

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, 500 Fir Ave. W.
Commissioners' Room
Tuesday, July 27, 2004
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, July 27, 2004, at 9:32 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Bob Block, Vice-Chair; Dennis Mosher, and Malcolm Lee present. Commissioner Roger Froemming was present at 9:45 a.m.

Approval of Agenda

Motion by Block, second by Mosher, and unanimously carried to approve the Human Services agenda of July 27, 2004, as mailed.

Approval of Minutes

Motion by Mosher, second by Block, and unanimously carried to approve the Human Services Board minutes of July 13, 2004, as mailed.

Grant Award

Court Services Director, Chuck Kitzman, reported that his department is receiving a \$10,000 federal grant for an eye scan drug screening machine and a laptop computer through the Minnesota Association of County Probation Officers (MACPO). The EyeCheck Pupilometer for drug screening is non-invasive, non-gender specific, eliminates privacy issues, and requires minimal training. MACPO will continue to access federal dollars for additional funding.

2004 Budget Revision

Public Health Director, Diane Thorson, presented a budget revision. She reported that the Public Health approved budget documents did not match with the budget auditing documents. Projected revenue decreased because some grants were not approved, approved tax allocation was more, and some fees needed to be reduced, for a total 2004 public health revenue/expense budget amount of \$1,582,639.00. There were also additional funding changes for Human Services and Court Services. Motion by Lee, second by Froemming, and unanimously carried to approve an increase in the Human Services 2004 budgeted expenditures by \$207,750.00 and to reduce the Human Services 2004 budgeted revenues by the same amount as shown in Attachment B of the official minutes. All Human Services budget revisions for 2004 are reflected in this document.

Human Services Budget Report

Human Services Director, John Dinsmore, provided a budget report for January 1, 2004 through June 30, 2004. Total Human Services expenses were reported at 49% with agency revenues reported at 46%.

Human Services Labor Management Committee

Mr. Dinsmore and Labor Management Committee Co-Chairs, Barb Dohrer and Jan Gudmundson, presented a review of the mission and membership of the Human Service LMC and accomplishments since beginning the work-site group in 2001.

Human Services Contracts

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute the following Purchase of Service Agreements for FY2005 which provide residential services, home plus, and foster care services to eligible persons receiving services under AC/EW or CADI or TBI programs:

Diane Bauer & Randy Bond	Mel & Mary Anne Frank
Karla & Richard Guldseth	Louis & Sonja Gunkel
Coleen Houge	Bob & Vicki Long
Darbi Moen	Gerald & Joy Synsteliën
Norm & Joy Westby	

Motion by Lee, second by Block, and unanimously carried to authorize the Chairman's signature to execute an Addendum to a contract between the County of Otter Tail and Lake Region Health Care Corporation to change the location where services are provided to the Mill Street Residence, Fergus Falls, MN, effective August 1, 2004.

Children's Justice Act Grant

Motion by Lee, second by Froemming, and unanimously carried to accept a grant award, in the amount of \$3,345, for the period of July 1, 2004 through June 30, 2005 from the federal government pertaining to the Children's Justice Act, Section 107(a) of the Child Abuse Prevention and Treatment Act.

Minnesota Association of County Social Service Administrators

Mr. Dinsmore briefed the County Board regarding information shared by the MACSSA group. The MACSSA group has been sharing information regarding the collaboratives, and because of the federal government applying a different formula to the LCTS dollars, there is anticipation that the collaborative (statewide) and Local Collaborative Time Study funding will decrease by 23% next year.

Approval of Human Services Bills & Claims

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

Adjournment

At 10:39 a.m., Chairman Nelson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, August 10, 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, July 27, 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 Lee, second by Mosher, and unanimously carried to approve the County Board agenda of July 27, 2004, as mailed.

Approval of Minutes

Motion by Froemming, second by Block, and unanimously carried to approve the County Board minutes of July 20, 2004, as mailed.

