

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, July 30, 2002
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, July 30, 2002, at 9:30 a.m. at the Otter Tail County Courthouse with Dennis Mosher, Chair; Malcolm Lee, Vice-Chair; Syd Nelson, Roger Froemming, and Bob Block present. The agenda was adjusted to accommodate discussion regarding an emergency situation on County Ditch System No. 53.

County Ditch System No. 53

Ditch Inspector, Randy Wasvick, presented pictures of an area in County Ditch System No. 53. Mr. Wasvick reported that Moench Excavating has been digging; however, there have been some difficulties with the sandy soil. Moench Excavating has dug to the end where the tile is good and they are currently pumping water, which is flowing to the river. Mr. Wasvick stated that the cost of the work already completed is approximately \$16,000 and the repair work has not been started. He estimated the cost of repair work at an additional \$25,000. He expressed concern regarding the large holes by the township road. The Highway Department has put in barricades, cones, and orange fencing. County Attorney, David Hauser, stated that the cost of the work that has been completed can only be charged to existing benefited properties. If current benefits do not reflect cost, the County Board can take action to order a redetermination of benefits. Lengthy discussion followed. Motion by Mosher, second by Nelson, and unanimously carried to direct Safety Director, Tiny Holm, to assist the Ditch Inspector and Ditch Viewers in the process of redetermining benefits for County Ditch System No. 53. Motion by Nelson, second by Froemming, and unanimously carried to order a redetermination of benefits on Ditch system No. 53 and to appoint Howard Goese, Richard Carlin, and Eldor Kugler as Ditch Viewers. The County Attorney will draft an order for the redetermination of benefits.

Adjourn

At 9:47 a.m., Chair Mosher declared the Otter Tail County Board of Commissioners meeting adjourned until 11:00 a.m. today when the regularly scheduled agenda items will be considered.

Call to Order

The Otter Tail County Human Services Board convened Tuesday, July 30, 2002, at 9:48 a.m. at the Otter Tail County Courthouse with Commissioners Malcolm Lee, Chair; Syd Nelson, Vice-Chair; Dennis Mosher, Roger Froemming, and Bob Block present.

Approval of Agenda

Motion by Mosher, second by Froemming, and unanimously carried to approve the Human Services agenda of July 30, 2002, as presented.

Approval of Minutes

Motion by Block, second by Mosher, and unanimously carried to approve the Human Services Board minutes of July 16, 2002, as presented in the official minutes.

Remote Electronic Alcohol Monitoring Grant Amendment

Court Services Director, Chuck Kitzman, presented, for the record, an executed copy of the State of Minnesota Department of Corrections Amendment No. 1 to Grant No. 3944 for FY2002 and FY2003. The amendment reduces funding for the REAM program for FY2003 from \$14,500 to \$11,058.

Keys to Innervision Program Contract

Motion by Froemming, second by Mosher, and unanimously carried to execute an agreement between the County of Otter Tail and Lakeland Mental Health Center for a multi-system adolescent chemical dependency program known as the "Keys to Innervision" program for the period of July 1, 2002, to June 30, 2003. Total grant amount is \$7,309 and services are provided by Lakeland Mental Health Center.

Temporary Assistance for Needy Families (TANF) Contract

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Public Health Director's signature to execute an addendum to a contract between the County of Otter Tail and Lakes Country Community Resources Inc. to utilize TANF and Youth Risk Behavior Grant funds for the Teen Pregnancy Prevention Panels and Partners in Parenting programs. Funding is \$36,032 for 2002 and \$36,108 for 2003.

Vulnerable Adult Program Report

Social Worker, Brenda Moses, briefed the commissioners on the intake responsibilities of the Vulnerable Adult Program. Vulnerable Adult Social Worker, Cindy Eull, provided statistics on vulnerable adult reports, investigations, and substantiated reports.

Purchase of Service Agreements

Motion by Mosher, second by Nelson, and unanimously carried to authorize the Chair's signature to execute Purchase of Service Agreements between Otter Tail County Human Services and the following providers:

CARE 2000 Home Health Care Services of Fergus Falls, Inc.
Ghost Runner Errand Service
Spectrum Support Services, Inc.
Greater Staples Hospital & Home Care
Vikingland Home Health, Inc.

Motion by Mosher, second by Nelson, and unanimously carried to authorize the Chair's signature to execute a Purchase of Service Agreement between Otter Tail County Human Services and Midwest Community Residential Resources for the period of July 1, 2002 through December 31, 2002. This is a new contract for waived services for persons with mental retardation or related conditions.

