

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, 500 Fir Ave. W.  
Commissioners' Room  
Tuesday, April 5, 2005  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, April 5, 2005, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Bob Block; Chairman, Roger Froemming; Vice-Chair, Dennis Mosher, Malcolm Lee, and Syd Nelson present.

**Approval of Agenda**

Motion by Froemming, second by Lee, and unanimously carried to approve the County Board agenda of April 5, 2005, with the following additions:

1:20 – 1:40 p.m. – Detox Program Discussion  
1:40 p.m. – Closed Session, Attorney Client Privilege and  
Closed Session – Labor Negotiation Strategies

**Approval of Minutes**

Motion by Nelson, second by Mosher, and unanimously carried to approve the County Board minutes of March 22, 2005, as mailed.

**Approval to Pay Bills**

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

**Minnesota Counties Insurance Trust**

MCIT Account Executive, Bruce Underdahl, presented the MCIT 2005 Member Report for Otter Tail County. MCIT is a Joint Powers Entity with a Joint Powers Agreement signed by members agreeing to work together to jointly self insure losses and manage risk, specifically in the areas of Workers Compensation and Property/Casualty Insurance.

**4-H Update**

Regional Extension Educator, Donna Geiser, updated the County Board on 4-H Project Days and in conjunction with the most recent Project Day, a communications arts contest that was held. There are four categories of communication projects and four age divisions as well. A 4-H participant presented her Public Speaking piece to the County Board. County Board members expressed their appreciation for the opportunity to hear the excellent speech and encouraged her to continue with her obvious talent.

**Recess & Reconvene**

At 10:05 a.m., Chairman Block declared the Otter Tail County Board of Commissioners recessed for a Personnel Committee Meeting. The Board of Commissioners meeting was reconvened at 10:25 a.m.

**Detention Facility Staffing**

Detention Facility Administrator, Richard Akerman, presented a handout with rationale for staffing changes including a request for four additional full time Corrections Officers. After discussion and comparisons to other similar jail facilities, the following motions were made:

Motion by Mosher, second by Nelson, and unanimously carried to approve replacement of a full time Corrections Officer for a position changing from full time to part time effective April 13, 2005.

Motion by Mosher, second by Nelson, and unanimously carried to authorize the Sheriff to proceed with a Detention Officer Eligibility List to hire additional Corrections Officers as necessary to provide appropriate staff coverage and reduce the need for overtime hours.

Motion by Nelson, second by Froemming, and unanimously carried to authorize the Sheriff to proceed with the hiring process for (4) four additional full time Corrections Officers, which will allow each team to increase from five to six persons, as necessary to provide appropriate staff coverage.

#### **Public Meeting**

At 10:39 a.m., Chairman Block called the Public Meeting to order for the pending issuance of a Minnesota Pollution Control Agency Permit for construction of a new feedlot for Enderson Livestock located in Section 27 of Aurdal Township in Otter Tail County. Jerry Enderson of Enderson Livestock was present. No one from the public was present; therefore, no comment was offered. Chairman Block closed the Public Meeting at 10:44 a.m.

#### **District IV Special Meeting**

Chairman Bob Block introduced discussion regarding a letter received from District IV Director, Jon Evert, regarding collaboration of counties when many counties are facing the same issues and challenges with diminished funding. Motion by Mosher, second by Froemming, and unanimously carried to authorize Commissioners Block and Nelson and County Coordinator, Larry Krohn, to attend a Special Meeting of District IV Counties scheduled on April 27, 2005, at 9:30 a.m. at the West Central Initiative Building. The motion further requested that Kent Mattson be contacted and asked to attend because of his background with the Regional Treatment Center and grounds.

#### **Institution Community Work Crew Contract**

Motion by Froemming, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute a Joint Powers Agreement between the State of Minnesota and the County of Otter Tail for the ICWC House Building Project effective July 1, 2005, through June 30, 2007.

