

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center – 500 Fir Ave W.  
Tuesday, August 24, 2004  
9:30 a.m.**

**Call to Order**

The Otter Tail County Human Services Board convened Tuesday, August 24, 2004, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Bob Block, Vice-Chair; Dennis Mosher, Roger Froemming, and Malcolm Lee present.

**Approval of Agenda**

Motion by Lee, second by Block, and unanimously carried to approve the Human Services agenda of August 24, 2004, as mailed.

**Approval of Minutes**

Motion by Froemming, second by Lee, and unanimously carried to approve the Human Services Board minutes of August 10, 2004, as mailed.

**Approval to Fill Clerical Position**

Public Health Director, Diane Thorson, reported that one of the clerical positions in the Public Health Department will soon be vacant and she requested approval to fill the clerical position at 40 hours per week rather than the current 30 hours per week. Discussion followed regarding the need to fill some of the lost clerical hours and because the Associate Director position has not been filled, the 2005 budget objective should still be met. Motion by Mosher, second by Froemming and unanimously carried to authorize the vacated 30 hour per week clerical position to be filled as a 40 hour per week clerical position.

**Contract Approvals**

Motion by Lee, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute the following Human Services contracts for the period of July 1, 2004 through December 31, 2004:

Prairie Community Resources-Ironwood

Adult Mental Health Services – Residential Services/Homes Plus/Adult Foster Care services to eligible persons receiving AC/EW/CADI/or TBI services with emphasis to persons who have experienced serious and persistent mental illness.

Lutheran Social Service of Minnesota

Family Based Services (FBS) including Crisis FBS and Brief FBS, Family Resource Services and Professional Home-Based.

**Projects of Regional Significance - CCSA**

Human Services Director, John Dinsmore, presented a handout from the Department of Human Services and reported on Projects of Regional Significance under the Children and Community Services Act. MACSSA will be responding to this request for information to develop a Request for Proposal. Grant funding from reduced CCSA funds will be available for regional projects.

**Clandestine Drug Lab Sites Ordinance**

Public Health Director, Diane Thorson, and Sheriff, Brian Schlueter, requested a change in language in the draft Meth Lab Ordinance in Section 1.74 as follows: instead of the language "occupied" replace with the language "where people reside". Discussion followed. Because a Public Hearing has been held, a motion was offered by Commissioner Froemming, second by Commissioner Block, and unanimously carried to adopt the draft Cleanup of Clandestine Drug Lab Sites (Methamphetamine) Ordinance as attached to the official minutes as Attachment B.

**Lakeland Mental Health Center Programs**

LMHC Executive Director, Clair Prody, and Site Director, Bill Klein, reviewed programs and services provided by the Center for member counties including Becker, Clay, Grant, Otter Tail and Pope counties. Budgets for specific programs were also provided. They stressed the importance of the School District, County Human Services, and LMHC to work together collaboratively to provide needed services. They thanked the Commissioners and Human Services Department staff for their support.

**Approval of Human Services Bills & Claims**

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

**Adjournment**

At 10:51 a.m., Chairman Nelson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, September 14, 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, August 24, 2004, at 11:01 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 Froemming, second by Block, and unanimously carried to approve the County Board agenda of August 24, 2004, with the following addition:

1:40 p.m. – Highway Engineer, Rick West – Right of Way Plat

**Approval of Minutes**

Motion by Mosher, second by Lee, and unanimously carried to approve the County Board minutes of August 17, 2004, as presented.



unanimously carried to request that Otter Tail County's legislative representatives receive information from the County Coordinator regarding the impact to the County resulting from the State's reduced STO funding.

**Criminal Justice Planning Advisory Committee**

Motion by Lee, second by Mosher, and unanimously carried to approve the following membership/representatives to the Criminal Justice Planning Advisory Committee with per diems and mileage for meetings authorized for the general public positions only:

Judiciary	Public Defender
Court Administration	Court Services
County Coordinator	Facility Manager
Sheriff/Chief Deputy	Jail Administration
Jail Staff	State Probation Agency
County Attorney's Office	Fergus Falls Police Department
County Board Member	One Appointee from each Commissioner District

**County Board Meeting Schedule Change**

Motion by Mosher, second by Lee, and unanimously carried to reschedule the Board of Commissioners meeting of December 7, 2004, to Tuesday, November 30, 2004, to allow the Commissioners to attend the Annual AMC meeting the first week in December.