Approval to Pay Bills

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

Planning Commission Recommendations

Preliminary Plat – “Prairie West”/Marvin Hardekopf & Steve L. Schmidt:

Motion by Froemming, second by Lee, and unanimously carried to approve the Preliminary Plat known as “Prairie West” consisting of 4 lots with conditions as recommended by the Planning Commission. The property is described as Lot 1, Section 20 of Parkers Prairie Township; Clarno Lake (56-29).

Preliminary Plat & Conditional Use Permit – “The Palms of Lida”/David Forsgren & QS Inv.:

Motion by Lee, second by Mosher, and unanimously carried to deny the Preliminary Plat known as “The Palms of Lida” and a Conditional Use Permit to service the plat as recommended by the Planning Commission and for the reasons stated in the July 21, 2004, Planning Commission minutes. The property is described as Lots 1, 2 & NW¼ NW¼ ex platted & ex trs, Section 16 and NE¼ NE¼ ex 1.29 AC Hwy R/W & SW¼ NE¼ & Lot 1, Section 17 of Lida Township; Lake Lida (56-747).

Preliminary Plat – “Stockridge”/Ricky Stock:

Motion by Froemming, second by Block, and unanimously carried to approve the Preliminary Plat known as “Stockridge” consisting of 2 single family residential lots with a condition as recommended by the Planning Commission. The property is described as Pt GL 2 (4.49 Ac), Section 8 of Otter Tail Township; Otter Tail Lake (56-242) and Long Lake (56-210).

Preliminary Plat & Conditional Use Permit – “Waters Edge”/PAC Investment, Inc:

Motion by Mosher, second by Lee, and unanimously carried to approve the Preliminary Plat known as “Waters Edge” consisting of 4 lake lots as presented on a revised plat dated June 30, 2004, and recommended by the Planning Commission. The property is described as Sublot A & B of Government Lot 6, Section 21 of St. Olaf Township; Sewell Lake (56-408).

Conditional Use Permit – Elm Haven Resort/Jim & Evie Roehl:

Motion by Nelson, second by Mosher, and unanimously carried to approve a Conditional Use Permit to build an additional cabin and replace a garage on the Resort with a condition as recommended by the Planning Commission. The property is described as Pt GL 1 ... (1.04 AC), Section 26 of Rush Lake Township; Rush Lake (56-141).

Conditional Use Permit – Rollin & Julie Botts:

Motion by Mosher, second by Lee, and unanimously carried to approve a Conditional Use Permit to raise the grade of the lot to meet the level of adjacent lots with conditions as

recommended by the Planning Commission. The property is described as S ½ Lot 5 of Government Lot 3, Section 24 of Buse Township; Swan Lake (56-781).

Conditional Use Permit – Curtis E & Lisa J Malecha:

Motion by Lee, second by Block, and unanimously carried to approve a Conditional Use Permit to allow the fill approved on a previous CUP be taken from onsite with conditions as recommended by the Planning Commission. The property is described as GL 2 lying ELY & SLY of Foll Line...(Jewett Lake Resort, 18.61 AC), Section 24 of Elizabeth Township; Jewett Lake (56-877).

Conditional Use Permit – Greenwood Lake Aire Villas/Dennis & Dorothy Merchant:

Motion by Froemming, second by Mosher, and unanimously carried to approve a Conditional Use Permit to move a cabin temporarily and construct a basement. The property is described as Greenwood Lake Aire Villas, Condo #18, Lots 3 & 23 Bk 1, Section 29 of Otter Tail Township; Otter Tail Lake (56-242).

Conditional Use Permit – Dana Craig & Juanita Ann Rastedt:

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit for earthmoving to construct a road with conditions as recommended by the Planning Commission. The property is described as Pt GL 5, Tract G, Section 32 of Maplewood Township; Anderson Lake (56-716).