#### **Resolution for Acreage Modification in the Fergus Falls JOBZ Subzone Otter Tail County Commissioners Resolution No. 2005 - 20**

Commissioner Mosher offered the following and moved its adoption:

**WHEREAS**, the Otter Tail County Board of Commissioners, on September 9, 2003, passed a resolution approving certain County parcels to be included in a regional application for a Job Opportunity Building Zone; and

**WHEREAS**, the City of Fergus Falls was a participant in the regional Job Opportunity Building Zone application done by the West Central Initiative Fund; and

**WHEREAS**, the regional application submitted by the West Central Initiative Fund was approved by the Department of Employment and Economic Development; and

**WHEREAS**, the City of Fergus Falls wishes to modify the acreage in their Job Opportunity Building Subzone; and

**BE IT RESOLVED**, the Otter Tail County Board of Commissioners upon careful consideration and review hereby approve the modifications as identified in the following table:

<b>Owner/Developer</b>	<b>Parcel Number</b>	<b>Acreage</b>	<b>Modification</b>
Fergus Falls:			
Midwest Regional Development	71003500195007	27.59	
Merwin Adams	71003500195904	3.45	
Merwin Adams	71003500202005	40.35	
Aasness/Bjorgum	71003500195050	2.81	
Aasness/Bjorgum	71003991519000	.46	
Aasness/Bjorgum	71003500195039	2.47	
DFA	71003500003000	2.7	
DFA	71003500004002	2.03	
DFA	71003500002000	1.96	
DFA	71003500004004	22.44	
Jason Hintermeister	71003500006000	7.17	
Fergus Falls Port Authority	71003990853901	.46	
Fergus Falls Port Authority	71003500004006	2.38	
City of Fergus Falls	71003500004005	6.61	
Burlington Northern Railroad	71001500048000	.99	
State of Minnesota	71003500007000	77.17	
Thiele Technologies	71003991430006	1.38	
Daniel Larson	71003991430901	1.20	
Fergus Falls Port Authority	71003991430005	1.33	
Fergus Falls Port Authority (UPS)	71003991430004	1.32	
Fergus Falls Port Authority	71003991550000	5.88	
Fergus Falls Port Authority	71003500007008	1.01	
Fergus Falls Port Authority	71003991558000	5.13	
Fergus Falls Port Authority	71003991559000	5.36	
Fergus Falls Port Authority	71003991560000	7.52	
TNT Properties LTD	71003991551000	10.38	
Robert Bunkowski	26000320196000	79.40	
Mark Thorson	06000010004003	18.50	
Mark Thorson	06000010008000	67.94	Reduced by 3.29 acres
Mark Thorson	06000010009000	38.61	
Thomas C. Graham and Henry A. Harms	71003991532000	1.03	
Robert W. & Helen D. Johnson	71003991430002	1.32	
ShoreMaster, Inc.	71003991433000	6.42	
Innova Properties	71003991431001	3.29	Parcel Added



Taxes			\$3,089.97
Total		\$54,000.00	\$50,627.97

This equipment is compatible with the Highway Department's current Trimble GPS equipment and Total Station Surveying equipment and with the GIS Department's Trimble GPS equipment.

**Bid Award – Becker/Otter Tail Counties Joint Overlay Projects**

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids for S.A.P. 56-670-04 & S.A.P. 56-675-30 on March 31, 2005, as follows:

Mark Sand & Gravel Co. Fergus Falls, MN	\$680,499.05
Central Specialties, Inc. Alexandria, MN	\$713,642.53
Tri-City Paving Little Falls, MN	\$729,694.53
Northstar Materials, Inc. Bemidji, MN	\$809,542.30

Motion by Nelson, second by Mosher, and unanimously carried to award Otter Tail County's portion of the joint Becker/Otter Tail County Overlay Projects to Mark Sand & Gravel Co., the low bidder, in the amount of \$680,499.05. Becker County will award the entire project April 12, 2005.

