwest Quarter of the Northwest Quarter, beginning 466.12' East of the Northwest Corner, South 320.94', East 510.35', North 320.94', West 510.35' to beginning - 3.75 Acres.

Said property having forfeited to the State of Minnesota on the 6th day of September, 2000, for nonpayment of the 1994, 1995, 1996, 1997, 1998, 1999, and 2000 property taxes, and

WHEREAS, an application to repurchase the above described property was timely submitted on Wednesday, September 5, 2001, and

WHEREAS, the sum of \$10,914.46 has been submitted representing the aggregate of all delinquent and current taxes, penalties, costs, assessments, and fees as of September 30, 2001, that would have been due and payable had the above described parcel not forfeited to the State of Minnesota, and

WHEREAS, the applicant has requested that the Otter Tail County Board of Commissioners consider her application to repurchase the above-described parcel and has requested that the Otter Tail County Board of Commissioners approve the applicant's request to repurchase the above-described property.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners hereby approves the repurchase of the above described tax forfeited property and finds that the repurchase is in the best public interest, that it will relieve any undue hardship resulting from the forfeiture and will provide the personal representative the opportunity to settle the estate of Charles Aasberg and to address a claim with the Internal Revenue Service.

Commissioner Lee seconded the motion, and upon being put to vote, was unanimously carried.

Adopted this 11th day of September, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, County Board Chair

Attest: _____
Larry Krohn, Clerk

Credit Card Application

Motion by Nelson, second by Froemming, and unanimously carried to approve the following credit card application:

Kim Kambel-Seufert	Human Services Department	\$800.00
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Approval of Full Time Court Security Officer Approval of Temporary Full Time Deputy

Motion by Lee, second by Mosher, and unanimously carried to approve a regular, full time Court Security Officer position and to approve a temporary, full time deputy position if the deputies employed by the National Guard and Reserves are called to active duty.

County Ditch No. 4

Ditch Inspector, Randy Wasvick, reported on quotations received to clean out a portion of County Ditch No. 4 as previously discussed. Discussion followed. Motion by Froemming, second by Lee, and unanimously carried to authorize Duane Muench to clean out 1½ miles of County Ditch No. 4 past Highway No. 136 to the township road as shown in blue on the map presented for the quoted amount of \$27,000.

Recess

At 11:53 a.m., Chair Froemming declared the Otter Tail County Board of Commissioners' meeting recessed for lunch and to attend the Senior Services Network meeting.

Public Hearing - Tuffy's Pet Foods Tax Abatement Request

At 2:00 p.m., Chair Froemming declared the Otter Tail County Board of Commissioners' meeting reconvened as a Public Hearing for consideration of Tuffy's Pet Foods Tax Abatement Request.

City Administrator, Bob Louiseau, stated that the request is to seek assistance for tax abatement for a period of time for Tuffy's because of the closing and subsequent repurchase of the pet food business by KLN Enterprises. The former business closed the facility with approximately 150 employees losing their jobs. KLN Enterprises rehired 41 people and have been working to re-establish dog food production and now have approximately 60 full time employees. Tuffy's Pet Foods is seeking a tax abatement to assist the company while they continue to grow with their business. In purchasing the facility, they were required to purchase the entire building, which makes it difficult to grow in an orderly manner. The amount of taxes paid will grow as production levels increase. The request is an abatement of tax up to \$30,000 per year up to 10 years based on production levels.

Commissioner Lee requested a copy of the resolution approving the tax abatement from the school district. Commissioner Lee asked about maximum employment in the past of the pet food plant. Tuffy's Pet Foods CFO, Wayne Caughey stated that maximum employment was 200 employees.

Mr. David Weakland requested the authority for the County to grant tax abatement. County Attorney, David Hauser, stated that the authority is in M.S. 469.18, which has not been applied in the past. The County also has a tax deferral policy. Mr. Weakland expressed concerns as to how tax abatement may be helpful and applied in all parts of the County.

Mr. Caughey stated that they have reviewed the County's policy. It deals with tax deferral in general; however, does not prohibit tax abatement. One requirement the policy refers to is that the business be a non-competitive industry within the County so the criteria in the policy would rule out many requests. He stated that the policy fits for this project. The ancillary benefits to the surrounding area are beneficial, and the goal is to bring this business back to a production level where there isn't a need for tax abatement. Mr. Caughey stated that average wage is higher than \$9.50 per hour and the critical mass is approximately 70,000 tons and after that point, there would be an ability to pay additional taxes. Discussion took place regarding profitability of the former owner upon closure of the facility and the future of the company if the tax abatement is not granted.

Mr. David Weakland expressed mixed feelings. He supports development in Otter Tail County and understands more about this request; however, still is concerned by other potential abatement requests.

Upon completion of comments/input, Chair Froemming declared the Public Hearing closed at 2:50 p.m. and stated that consideration of the request will be schedule on September 25, 2001, at 10:30 a.m.

Dead Lake Township Road Grading Project

Hillary Barry, Dead Lake Township Supervisor, stated that an application for grade and fill was submitted yesterday to rebuild three miles of a township road. He requested a waiver from waiting until the Planning Commission meets to begin the work because the gravel must be placed this fall in order to complete the bituminous work next spring. Land & Resource Director, Bill Kalar, stated that the permit the township applied for is a Conditional Use Permit, not grade and fill. Lengthy discussion followed. No action was taken.

Approval to Pay Bills - Henning Township Road

Solid Waste Director, Mike Hanan, presented two bills received for maintenance of Rocky Ridge Road and requested direction regarding the County's share of the bills. Motion by Froemming, second by Nelson and carried, with Lee abstaining, to authorize the Solid Waste Director to pay one-half of the maintenance cost for Rocky Ridge Road.

Adjournment

At 3:20 p.m., upon a motion by Froemming, second by Mosher, and unanimously carried, the meeting of the Otter Tail County Board of Commissioners was adjourned until 9:30 a.m. on Tuesday, September 18, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, County Board Chair

Attest: _____
Larry Krohn, Clerk