Conditional Use Permit – Three Lakes Resort/Ed & Kathy Thompson:

Motion by Block, second by Mosher, and unanimously carried to accept a letter from the applicant waiving the 60 day rule for a decision on the request. This CUP request was tabled by the Planning Commission. The property is described as Lots 53, 54, & 55 Deer Lake Retreat and that Pt of Lot 56 according to recorded plot, Section 6, Everts Township; Deer Lake (56-298).

Conditional Use Permit – Brant Klepel & B. Mouritsen:

Land & Resource Director, Bill Kalar, stated that the Planning Commission recommended denial of this CUP request for several reasons as cited in the minutes. Applicant, David Klepel, submitted a letter to the County Board asking for reconsideration of the reasons for the denial and to override the recommended denial of the Planning Commission. After review of the handout and affirmative action by the applicant to waive the 60 day rule, Commissioner Mosher offered a motion to send this CUP request back to the September 8, 2004, Planning Commission meeting. Neighboring property owners expressed concern regarding drainage and total impervious surface. Commissioner Froemming seconded the motion. Chairman Nelson called for a vote. Motion carried unanimously. The property is described as Lot 16 & Int in Lot 11 Timberlane Beach Rearrangement Life Estate to David & Ethel Klepel, Section 5 of Everts Township; Round Lake (56-297).

Conditional Use Permit – Mark & Judith Wedul:

Motion by Froemming, second by Block, and unanimously carried to approve a Conditional Use Permit to build a driveway with a condition as recommended by the Planning Commission. The property is described as Pt GL 2, Parcel F, Section 2 of Dead Lake Township; Marion Lake (56-243).

Cluster Development Moratorium Study

County Coordinator, Larry Krohn, submitted copies of a press release and advertisement for the four (4) Public Information Meetings that are scheduled in August throughout different areas of the County. The meetings will be for public input and the comment period will end September 30, 2004. Commissioners' consensus was to move forward with the ads and meetings.

Final Plats

Motion by Nelson, second by Lee, and unanimously carried to approve the Final Plat of Leone & Glen Rogers et al known as "McConachie Addition" located in GL 7 Section 27 of Hobart Township; Long Lake (56-388).

Motion by Nelson, second by Lee, and unanimously carried to approve the Final Plat of Ricky C. & Laura L. Heinle and Donald B. & Donna J. Meyer known as "Big Pine Haven First Addition" located in GL 4 of Section 22 of Pine Lake Township; Big Pine Lake (56-130).

Motion by Lee, second by Mosher, and unanimously carried to approve the Final Plat of Richard & Phyllis Gilbert known as "Lida West" located in GL 4 in Section 20 & 29 of Lida Township; Lake Lida (56-747).

Performance Evaluation

At 11:44 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners closed to the public for the purpose of evaluating the performance of MIS Director, Tim Brand, pursuant to M.S. Chapter 13D.05 Subd. 3. All five seated commissioners were present for the evaluation. A summary of performance conclusions will be provided at the next regular County Board meeting. At 12:05 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break.

Reconvene Meeting

At 1:07 p.m., Chairman Nelson reconvened the Otter Tail County Board of Commissioners' meeting for the remainder of the agenda items.

Wetland Easement

Motion by Lee, second by Mosher, and unanimously carried to certify the following acquisition of land by the U.S. Fish & Wildlife Service for waterfowl easement purposes:

Becker, Kevin J.

T. 131 N., R. 39 W, 5th P.M.

Section 2, Government Lot 3, except that part described as follows: Beginning at the northeast corner of said Government Lot 3, Section 2, Township 131 North, Range 39 West; thence due west along the northerly line of Government Lot 3 a distance of 560 feet; thence due south a distance of 422 feet; thence due east a distance of 560 feet more or less to the easterly line of said Government Lot 3; thence north along the easterly line of Government Lot 3 a distance of 422 feet, more or less to point of beginning.

Performance Evaluation Summary

Motion by Lee, second by Block, and unanimously carried to approve an excellent performance evaluation summary for GIS Coordinator, Sherry Leabo, as presented, and to direct that the summary is placed in her personnel file.

