

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, 500 Fir Ave W.
Tuesday, October 7, 2003
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, October 7, 2003, at 9:30 a.m. at the Otter Tail County Government Services Center 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 Block, and unanimously carried to approve the County Board agenda of October 7, 2003, with the following addition:

10:55 a.m. – Land & Resource Director, CUP Extension Request

Approval of Minutes

Motion by Nelson, second by Block, and unanimously carried to approve the County Board minutes of September 23, 2003, as mailed.

Approval to Pay Bills

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

Ruttgers Bay Lake Lodge

Sheriff, Brian Schluetter
Detention Administrator, Richard Akerman
Assistant Detention Administrator, Allan Keller
Detention Officer Team Leaders, Tina Tungseth,
Anne Mueller, Jill Kluck, & Jack Dawkins

Bid Award – S.A.P. 56-688-03

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids at 1:00 p.m. on September 24, 2003, for S.A.P. 56-688-03 (Culvert Replacement, Rubblization, & Bituminous Surfacing):

Mark Sand & Gravel Company Fergus Falls, MN	\$1,063,751.58
Northstar Materials, Inc. Bemidji, MN	\$1,367,214.95
Central Specialties, Inc Alexandria, MN	\$1,410,359.03

Motion by Mosher, second by Froemming, and unanimously carried to award S.A.P. 56-688-03 to the low bidder, Mark Sand & Gravel Co., in the amount of \$1,063,751.58.

Approval of Contract for Salt/Sand Storage Building

Motion by Nelson, second by Froemming, and unanimously carried to authorize the Chair's signature to execute the contract between the County of Otter Tail and Greystone

Construction Company for completion of the Salt/Sand Storage Building at the County Garage in New York Mills, MN.

Ditch Cleanouts

Motion by Nelson, second by Mosher, and unanimously carried to authorize the Chair's signature to execute an agreement between the County of Otter Tail and Doug Dahlen for a ditch cleanout on County Highway 110 in Section 27 of Aastad Township

Motion by Nelson, second by Mosher, and unanimously carried to authorize the Chair's signature to execute an agreement between the County of Otter Tail and the City of New York Mills for a ditch cleanout on CH No. 84 in Section 7 of Newton Township.

Final Payment – C.P. 02:SC, 2002 Countywide Seal Coat

Motion by Froemming, second by Mosher, and unanimously carried to approve final payment pursuant to Estimate No. 6, in the amount of \$52,681.10, payable to Morris Sealcoat & Trucking for 2002 Countywide Seal Coat work.

Tax Forfeited Property – Dane Prairie Township

The County Board discussed a letter received by Dennis Tuel Sr. regarding a request to remove signposts on tax delinquent property at County Road 82 and Big Chief Road in Dane Prairie Township. Mr. West will work with County Auditor, Wayne Stein, relative to Mr. Tuel's written request.

Request to Sell Fiberoptics

MIS Director, Tim Brand, requested authority to sell ownership of the County fiberoptics between the 121 West Washington building and the Courthouse. This fiber and cable is no longer useful to Otter Tail County because the County does not occupy the 121 Washington Avenue building. Otter Tail Telcom can use this infrastructure to link two areas together. Motion by Block, second by Lee, and unanimously carried to sell the existing 12 strand fiber and 100 pair copper cable between the Courthouse and 121 W. Washington building to Otter Tail TelCom for \$2,000. There is no value for this fiber optic usage for any other entity.

Recycling Equipment Purchase

Motion by Lee, second by Froemming, and unanimously carried to authorize the purchase of two recycling trucks (one hook truck & one packer truck) at the 2003 bid price of \$75,551.00 each, one hook lift at \$24,396.11, open top containers at \$2,375.00 each, and 20 cardboard containers at \$1,115.00 each for a total purchase price of \$223,923.00. The Board authorized the Solid Waste Director to use \$87,558.00 that was unexpended from the 2003 budget and additionally, \$165,000.00 budgeted in the 2004 budget. The successful 2003 bidders/vendors are as follows:

Recycling Trucks	Hall GMC
Open Top Containers	Rayfo
Cardboard Containers	Pro Tainer
Hook	Olympic Sales

Recess & Reconvene

At 10:26 a.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 10:33 a.m.

Credit Card Request

Motion by Lee, second by Mosher, and unanimously carried to increase Safety & Emergency Services Director's credit card maximum from \$500 to \$1,000.

Payments Approved

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

Motion by Lee, second by Mosher, and unanimously carried to approve payment to the Department of Natural Resources, in the amount of \$200.25, for a DNR Water Permit Application Fee for work on County Ditch No. 21.

Motion by Froemming, second by Mosher, and unanimously carried to approve payment to Bob's Septic Service, in the amount of \$120.00 for work completed on County Ditch No. 68.

Approval to Fill Existing Position

Motion by Mosher, second by Lee, and unanimously carried to authorize the Auditor to proceed with hiring procedures to fill the position of Payroll/Grant Specialist in the Auditor's office, as recommended by the Personnel Committee.

Sale of County Property

Motion by Froemming, second by Nelson, and unanimously carried to authorize the sale of the following described property:

Beginning at a point 230' East of the Southwest corner of Government Lot 4, Section 23, Township 131 North, Range 37 West; running thence North 180'; thence East 180'; thence South 180'; thence West 180'; to the point of beginning, containing $\frac{3}{4}$ of an acre more or less.

Liquor License

Motion by Lee, second by Nelson, and unanimously carried to approve the following application for licenses:

Huckelberrys
Dent, MN 56528

Off-Sale 3.2 Malt Liquor
On-Sale Intoxicating Liquor
Tobacco
On-Sale Sunday Liquor

The licenses are subject to the following: 1) township approval, 2) the submission of the required insurance certificate and, 3) the submission of the appropriate fees.

