

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Otter Tail County Courthouse  
Commissioners' Room, Floor 1-B  
Tuesday, September 10, 2002  
9:30 a.m.**

**Call to Order**

The Otter Tail County Human Services Board convened Tuesday, September 10, 2002, at 9:30 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 Froemming, second by Mosher, and unanimously carried to approve the Human Services agenda of September 10, 2002, as mailed.

**Approval of Minutes**

Motion by Block, second by Nelson, and unanimously carried to approve the Human Services Board minutes of August 27, 2002, as mailed.

**West Central Regional Juvenile Center**

Court Services Director, Chuck Kitzman, provided a handout and briefing regarding the recent WCRJC Advisory Board meeting.

**Discussion – Aging Issues**

Aging Coordinator, Lyle Hoxtell, presented a packet of information entitled "Aging and Smart Growth". He stated that the article discusses community in the sense of zoning, building, and transportation and how these issues interact. He stated that seniors' healthiness depends on transportation. Mr. Hoxtell submitted recommendations for membership for a proposed Transportation Task Force. By consensus, commissioners requested that the current Long Range Planning Task Force members meet to discuss transportation issues in Otter Tail County.

**Dog Bite Findings**

Motion by Nelson, second by Froemming, and carried with Mosher abstaining, to authorize the Chair's signature to execute the Order of Findings and Fact regarding the dog named Snickers owned by Daniel & Tracy Hanson.

**Tobacco Reduction Grant**

Motion by Mosher, second by Froemming, and unanimously carried to authorize Commissioners Bob Block and Syd Nelson to sign a contract between the Otter Tail Family Services Collaborative and the Minnesota State Department of Health for execution of the Tobacco Use Reduction Grant.

**Health Insurance Portability and Accountability Act**

Public Health Director, Diane Thorson, discussed federal legislation known as HIPAA. HIPAA legislation is intended to streamline and standardize the health care industry when storing, transferring, and/or exchanging medical data.

**Minnesota Merit System**

Human Services Director, John Dinsmore, reported that the State Department of Human Services is phasing out the Merit System. There are currently 75 counties still utilizing this system to fill

Human Services job positions. An individual County can become a Merit Certified County. Mr. Dinsmore and the Personnel Committee support Otter Tail County in seeking Merit Certification. County Coordinator, Larry Krohn, reported that Otter Tail County is very close to compliance with the Merit System checklist and the hiring process will become more streamlined and simplified.

#### **Approval of Contracts**

Motion by Mosher, second by Block, and unanimously carried to authorize the Chair's signature to execute a Host County Contract between Peaceful Solutions and Otter Tail County Social Services for the period of August 1, 2002 through December 31, 2003 for family/group decision making services. The Family Decisions Collaborative of the Northwest Host County Contract includes Becker, Clay, Otter Tail, Todd, Morrison, Crow Wing, Mahnomen Counties, and White Earth Tribe. The services are billed at \$50 per hour and funded through grant sources.

#### **Approval of Bills and Claims**

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

#### **Adjournment**

At 10:25 a.m., Chairman Lee declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, September 24, 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, September 10, 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 Nelson, second by Froemming, and unanimously carried to approve the County Board agenda of September 10, 2002, with the following additions:

- 11:45 a.m. – Greg Nelson for CUP Extension Request
- 1:30 p.m. – Mr. Barry & Mr. Bergem for Water Issue
- 1:35 p.m. – Tim Brand for Request for Approval of Bill
- 1:40 p.m. – Mike Hanan for Bid Awards
- Discussion - MN SWCD Meetings

#### **Approval of Minutes**

Motion by Lee, second by Block, and unanimously carried to approve the County Board minutes of September 3, 2002, as presented.

#### **Approval to Pay Bills**

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

**Discussion – Shoreland Management Ordinance**

Shallow Lake Property Owner, Joe Honrud, addressed the County Board relative to changing a legally licensed fishhouse to a shed/storage building. He also requested that the County Board consider changing the Shoreland Management Ordinance to allow an 8 x 10 structure or smaller without a site permit. Land & Resource Director, Bill Kalar, stated that he did not have a problem with converting a legally licensed fishhouse to a storage building and would assist Mr. Honrud with the request. Commissioners directed Mr. Honrud to give his suggestions for changes of the SMO to Mr. Kalar and he would convey the suggestions to the Planning Commission as the Board's recommending body for lakeshore management.

