

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, 500 Fir Ave. W.  
Commissioners' Room  
Tuesday, April, 13, 2004  
9:30 a.m.**

**Call to Order**

The Otter Tail County Human Services Board convened Tuesday, April 13, 2004, at 9:31 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Bob Block, Vice-Chair; Roger Froemming, Dennis Mosher, and Malcolm Lee present.

**Approval of Agenda**

Motion by Froemming, second by Mosher, and unanimously carried to approve the Human Services agenda of April 13, 2004, as mailed.

**Approval of Minutes**

Motion by Mosher, second by Lee, and unanimously carried to approve the Human Services Board minutes of March 23, 2004, as mailed.

**West Central Regional Juvenile Center**

Court Services Director, Chuck Kitzman, and Chairman Nelson, reported on a recent WCRJC Advisory Board meeting. The meeting began with a review of the financial situation at the center, which has improved and will continue to be monitored. Discussion took place regarding a member County, who may not be following the terms of the agreement. The Director of the WCRJC will correspond with the member County to resolve the issue. The next meeting is scheduled on August 26, 2004.

**Minnesota Department of Health Contract Approval**

Public Health Director, Diane Thorson, requested approval of a contract with the MDH to allow access to data from birth certificates through an Interactive Website. Motion by Block, second by Froemming, and carried with Lee and Mosher opposed, to authorize the appropriate County officials' signatures to execute the State of Minnesota Data Analysis Contract as requested by the Public Health Director.

**Meth Lab Ordinance Discussion**

Discussion took place regarding the proposed Otter Tail County Cleanup of Clandestine Drug Lab Sites Ordinance. Discussion included proposed Meth Lab legislation and how these lab sites would be handled without an adopted Ordinance. Ms. Thorson stated that she would handle Meth Lab sites on a case by case basis following the standards identified in the proposed Ordinance. Ms. Thorson will return to the County Board to request adoption after the legislative session is complete.

**Human Services 2003 Annual Report**

Human Services Director, John Dinsmore, presented the Human Services Annual Report for 2003. He reviewed the vision and philosophies of Human Services, the budget, and current programs. He indicated that 10.1% of Otter Tail County residents live at or below the poverty level including 1,726 children under 18. The state goals revolve around children's services. The largest Human Services expenditures are for Nursing Home and Medicare expenses.

**Detox Sliding Fee Schedule**

Motion by Froemming, second by Block, and unanimously carried to approve the Otter Tail County Detox Sliding Fee Schedule (dated 04-01-04) as presented.

**Human Services Contracts**

Motion by Mosher, second by Froemming, and unanimously carried to authorize the appropriate County officials' signatures to execute a contract between the County of Otter Tail and Otter Tail Wadena Community Action Council, Inc. The Contract provides for the Community Action Council to administer the Fathers Resource Program for the period of April 1, 2004 through March 31, 2005. The amount of the contract is \$105,882.00 with funding for the program from private and federal dollars.

Motion by Froemming, second by Block, and unanimously carried to authorize the Chair's signature to execute two Purchase of Service Agreements, between Otter Tail County and St. Williams Annex, for residential/assisted living services and for Adult Mental Health Services (Rule 36). The contracts are effective from January 1, 2004 through December 31, 2004.

Motion by Block, second by Mosher, and unanimously carried to authorize the Chair's signature to execute two Purchase of Service Agreements, between Otter Tail County and Lutheran Social Services, for supervised parent/child visitations and outpatient mental health services. The contracts are effective from January 1, 2004 through December 31, 2004.

**Bills & Claims**

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

**Adjournment**

At 10:40 a.m., Chairman Nelson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, April 27, 2004.

Dated: \_\_\_\_\_ OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: \_\_\_\_\_  
Sydney Nelson, Human Services Board Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

**Call to Order – County Board**

The Otter Tail County Board of Commissioners convened Tuesday, April 13, 2004, at 11:00 a.m. at the Otter Tail County Government Services Center with Commissioners Sydney Nelson, Chair; Bob Block, Vice-Chair; Dennis Mosher, Roger Froemming, and Malcolm Lee present.

**Approval of Agenda**

Motion by Block, second by Froemming, and unanimously carried to approve the County Board agenda of April 13, 2004, with the following changes:

Rescheduled - Personnel Committee Meeting  
Rescheduled - Solid Waste Director Performance Evaluation

**Approval of Minutes**

Motion by Lee, second by Mosher, and unanimously carried to approve the County Board minutes of April 6, 2004, as mailed.

**Approval to Pay Bills**

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

**Blue Heron Bay Conditional Use Permit Findings**

County Attorney, David Hauser, stated that an appeal has been made to the Supreme Court regarding the Conditional Use Permit for Blue Heron Bay. The Appellate Court issues an opinion, then there is a 30 day waiting period, during which time an appeal can be taken to the Supreme Court. Otter Tail County was premature in providing findings under the remand order of the Appellate Court before the 30 day waiting period had elapsed. He recommended withdrawal of those findings at this time. Motion by Lee, second by Mosher, and unanimously carried to rescind the motion of March 23, 2004, which adopted the Findings of Fact relative to the previous action to grant a Conditional Use Permit for the Blue Heron Bay project on Dead Lake.