Premise Permit

Otter Tail County Resolution No. 2003 - 60

Commissioner Lee offered the following and moved its adoption:

WHEREAS, the responsibility for the regulation of lawful gambling and the issuance of licenses and permits for the conduct of lawful gambling lies with the Minnesota Gambling Control Board; and

WHEREAS, the National Multiple Sclerosis Society, Minneapolis, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at the Trackside Lounge, in Compton Township of Otter Tail County; and

WHEREAS, Minnesota Statute 349.213 provides that the Gambling Control Board may not issue a premise permit unless they receive a resolution from the Otter Tail County Board of Commissioners approving the application for a permit; and

WHEREAS, the Otter Tail County Board of Commissioners is aware of no reason to oppose the conduct of lawful gambling by the National Multiple Sclerosis Society, Minneapolis, MN, at the Trackside Lounge, in Compton Township of Otter Tail County.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners hereby approves the conduct of lawful gambling by the National Multiple Sclerosis Society, Minneapolis, MN, at the Trackside Lounge, in Compton Township of Otter Tail County, provided the applicant meets all the necessary criteria for the licenses and permits as required by the Gambling Control Board.

IT IS FURTHER RESOLVED, that notice of this application and approval shall be provided to the Township of Compton by sending them a copy of this resolution.

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

Adopted this 7th day of October, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

**Premise Permit
Otter Tail County Resolution No. 2003 - 61**

Commissioner Lee offered the following and moved its adoption:

WHEREAS, the responsibility for the regulation of lawful gambling and the issuance of licenses and permits for the conduct of lawful gambling lies with the Minnesota Gambling Control Board; and

WHEREAS, the Elizabeth Firemen's Relief Association, Elizabeth, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at Ye Olde School House, in Friberg Township of Otter Tail County; and

WHEREAS, Minnesota Statute 349.213 provides that the Gambling Control Board may not issue a premise permit unless they receive a resolution from the Otter Tail County Board of Commissioners approving the application for a permit; and

WHEREAS, the Otter Tail County Board of Commissioners is aware of no reason to oppose the conduct of lawful gambling by the Elizabeth Firemen's Relief Association, Elizabeth, MN, at Ye Olde School House, in Friberg Township of Otter Tail County.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners hereby approves the conduct of lawful gambling by the Elizabeth Firemen's Relief Association, Elizabeth, MN, at Ye Olde School House, in Friberg Township of Otter Tail County, provided the applicant meets all the necessary criteria for the licenses and permits as required by the Gambling Control Board.

IT IS FURTHER RESOLVED, that notice of this application and approval shall be provided to the Township of Friberg by sending them a copy of this resolution.

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

Adopted this 7th day of October, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

Approval of Final Payments for GSC Building

Motion by Block, second by Lee, and unanimously carried to authorize final payment to Twell Environmental, Inc., in the amount of \$35,009.80, for removal of asbestos at the Government Services Center building.

Motion by Mosher, second by Froemming, and unanimously carried to authorize final payment, to Shultz Torgerson Architects, in the amount of \$1,200, for professional services.

Motion by Mosher, second by Froemming, and unanimously carried to authorize final payment, in the amount of \$899.25, payable to Ellenson Caulking of Fargo, ND, for caulking work on the exterior of the GSC building.

Conditional Use Permit Extension Request

Motion by Mosher, second by Nelson, and unanimously carried to authorize an extension until November 15, 2003, for the CUP for Blue Gill Bay Estates on Sewell Lake to build the road.

**Closed to the Public
Meeting Recessed & Reconvened**

At 11:00 a.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies. All seated Commissioners were present along with the County Coordinator, County Attorney, Human Services Director, and Board Secretary. At 11:36 a.m., Chairman Lee declared the meeting recessed for a Personnel Committee meeting and lunch break. The meeting of the Otter Tail County Board of Commissioners was reconvened in open session at 1:00 p.m. with Commissioner Mosher absent.

Approval to Replace Existing Positions

Motion by Lee, second by Block, and unanimously carried to authorize the Detention Facility Administrator to proceed with appropriate hiring procedures to replace two full time Detention Officer positions and to hire some part time Detention Officers from the eligibility list as recommended by the Personnel Committee.

National 4-H Week

4-H members, Lacey Hendrickx and Donny Streeter, discussed 4-H programs and requested continued support for 4-H from the County Board. Ms. Hendrickx read the following 4-H Proclamation:

**National 4-H Week Proclamation
Otter Tail County Resolution No. 2003 - 62**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, social problems concern our nation and threaten its future; and

WHEREAS, connecting youth and adults to work together through volunteer service can bridge the differences that separate people and help solve problems; and

WHEREAS, more than 6.5 million youth touch and enhance the lives of others during National 4-H Week and throughout the year by doing good, by giving where there is a need, rebuilding what had been torn down, teaching where there was a desire to learn and inspiring those who had lost hope; and,

WHEREAS, 4-H, 4-H youth, volunteers, and Extension staff have joined to promote a week of national, collaborated volunteer community service; and,

WHEREAS, volunteer community service is an investment in the future we all must share;

NOW, THEREFORE, I, Malcolm Lee, Otter Tail County Board of Commissioners' Chairman, do hereby proclaim:

October 5 – 11, 2003

**National 4-H Week
In
Otter Tail County**

and urge my fellow citizens to observe this week by connecting with youth, friends, fellow employees, and relatives, and with school, community, and civic groups to engage in projects benefiting their community.

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

Adopted this 7th day of October, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

Adjournment

At 1:45 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, October 14, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk

CB/kd