**Resource Conservation and Development**

RC & D Board member, Norm Fjestad, updated the County Board on several conservation projects in progress. He provided a brochure of the Glacial Ridge Project, the largest prairie restoration project in history.

**Adoption of Preliminary Budget and Levy  
Otter Tail County Resolution No. 2002 - 52**

Commissioner Nelson offered the following and moved its adoption:

Proposed Total Budget and Net Property Tax Levy for Payable 2003

	<u>Payable 2003</u>	<u>Payable 2002</u>	<u>Percent</u>
Gross County Property Tax Levy	18,725,265	18,177,316	3.01%
Gross Debt Levy			
Veteran Home Bonds	142,307	146,231	-2.68%
Government Services Bldg Bonds	512,197	0	100.00%
Total Gross County Property Tax Levy	19,379,769	18,323,547	5.76%
HACA Increase	2,828,511	2,799,216	1.05%
Net County Property Tax Levy	16,551,258	15,524,331	6.61%
Gross Lake Improvement District Property Tax Levy	50,000	168,000	-70.24%
Proposed Net Property Tax Levy	16,601,258	15,692,331	5.79%

WHEREAS, on or before September 16, 2002, Otter Tail County must adopt a proposed budget for fiscal year 2003 and must adopt and certify a proposed net property tax levy for payable 2003, and

WHEREAS, the Otter Tail County Budget Committee has held numerous committee meetings to consider and discuss the 2003 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 \$19,379,769 be adopted as the County's proposed gross property tax levy for the payable year 2003 representing a 5.76% increase over the gross property tax levy for the payable year 2002, and that the amount of \$16,551,258 be adopted as the County's proposed net property tax levy for the payable year 2003 representing a 6.61% increase over the net property tax levy for the payable year 2002:

And that,

The amount of \$50,000 be adopted as the County's proposed Lake Improvement District property tax levy for the payable year 2003, representing a 70.24% decrease from the Lake Improvement District property tax levy for the payable year 2002.

BE IT FURTHER RESOLVED, that the amount of \$63,500,000 be adopted as the County's proposed budget for the General Fund, for the Budgeted Special Revenue Funds and for the Budgeted Debt Service fund for the fiscal year 2003.

(Attachment B – Official Minutes)

Commissioner Lee seconded the motion. Chair Mosher called for a roll call vote:

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

Adopted at Fergus Falls, Minnesota, this 10<sup>th</sup> day of September, 2002.

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

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

**Truth In Taxation Hearing Date**

Motion by Froemming, second by Block, and unanimously carried to set the Truth In Taxation Hearing for 7:00 p.m. on Thursday, December 5, 2002.

**Approval of Payments**

Motion by Lee, second by Froemming, and unanimously carried to approve payment to Lake Region Healthcare, in the amount of \$450.00, for services provided under the provision of Minnesota Statutes 609.35.

Motion by Block, second by Froemming, and unanimously carried to approve payment to KA-Boom Explosive Demolition, in the amount of \$522.96, for the removal of beaver dams from County Drainage System No. 11.

**Approval of Exempt Permit**

Motion by Block, second by Froemming, and unanimously carried to approve, with no waiting period, the Rocky Mountain Elk Foundation's Application for Exempt Permit for an event scheduled for September 28, 2002, at the Pier.

**Extend Condition for Conditional Use Permit #5968**

Developer, Greg Nelson, of Superior Lakeside, requested an extension to perform earthwork to complete two retaining walls and haul in rock for rip rapping in the spring. Motion by Froemming, second by Lee, and unanimously carried to extend the condition for earthwork for 30 days (until 10/01/02) for CUP #5968, Matt & Brenda Hobbs on Pickeral Lake. All other conditions of the permit remain the same.

**Recess & Reconvene**

At 12:05 p.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:02 p.m. with Commissioner Froemming absent for the remainder of the meeting.