**RESOLUTION DESIGNATING COUNTY STATE AID HIGHWAY LOCATION  
County State Aid Highway No. 65  
Otter Tail County Resolution No. 2005 - 21**

Upon a motion by Froemming, seconded by Mosher, 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. 65 under Project No. S.P. 56-665-06 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. 65 in Sections 22, 23, 26, 27, 34, and 35 in Township 133 North, Range 38 West of the 5<sup>th</sup> Principal Meridian AND Section 3, in Township 123 North, Range 38 West of the 5<sup>th</sup> Principal Meridian as shown on the 2 pages of Otter Tail County Highway Right of Way Plat No. 13.

Adopted at Fergus Falls, Minnesota, this 5<sup>th</sup> day of April, 2005.

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

By: \_\_\_\_\_  
Robert Block, County Board Chair

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

**Final Payment – CSAH #96 Reconstruction**

Motion by Lee, second by Mosher, and unanimously carried to authorize Final Payment per Final Estimate No. 8, in the amount of \$54,068.16, to Robert R. Schroeder Construction, Inc. of Glenwood, MN, for completion of the CSAH #96 Street & Bridge Reconstruction, S.P. 56-696-02, BROS 5604(035) & S.A.P. 56-696-03.

**County Building Projects Update**

Building Maintenance Supervisor, Terry Hoff, updated the County Board on several current building projects including the anticipated completion of the remodeling of the 505 South Court Street building, installation of a boiler at the GSC building, Recycling Center remodeling project, and moving the Law Library to the first floor of the Courthouse.

Motion by Nelson, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute the following building contracts:

Otter Tail County GSC Boiler Project (#0202-9)	\$201,000.00
OTC Solid Waste Department Facility Expansion (#0202-8)	\$367,756.00

**Sale of Cavour Avenue Building**

Auditor, Wayne Stein, discussed with the Board, a proposed process to advertise for the sale of the Cavour Avenue Building. Current plans are to advertise April 23, 30, and May 7<sup>th</sup> with bids accepted until June 4, 2005.

**Liquor License Applications**

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

Rocky's Resort Dent, MN 56538	Consumption and Display Permit
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Zorbaz of Pelican Lake, Inc. Pelican Rapids, MN 56572	On Sale Liquor and Sunday Liquor
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**Annual County Boat and Water Safety Grant Agreement**

Motion by Mosher, second by Froemming, and unanimously carried to approve the Annual County Boat and Water Safety Grant Agreement between State of Minnesota, acting through its Commissioner of Natural Resources, Bureau of Information and Education, and Otter Tail County and to authorize the County Sheriff, the County Board Chair and County Administrator to sign the agreement. The effective date of the agreement is the date the State obtains all required signatures and the expiration date is June 30, 2006.

**Payment Approval**

Motion by Nelson, second by Froemming, and unanimously carried to approve payment to Corbin-Pickar Excavating, in the amount of \$21,242.25 (90% of the invoiced amount) for work completed on County Drainage System No. 38.

**Tax Forfeited Property**

Motion by Nelson, second by Lee, and unanimously carried to appraise the following described parcel of tax forfeited property, for sale to the City of Perham, at \$3,500.00:

Parcel 77-000-99-0595-001  
Lot 4 Block 8 – Rothpletz Addition  
City of Perham

**Temporary Snowmobile Trail Easement**

Motion by Froemming, second by Lee, and unanimously carried to approve granting the Temporary Snowmobile Trail Easement attached to the official minutes as Attachment B.

**Recess & Reconvene**

At 11:50 a.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. Chairman Block reconvened the County Board meeting at 12:59 p.m.

**Solid Waste Department Discussion**

Solid Waste Director, Mike Hanan, and Public Information Officer, Betsy Bjerklie, discussed recycling efforts and will return to the Board next week for approval of a resolution in conjunction with Earth Day.