Amendments to 2002 Provider Contracts

Motion by Froemming, second by Nelson, and unanimously carried to authorize the Chair's signature to execute an amendment to increase reimbursement rates effective July 1, 2002 by 3% as mandated by State law. The amendment applies to the contracts of the following providers:

Golden Manor Assisted Living
Home Work Center, Inc.
Moorhead Public Housing (Bridges Contract)
Kessel Group Home

- Lakeland Mental Health Center (Community Support Program)
- Lakes Homes and Program Development (Waivered)
- Lutheran Social Services (Waivered)
- Productive Alternative Inc. (Day Training and Habilitation)
- Productive Alternative Inc. (Willows)
- Paracelsus Healthcare (aka) Midwest
- REM /Peleske Group Home
- Pioneer Home – Assisted Living
- A Place to Belong
- Prairie Community Services (Arlington – ICF/MR)
- Prairie Community Services (Waivered)
- St. Williams Annex (Adult Res. Treatment)
- St. Williams Annex (Community Support Program)
- St. Williams Annex (McCornell Court)
- Synsteliem Foster Homes, Inc.
- Vergas Assisted Living
- Wilkin County Group Home (Waivered)

Purchase of Service Agreement

Motion by Mosher, second by Block, and unanimously carried to authorize the Chair's signature to execute a Purchase of Service Agreement between Otter Tail County Human Services and Wilkin County Family Services for the period of July 1, 2002 through December 31, 2002. The contract authorizes Otter Tail County to provide child protection assessments for Wilkin County at a cost of \$575 per assessment.

Fathers' Resource Program Proposal

Motion by Mosher, second by Block, and unanimously carried to authorize the County of Otter Tail to apply for matching federal funds (\$49,038) for the Fathers' Resource Program by utilizing a \$25,000 grant from the Bremer Foundation and to approve the Fathers' Resource Program Proposal as presented.

Approval of Bills and Claims

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

Adjournment

At 10:55 a.m., Chairman Lee declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, August 13, 2002.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

Attest: _____ By: _____
Larry Krohn, Clerk Malcolm Lee, Human Services Chair

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, July 30, 2002, at 11:00 a.m. at the Otter Tail County Courthouse with Dennis Mosher, Chair; Malcolm Lee, Vice-Chair; Syd Nelson, Roger Froemming, and Bob Block present.

Approval of Agenda

Motion by Lee, second by Froemming, and unanimously carried to approve the County Board agenda of July 30, 2002 as presented.

Approval of Minutes

Motion by Block, second by Froemming, and unanimously carried to approve the County Board minutes of July 23, 2002, as mailed.

Approval to Pay Bills

Motion by Nelson, second by Block, and unanimously carried to approve payment of County Board bills per Attachment A of these minutes which includes the following lodging payment:

Maddens Resort

County Attorney Office Manager, Marilyn Heller
Assistant County Attorney, Nicole Hansen
Assistant County Attorney, Cherie Clark

Payment Approval

Motion by Lee, second by Block, and unanimously carried to approve payment to Lake Region Healthcare, in the amount of \$132.55, for services provided under the provision of Minnesota Statute 609.35.

Fiscal Agent – Environmental Practices on Dairy Farms Project

Motion by Nelson, second by Froemming, and unanimously carried to authorize the Otter Tail County Auditor's office to serve as the fiscal agent for the Environmental Practices on Dairy Farms project as funded by the Legislative Commission on Minnesota Resources. The agreement is between the Minnesota Milk Producers Association and the West Central Minnesota Dairy Initiative Program with Otter Tail County acting as fiscal agent for the Dairy Initiative program.

Application for Exempt Permit

Motion by Mosher, second by Block, and unanimously carried to approve, with no waiting period, the application for an exempt permit as submitted by Fergus Falls Chapter of Ducks Unlimited for an event which has been scheduled for Wednesday, August 28, 2002 at Elks Point in Dane Prairie Township.

Conveyance of Tax-Forfeited Property

Motion by Lee, second by Mosher, and unanimously carried to approve the City of Elizabeth's Application by a Governmental Subdivision for conveyance of the following described tax-forfeited lands for an authorized public use as described in the application on file with the County Auditor's office:

Elizabeth Original Plat
All of Block 7
Parcel 69-000-99-0021-002
Formerly owned by Clayton Jensen.

Payment Approval

Motion by Nelson, second by Froemming, and unanimously carried to approve payment to Moench Excavating, in the amount of \$15,974, for services provided to County Drainage System No. 53.

License Approvals

Motion by Froemming, second by Block, and unanimously carried to approve the following applications for license:

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|--|---------|
| Ronald J. Bina Galaxy Resort Dent, MN 56528 | Tobacco |
| Daniel Jacob Walvatne Main Street Gas and Goods Dalton, MN 56324 | Tobacco |
| Gerald Michael Schultz Ten Mile Lake Resort and Steakhouse Inc. Ten Mile Lake Resort, Inc. Dalton, MN 56324 | Tobacco |
| Verle Blaha Thumper Pond, Inc. Ottetail, MN 56571 | Tobacco |
| Joseph Koep Koep's Clitherall, MN 56524 | Tobacco |

Petition Presented Regarding the Little McDonald (Kerbs) & Paul LID

County Auditor, Wayne Stein, reported that he received a petition on Thursday, July 25, 2002, for a referendum to have a democratic vote of all property owners to ratify a three Lake Improvement District for Little McDonald, Paul, and Kerbs Lake. The format of the petition complies with requirements and it appears that the petition contains 26% of the property owners. However, the base list and signatures need to be verified before a final determination can be made. If the petition is valid, the County Board would need to order a special election. Lengthy discussion followed regarding who has the right to vote and the requirement that the vote be held in July or August.