**Adoption and Implementation
After BWSR Approval
Otter Tail County Resolution No. 2004 - 37**

Commissioner Block offered the following and moved its adoption:

WHEREAS, the Otter Tail County Board of Commissioners has been notified by the Minnesota Board of Water and Soil Resources that the Otter Tail County Comprehensive Local Water Management Plan has been approved according to Minnesota Statutes Chapter 103B.301:

NOW, THEREFORE, BE IT RESOVED, the Otter Tail County Board of Commissioners hereby adopts and will begin implementation of its approved comprehensive water plan.

BE IT FURTHER RESOLVED, after the adoption of the local comprehensive water management plan, the Otter Tail County Board shall amend existing water and related land resources plans and official controls as necessary to conform them to the applicable and approved comprehensive water plan.

BE IT FURTHER RESOLVED, after the adoption of the local comprehensive water management plan, Otter Tail County shall notify local units of government within the County of the adoption of the plan or amendments to the plan. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the County Board for review.

BE IT FURTHER RESOLVED, Within 180 days, the Otter Tail County Board shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls, and local comprehensive water management plan. The Otter Tail County Board shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the local comprehensive water management plan.

BE IT FURTHER RESOLVED, if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the County's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

BE IT FURTHER RESOLVED, after receiving the recommendation of the Otter Tail County Board, or a resolution for an appeal, a local unit of government has 180 days to initiate revisions to its plan or official controls. The new revised plans and official controls must be submitted to the Otter Tail County Board for review and recommendations.

Commissioner Lee seconded the motion, and upon being put to a vote, was carried as follows:

Yea	<u>5</u>
Nay	<u>0</u>
Absent	<u>0</u>

Adopted and signed this 27th day of July 2004.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Sydney Nelson, County Board Chair

Attest: _____

Larry Krohn, Clerk

Planning of New Institutions

Detention Facility Administrator, Richard Akerman, provided information regarding Planning of New Institutions (PONI) from the National Institute of Corrections (NIC) Jails Division. Discussion followed. Motion by Lee, second by Mosher, and unanimously carried to authorize the Sheriff to submit an application to the NIC Jails Division to attend a Planning of New Institutions program in Longmont, Colorado October 18, 2004 through October 21, 2004. The following County employees are authorized to attend this program with the NIC paying travel and lodging expenses: Detention Administrator, Richard Akerman, Sheriff, Brian Schlueter, Physical Plant Manager, Rick Sytsma, & Commissioner Bob Block with Commissioner Roger Froemming named as an alternate.

Right to Know Program

Safety Director, Tiny Holm, requested authorization to present the annual Right to Know program this fall and include a speaker (approximately 2 hour program) on the topic of "Verbal Judo", dealing with customer conflict. Motion by Froemming, second by Lee, and unanimously carried to approve the annual program as presented. The program will be presented in conjunction with School District 544, City of Fergus Falls, and Lakes County Service Cooperative.

Household Hazardous Waste Contract

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute the Household Hazardous Waste Mobile Collection contract between the County of Otter Tail and the City of Battle Lake for a collection scheduled on August 17, 2004.

Application for Exempt Permit

Motion by Nelson, second by Mosher, and unanimously carried to approve, with no waiting period, the LG220 Application for Exempt Permit as submitted by the Perham Ducks Unlimited for an event scheduled for September 9, 2004, at the Sparetime Bar and Grill.

License Application

Motion by Lee, second by Mosher, and unanimously carried to approve the following application for a tobacco license:

The Club of Prairie Lake, Inc.
44086 US Highway 59
Pelican Rapids, MN 56572

Temporary Election Staff

Motion by Froemming, second by Block, and unanimously carried to authorize the Auditor to hire a temporary staff person to assist during the election process.

Adjournment

At 2:02 p.m., Chairman Nelson adjourned the meeting of the Otter Tail County Board of Commissioners until 9:30 a.m. on Tuesday, August 3, 2004.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Sydney Nelson, County Board Chair

Attest: _____
Larry Krohn, Clerk

CB/kd