Motion by Froemming, second by Lee, and unanimously carried to authorize a change in the Petty Cash Fund at the Pelican Rapids Transfer Station to \$100.00.

Solid Waste Director, Mike Hanan, reported that the Recycling Center needs to replace two skid steer loaders. The current loaders both have over 10,000 hours of use logged. After testing several different types of loaders, Mr. Hanan, requested approval to purchase two caterpillar skid steer loaders, at a base price of \$22,240.00, from the State purchasing contract. Motion by Lee, second by Froemming, and unanimously carried to authorize purchase of two caterpillar skid steer loaders from the State contract, at an approximate cost of \$22,240.00 each. The caterpillar brand was selected because of safety and other desired features as presented and recommended by the Solid Waste Director, with payment to be made from the Solid Waste Department Capital Improvement Fund.

**Meritorious Service Award Presentation**

Sheriff, Brian Schlueter, presented a Meritorious Service Award to Deputy, Darren Kunz, for his role in an incident in 2004 subduing an individual possessing a chain saw. Deputy Kunz has also received recognition from the Minnesota Chief of Police Association.

**Performance Evaluation Summary**

Motion by Nelson, second by Froemming, and unanimously carried to approve the positive performance evaluation of GIS Coordinator, Brian Armstrong, and directed that the performance evaluation summary, as presented, be placed in his personnel file.

### **Detox Facility**

Human Services Director, John Dinsmore and Productive Alternatives, Inc. Executive Director, Steve Skauge, presented a Memorandum of Understanding involving a proposed detoxification services facility. Otter Tail's current detox contract with the State of Minnesota terminates April 30, 2005. The Memorandum of Understanding sets forth basic terms whereby PAI will build and operate a detox facility with Otter Tail County providing some funding and assurance of use of PAI's program. Lengthy discussion continued regarding bonding for the facility, concerns expressed regarding the model or level of detox care proposed, an urgency to move forward with contractors for this construction season, and liability on the debt of the facility. Motion by Block, second by Mosher, and unanimously carried to approve the Memorandum of Understanding dated April, 2005, between Productive Alternatives, Inc. and Otter Tail County regarding a detoxification facility and program contingent upon the following:

1. No. 4. in the April, 2005, Memorandum of Understanding is deleted and changed to read, "OTC will, should they decide to stop purchasing Services from PAI, negotiate some form of risk sharing."
2. Motion is contingent upon the Human Services and PAI Directors offer to discuss the level or model of care proposed for the Detox Program with the appropriate official(s) at the Fergus Falls Medical Group to facilitate an understanding between entities involved with detoxification care.

### **Human Resources Department**

Motion by Lee, second by Mosher, and unanimously carried to approve the following Human Resource Department requests:

1. Approval to submit a job description for the classification for Dispatch Supervisor
2. Approval to proceed with a new eligibility list for hiring for the Deputy Sheriff position
3. Approval to proceed with reclassification of the job positions in the Treasurer's Department

### **Center for Rural Policy and Development**

Motion by Block, second by Mosher, and unanimously carried to become a member of the Center for Rural Policy and Development (CRPD) and approve a \$250.00 membership fee. The Center for Rural Policy and Development's mission is to provide policy makers with an unbiased evaluation of issues from a rural perspective.

### **Closed to the Public**

At 2:26 p.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners closed to the public to discuss litigation relative to the Blue Heron Bay lawsuit as authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were all five seated Commissioners, the County Attorney, County Coordinator, Board Secretary, and Land & Resource Director.

At 2:50 p.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies relative to the Public Health Nursing Unit and Human Services Units. Present were the five seated Commissioners, the County Attorney, County Coordinator, and Board Secretary.

**Adjournment**

At 3:05 p.m., upon conclusion of the closed session, Chair Block declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, April 12, 2005.

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

By: \_\_\_\_\_  
Robert Block, County Board Chair

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

CB/kd