**Recess & Reconvene**

At 11:47 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:00 p.m.

**County Ditch No. 38 & County Ditch No. 11**

Ditch Inspector, Randy Wasvick, reported that he has received three quotations from contractors to complete the clean-out of Ditch No. 38. The estimates vary in price. Lengthy discussion followed. Mr. Wasvick will continue to research estimates for the project. Additionally, there are several beaver dams that need to be removed from the Ditch System. Motion by Nelson, second by Froemming and unanimously carried to authorize Brad Trosvig to remove beaver dams in County Ditch No. 38.

Mr. Wasvick reported that he has received a request for clean-out of Ditch No. 11. He has looked at the ditch and determined that it needs a clean-out. He stated that this ditch was last cleaned out in 1985. It is a two mile ditch, which is not a large project. Motion by Froemming, second by Lee, and unanimously carried to direct the Ditch Inspector to set-up an informational meeting regarding a clean-out proposal for County Ditch No. 11.

**Resolution Designating County State Aid Highway Location**  
**County State Aid Highway No. 74**  
**Otter Tail County Resolution No. 2004 - 39**

Upon a motion by Froemming, seconded by Block, and unanimously carried, the following resolution was adopted:

WHEREAS, it appears to the County Board of Commissioners of the County of Otter Tail that the highway right of way required for County State Aid Highway No. 74 under Project No. S. A.P. 56-674-02 should be accurately described and located by a highway right of way plat.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Commissioners of the County of Otter Tail that the Board of County Commissioners for the County of Otter Tail is hereby designating the definite location of County State Aid Highway No. 74 in Sections 14, 15, 16, and 23, Township 134 North, Range 41 West of the 5<sup>th</sup> Principal Meridian as shown on the 3 pages of OTTER TAIL COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 12.

Adopted at Fergus Falls, Minnesota, this 24<sup>th</sup> day of August, 2004.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Sydney Nelson, County Board Chair

Attest: \_\_\_\_\_

Larry Krohn, Clerk

**Premise Permit**

**Otter Tail County Resolution No. 2004 - 40**

Commissioner Mosher 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, VFW Post 612 Auxiliary, Fergus Falls, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at Elks Point, located at 20970 Elk Point Rd in Dane Prairie 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 VFW Post 612 Auxiliary, Fergus Falls, MN, at Elks Point, located at 20970 Elk Point Rd in Dane Prairie 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 VFW Post 612 Auxiliary, Fergus Falls, MN at Elks Point, located at 20970 Elk Point Rd in Dane Prairie 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 Dane Prairie by sending them a copy of this resolution.

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

Adopted and signed this 24<sup>th</sup> day of August, 2004.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

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

**Phelps Mill Foundation Repairs**

Motion by Mosher, second by Lee, and unanimously carried to approve payment, to be made from the Capital Improvement Fund, for the approved bid of All Building Corporation (\$52,220.00) for the purpose of making temporary repairs to the Foundation of the Mill at Phelps Mill Park. The budget for 2005 will include the amount of \$52,220.00 in order to reimburse the Capital Improvement Fund for such expenditures.

Motion by Froemming, second by Lee, and unanimously carried to authorize the Chairman's signature to execute the contract between the County of Otter Tail and All Building Corporation for the temporary foundation repairs at Phelps Mill, contingent upon the approval of the County Attorney.

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT**  
**Otter Tail County Resolution No. 2004-41**

Commissioner Lee offered the following and moved its adoption.

BE IT RESOLVED, that Otter Tail County enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety, for the project entitled SAFE & SOBER PROJECT during the period from October 1, 2004, through September 30, 2005.

The 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 and to be the fiscal agent and administer the grant.

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

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

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

**Re-appointment – Personnel Board of Appeals**

Motion by Block, second by Froemming, and unanimously carried to re-appoint Ed Thompson to the Otter Tail County Personnel Board of Appeals effective January 1, 2004, for a three-year term.

**Adjournment**

At 1:44 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, September 7, 2004.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

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

CB/kd