**Resolution in Support of  
2002 Comprehensive Economic Development Strategy  
for West Central Minnesota  
Otter Tail County Resolution No. 2002 - 53**

Commissioner Lee offered the following and moved its adoption:

**WHEREAS**, West Central Initiative has prepared a Comprehensive Economic Development Strategy (CEDS) for the region containing Becker, Clay, Douglas, Grant, Otter Tail, Pope, Stevens, Traverse, and Wilkin Counties of Minnesota (West Central Minnesota); and

**WHEREAS**, The CEDS contains analysis, economic data, economic development projects, and goals and objectives for the betterment of the region; and

**WHEREAS**, Availability of an approved CEDS and related annual updates are a condition for qualifying for grants for local economic development projects from the Economic Development Administration of the U.S. Department of Commerce; and

**NOW, THEREFORE, BE IT RESOLVED**, That the Board of County Commissioners of Otter Tail County, Minnesota, approves the 2002 Comprehensive Economic Development Strategy for West Central Minnesota.

Commissioner Nelson seconded the motion and upon being put to vote, the resolution was adopted.

Adopted at Fergus Falls, Minnesota, this 10<sup>th</sup> day of September, 2002.

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

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

**West Central Initiative Briefing**

WCI Community Development Director, Mike Schreiner, Donor Relations Director, Kim Embretson, and WCI Board Member, Dave Weaklend, briefed the County Board regarding the economic development initiatives in process the past 12 months. They provided many brochures outlining the programs and thanked Otter Tail County for the past 16 years of support to the organization.

**Excavation & Foundation Package – Government Services Center**

After previously advertising for bids, Physical Plant Manager, Rick Sytsma, opened the following bids for Excavation and Foundation Package 2B and 3A on Wednesday, September 4, 2002:

All Building Corporation	\$224,400.00
Comstock Construction, Inc.	\$279,900.00

Motion by Block, second by Nelson, and unanimously carried to award the bid for Excavation and Foundation Packages 2B and 3A for the Government Services Center Building to the low bidder, All Building Corporation, in the amount of \$224,400.

**Discussion – Water Issue**

Dead Lake Township Officer, Hilary Barry, and Marion Lake Property Owner, Gary Bergem, requested assistance to proceed with a plan for water drainage before blacktopping occurs on the township road near Mr. Bergem's property. Highway Engineer, Rick West, stated that his department would assist by measuring some elevations this week.

**Approval to Purchase Software Licenses**

Motion by Nelson, second by Lee, and unanimously carried to revoke the motion of July 16, 2002, which authorized payment for microsoft office professional licenses and replace the authorization to purchase 350 microsoft office xp professional licenses from Software House International, Inc., in the amount of \$97,959.00 per the state contract.

**Bid Awards – Recycling Center Equipment**

After previously advertising for bids, Solid Waste Director, Mike Hanan, opened the following bids:

Recycling Trucks:

<u>Company/Bidder</u>	<u>Model</u>	<u>Engine</u>	<u>Price</u>
Wallwork Truck	Sterling LT 9513	MBE 4000 370 @ 2000 RPM	\$66,871.00
Lakeland Truck Center	Sterling LT 9513	MBE 4000 370 @ 2000 RPM	\$67,962.00
Fargo Freightliner	Freightliner FL 112	MBE 4000 370 @ 2000 RPM	\$69,461.24
Nelson International	International 7600	Cummins 370 @ 2100	\$74,826.00
Hall Truck Center	Volvo VHD64B200	VE D12-395 395 @ 2100	\$75,551.00
Wallwork Truck	Sterling LT 9513	CAT C-12 380 @ 2100	\$75,832.00

Motion by Block, second by Lee, and unanimously carried to award the bid for purchase of two Recycling Trucks from Hall Truck Center, at a purchase price of \$151,102.00 (plus tax). The Hall Truck Center bid was accepted because the other bids did not meet all bid specifications.

Hooks:

<u>Company/Bidder</u>	<u>Model</u>	<u>Size</u>	<u>Price</u>
Sanitation Products	Galbreath	US-HK 200	\$24,144.00
Olympic Sales, Inc.	Ampliroll	160/1700	\$24,396.00
Northern Truck	K-PAC	KP 625	\$25,593.00

Motion by Nelson, second by Lee, and unanimously carried to award the bid for purchase of two Hooks from Olympic Sales, Inc., at a purchase price of \$48,792.00 (plus tax). The Olympic Sales Inc. bid complied with all bid specifications.