**Approval of Final Plat**

Motion by Lee, second by Mosher, and unanimously carried to approve the Final Plat known as "Greens Isle View Addition", which is a 2-lot subdivision located in Section 9 of Maplewood Township on Lake Lida (56-747).

**Approval of Common Interest Community**

Motion by Lee, second by Froemming, and unanimously carried to approve the Common Interest Community known as "Oak Lodge Resort", which is a resort conversion located in Section 29 of Lida Township on Lake Lida (56-747).

**Conveyance of Tax Forfeited Land**

Motion by Mosher, second by Lee, and unanimously carried to approve, as submitted by the City of Underwood, the Application by a Government Subdivision for Conveyance of Tax Forfeited Lands for an Authorized Public Use for the following described property:

80-000-99-0215-000

City of Underwood's Burlington Northern Subdivision, Lot 1, Block 8

**Application for Game and Fish License Agent**

Motion by Lee, second by Mosher, and unanimously carried to authorize the Otter Tail County Auditor to submit, to the Minnesota Department of Natural Resources, an Application for Appointment, as Game and Fish License Agent for the period of July 1, 2004 through June 30, 2009.

**Payment & Agreement Approvals**

Motion by Nelson, second by Froemming, and unanimously carried to approve payment to the Otter Tail County Highway Department, in the amount of \$516.90, for services provided to Otter Tail County Drainage System No. 38.

Motion by Lee, second by Mosher, and unanimously carried to authorize the Chair and County Auditor's signature on the following grant agreements:

Annual County Boat and Water Safety Grant Agreement (\$44,238), and  
State of Minnesota Federal Boating Safety Supplement Grant Agreement (\$5,000)

Motion by Nelson, second by Block, and unanimously carried to authorize the County Auditor's signature on the Right-of-Way Entry License, which will allow the Minnesota Pollution Control Agency, its agents, and employees, the right to enter tax forfeited property (located at the northwest corner of the intersection of Highway 84 and Future Homes Drive). The purpose of the agreement is for the MPCA to perform all the activities required to complete ground water monitoring, site reconnaissance, and subsurface investigation as outlined in a letter dated March 29, 2004 – Leak Number 13160, New York Mills.

**Tax Court Settlement**

Motion by Lee, second by Froemming, and unanimously carried to authorize the Chair's signature to execute a stipulation for tax court settlement for property owned in Fergus Falls by Westridge Mall Limited Partnership.

**Recess**

At 11:40 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners meeting recessed for lunch break.

**Local Water Management Update Public Hearing**

At 1:04 p.m., Chairman Nelson reconvened the County Board meeting with all commissioners present except Commissioner Dennis Mosher. Chairman Nelson opened the meeting as a Public Hearing for the Local Water Management Update. Approximately ten members of the public were present as well as several Soil & Water Conservation District (SWCD) and County officials. The draft Otter Tail County Local Water Management Plan dated June 30 2004 – June 30, 2009 was provided.

WOTSWCD Manager, Brad Mergens, reported that the process is to hold a Public Hearing on the Water Plan and consider comments. The plan is then presented to the Board of Water and Soil Resources (BWSR) within 60 days. After the BWSR approves the plan, the plan will be presented to the County Board for adoption and then implementation will begin.

Chairman Nelson opened the floor for questions and/or comments.

Discussion took place regarding testing for nitrates in the water, watersheds in the County and water quality testing.

Brad Mergens thanked the following Water Plan Committee members who volunteered their time to put the proposed Water Plan together:

Pete Waller, BWSR  
Terry Lejcher, DNR  
Bill Kalar, OTC Land & Resource Director  
Vic Petterson, Farmer

Bruce Brenden, Farmer  
John Matteson, COLA  
Deb Sazama, EOTSWCD  
Tim James, PCA

At 1:17 p.m., Chairman Nelson closed the Local Water Management Update Public Hearing.

**Charity Motorcycle Ride**

Bill Marts, representing the Prometheus M.C., presented information about the 19<sup>th</sup> Annual Charity Motorcycle Ride planned for June 25, 26, and 27, 2004. All proceeds go toward the Chahinkapa Park Zoo in Wahpeton, ND. Motion by Froemming, second by Block, and unanimously carried to waive the Shows & Exhibition Ordinance for this event subject to the approval of the Sheriff's Department.

**Adjournment**

At 1:26 p.m., a motion was offered by Froemming, seconded by Block, and unanimously carried to declare the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, April 20, 2004.

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

By: \_\_\_\_\_  
Sydney Nelson, County Board Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

CB/kd