Motion by Lee, second by Nelson, to authorize the County Auditor to proceed with setting up a referendum for vote subject to the petition being verified that it contains the required signatures (26%) of the property owners in the proposed Little McDonald (Kerbs) and Paul Lakes Improvement District. Discussion followed. Commissioner Lee withdrew the motion. Motion by Lee, second by Block, to request the County Auditor to verify the petition, and if the petition is valid, delay the referendum for vote until July of 2003 because the timelines are too restrictive to meet all requirements of an election during the month of August, 2002.

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|-----------------------|-----------|-----|
| Commission District 5 | Block | Yea |
| Commission District 2 | Lee | Yea |
| Commission District 1 | Nelson | Nay |
| Commission District 4 | Froemming | Yea |
| Commission District 3 | Mosher | Nay |

Motion passed 3-2.

Final Payment – S.A.P. 56-645-08

Motion by Block, second by Froemming, and unanimously carried to approve final payment per Estimate No. 3, in the amount of \$13,948.95, payable to Riley Bros. Construction Inc. for culvert replacement, S.A.P. 56-645-08.

Design Work for CSAH 12

Highway Engineer, Rick West, reported that the level of Johnson Lake is up and the water is 4-5 ft. into the westbound lane on CSAH No. 12 west and east of Dalton. He requested authority to proceed with design work for a grade raise in that area. There is no outlet for Johnson Lake. Motion by Mosher, second by Lee, and unanimously carried to authorize the Highway Engineer to proceed with the plan and design for a grade raise project on CSAH No. 12 by Johnson Lake.

County Highway No. 33

Motion by Mosher, second by Lee, and unanimously carried to proceed with the previous plan to install a pipe at Indian Lake to lower the water level. The estimated cost of the project (\$10,000 - \$12,000) will be paid from Highway funds to potentially prevent a grade raise project on County Highway No. 33 at an approximate cost of \$250,000.

**Closed to the Public – Performance Evaluation
Recess & Reconvene**

At 12:10 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners closed to the public for the purpose of evaluating the performance of GIS Database Coordinator, Sherry Leabo, pursuant to M.S. §471.705 Subd. 1d(d). Commissioners Block, Froemming, Mosher, Lee, and Nelson were present for the evaluation. A summary of performance conclusions will be provided at the next regular County Board meeting. At 12:30 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:30 p.m. with all five seated commissioners present.

Reclassification Request

Motion by Lee, second by Mosher, and unanimously carried to approve the reclassification of Job No. 2330, Assistant Jail Administrator, and the corresponding change in compensation from a Grade 16 to Grade 19 as recommended by MAXIMUS.

Federal Equitable Sharing Agreement

Motion by Lee, second by Froemming, and unanimously carried to authorize the Chair's signature to execute the Federal Equitable Sharing Agreement, which is valid through September 30, 2005.

**Resolution Authorizing Execution of Agreement
Otter Tail County Resolution No. 2002 - 46**

Commissioner Nelson offered the following and moved its adoption:

BE IT RESOLVED that the Otter Tail County Sheriff's Office enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety, for the project entitled SAFE & SOBER COMMUNITIES during the period from October 1, 2002, through September 30, 2003.

Gary A. Nelson, Sheriff of Otter Tail County, is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Otter Tail County Sheriff's Office.

BE IT FURTHER RESOLVED that the Chief of the Fergus Falls Police Department is hereby authorized to be the fiscal agent and administer this grant on behalf of the Otter Tail County Sheriff's Office.

Commissioner Froemming seconded the motion and upon being put to a vote, the resolution was unanimously adopted.

Adopted at Fergus Falls, Minnesota, this 30th day of July, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: _____ By: _____
Larry Krohn, Clerk Dennis R. Mosher, County Board Chair

Performance Evaluation Summary

Chairman Mosher stated that the performance evaluation summary of MIS Director, Tim Brand, is accepted as satisfactory subject to some area for improvement. He directed that the summary be placed in Mr. Brand's personnel file.

Human Services/County Board Meeting Location Changed

Motion by Lee, second by Block, and unanimously carried to schedule the Otter Tail County Human Services and County Board meeting on August 13, 2002, at the County's New York Mills building.

Adjournment

At 2:00 p.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, August 6, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: _____ By: _____
Larry Krohn, Clerk Dennis R. Mosher, County Board Chair