Trailers:

<u>Company/Bidder</u>	<u>Manufacturer</u>	<u>Size</u>	<u>Price</u>
Felling Trailer	Felling	FT-40 (s)	\$16,825.00
Olympic Sales, Inc.	Great Lakes	SR 2440	\$17,000.00
Sanitation Products	Galbreath	SP2A	\$17,380.00
Northern Truck Equipment	Great Lakes	SR 2440	\$17,765.00

Motion by Lee, second by Block, and unanimously carried to award the bid for purchase of two Trailers from Olympic Sales, Inc., at a purchase price of \$34,000.00 (plus tax). The Olympic Sales Inc. bid complied with all bid specifications and provided references.

Open Top Containers:

<u>Company/Bidder</u>	<u>Manufacturer</u>	<u>Size</u>	<u>Price</u>
Rayfo		R3020R50FRA	\$2,375.00
Sanitation Products	Galbreath	R2066-1	\$2,774.00
Northern Truck	Nedland	30 yard	\$2,860.00
Olympic Sales	Beaver-Built	ROC-2066 30 yd	\$2,900.00
Pro Tainer	Pro-Tainer	OT 20-30	\$3,100.00

Motion by Nelson, second by Block, and unanimously carried to award the bid for purchase of four Open Top Containers/Boxes from the low bidder, Rayfo, at a purchase price of \$9,500.00 (plus tax).

Compartmentalized Containers:

<u>Company/Bidder</u>	<u>Manufacturer</u>	<u>Size</u>	<u>Price</u>
Olympic Sales, Inc.	Reaver-Built	RCL – 2404 – 32 yd	\$4,100.00
Rayfo		RB2436DSTYLE	\$4,293.00
Olympic Sales, Inc.	Beaver-Built	RCL – 2404 – 40 yd	\$4,300.00
Sanitation Products	Galbreath	RCA 2436	\$4,915.00
Pro-Tainer	Pro-Tainer	PRD24 – 39	\$4,800.00
Northern Truck	Nedland	24' Recycling	\$5,010.00

Motion by Lee, second by Block, and unanimously carried to award the bid for purchase of 36 Compartmentalized Containers/Boxes from Rayfo, at a purchase price of \$154,546.00 (plus tax). The Rayfo bid met all bid specifications.

Used Equipment Bids:

<u>Bid Package</u>	<u>Lucken, Inc.</u>	<u>Denzel's</u>
Package #1	\$11,500.00	
Package #2	6,500.00	\$3,850.00
Package #3 (containers)	20,500.00	1,650.00

Motion by Block, second by Lee, and unanimously carried to authorize the Solid Waste Director to sell Used Recycling Equipment as described above, to the highest bidder, Lucken, Inc., in the amount of \$38,500 (plus tax).

**Correspondence**

Chairman Mosher acknowledged a letter from the MPCA regarding the acceptance of the Northeast Landfill into the Closed Landfill Program.

**Approve Petition to Bureau of Mediation Services**

Motion by Lee, second by Nelson, and unanimously carried to authorize the Chair's signature to execute petitions (Memoranda of Understanding) to be sent to the BMS to determine if the following job classifications are covered by existing bargaining unit contracts:

Court Security Officer (job class 2312)  
STS CrewLeaders (job class 2328)

Patrol Deputy Union  
Detention Union

**Approve Agreement with Jail Administrator**

Motion by Mosher, second by Nelson, and unanimously carried to authorize an agreement between the County of Otter Tail and Jail Administrator, Richard Akerman, that exempts Mr. Akerman from the union with a "pass back-in" provision. The agreement is effective October 1, 2002.

**Post Employment Health Plan**

Motion by Block, second by Lee, and unanimously carried to authorize the Chair's signature to execute a Memorandum of Understanding between the County of Otter Tail and Minnesota Teamsters Public and Law Enforcement Employees' Union, Local No. 320 (Social Workers' Unit). This Memo of Understanding authorizes the Post Retirement Health Insurance Plan through the Minnesota State Retirement System.

**Adjournment**

At 2:26 p.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, September 17, 2002.

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

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