

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 Fir Avenue W., Fergus Falls, MN
Tuesday, November 8, 2005
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, November 8, 2005, at 9:32 a.m. at the Otter Tail County Government Services Center with Commissioners Bob Block, Chair; Roger Froemming; Vice-Chair, Dennis Mosher, Syd Nelson, and Malcolm Lee present.

Approval of Agenda

Motion by Mosher, second by Nelson, and unanimously carried to approve the Human Services Board agenda of November 8, 2005, as mailed.

Approval of Minutes

Motion by Froemming, second by Lee, and unanimously carried to approve the Human Services Board minutes of October 25, 2005, as mailed.

Methamphetamine Conference

Court Services Director, Chuck Kitzman, briefed the County Board on a recent conference held in St. Cloud entitled "Minnesota ICE". It was attended by approximately 1,800 people from all walks of life. Mr. Kitzman showed a portion of a DVD entitled "METH: Shadow Across America". He also provided a draft document developed by the Minnesota Rural Counties Caucus. Its purpose is to help identify existing and developing methamphetamine-induced costs to local governments and to make suggestions on possible solutions.

Public Health Contracts

Public Health Director, Diane Thorson, reported that the Public Health agency, along with other counties, will receive \$283,500 for the regional project to decrease exposure to second hand smoke.

Motion by Mosher, second by Froemming, and unanimously carried to approve the Chairman's signature to execute a Grant Project Agreement for Community Health Boards between the Minnesota Department of Health and Otter Tail County. The grant is pertaining to Hepatitis B follow-up for children and for clinic site visits to assess various aspects of clinic practice for the Minnesota Vaccines for Children Program. The grant is approximately \$1,200 for January 1, 2006 through December 15, 2006.

Human Services Amendments and Contract

Motion by Nelson, second by Mosher, and unanimously carried to approve the following Amendments for 2005 provider contracts to reflect a 2.2553% increase in reimbursement rates effective October 1, 2005:

Developmental Disabilities – Waiver Services (Rule 42)
MN-DHS Extended Treatment Options Program

Adult Foster Care
Houge, Coleen

Motion by Froemming, second by Nelson, and unanimously carried to approve the Chairman's signature to execute a contract between the County of Otter Tail and Tamarac Place, LLC – Katharine Montgomery Hagen, for residential services/assisted living services for the elderly. The contract period is October 1, 2005, through June 30, 2006.

Biennial Adult Mental Health Plans

Human Services Supervisor, Jodi Wentland, presented the Otter Tail County Mental Health Plan and briefed the Board on the changes. Motion by Mosher, second by Froemming, and unanimously carried to approve the Otter Tail County Adult Mental Health Services Plan and Grant Renewal Agreement for Calendar Years 2006 & 2007 as presented.

Ms. Wentland also briefed the County Board on the Adult Mental Health Initiative Plan, which includes Becker, Clay, Otter Tail, and Wilkin (BCOW) counties. She reviewed the accomplishments of the BCOW Mental Health Initiative and referenced the budget of \$991,840. Human Services Director, John Dinsmore, stated that there are eleven State staff working with the BCOW Mental Health Initiative. He discussed the State staffing situation relative to the Mental Health Initiatives statewide. Motion by Froemming, second by Mosher, and unanimously carried to approve the BCOW Adult Mental Health Initiative Plan for Years 2006 & 2007 as presented.

Bills & Claims

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

Adjournment

At 10:20 a.m., Chairman Block declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, November 22, 2005.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____
Robert Block, Human Services Board Chair

Attest: _____
Larry Krohn, Clerk

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, November 8, 2005, at 10:32 a.m. at the Otter Tail County Government Services Center with Commissioners Bob Block, Chair; Roger Froemming, Vice-Chair; Dennis Mosher, Syd Nelson, and Malcolm Lee present.

Approval of Agenda

Motion by Froemming, second by Mosher, and unanimously carried to approve the County Board agenda of November 8, 2005, with the following additions:

10:50 a.m. – Attorney, Paul Jensen, Representing Goldfish Development LLC

11:50 a.m. – Denise Mauer – canceled

1:15 p.m. – Quality Asphalt Company - canceled

Approval of Minutes

Motion by Nelson, second by Lee, and unanimously carried to approve the County Board minutes of November 1, 2005, 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, which includes the following lodging payment:

Cragun's

Solid Waste Director, Mike Hanan

Personnel Board Discussion

Personnel Board Chairman, Mike Hanan, reported that the Personnel Board has discussed non-union employee compensation as directed by the County Board at their September 6, 2005, Board meeting. The specific issue the Personnel Board addressed was the lack of a Cost of Living Adjustment for non-union employees January 1, 2004. On behalf of the Personnel Board, Mr. Hanan recommended that non-union employees be compensated a 3.1% Cost of Living Adjustment to compensate for the CY2004 COLA freeze. The basis for this recommendation is the motion from the County Board on December 23, 2003 stating "Motion by Mosher, second by Froemming, and unanimously carried not to authorize a Cost of Living Adjustment (COLA) for non-union employees, effective January 1, 2004; however, when the COLA is given in future years, this COLA freeze is considered and given back in a three year period". The Personnel Board also requested that the Board consider giving the 3.1% 2004 COLA along with adjustments that would normally be given January 1, 2006. Discussion followed. Commissioners requested total cost of the proposal and asked that this agenda item be scheduled for further discussion at the next regular County Board meeting.

Approval to Fill Position

Motion by Mosher, second by Lee, and unanimously carried to authorize the County Auditor to proceed with the hiring process to replace the position of Accounting Supervisor due to a retirement.

Credit Card Approval

Motion by Froemming, second by Mosher, and unanimously carried to authorize the following employee to be issued an Otter Tail County Credit Card with Express One Master Card:

Gary Anderson

Phelps Mill

\$1,000.00

Reconsideration Request for Phelps Mill River Heights

Attorney, Paul Jensen, representing Goldfish LLC, requested reconsideration of the October 18, 2005, action to deny the proposed Preliminary Plat and Conditional Use Permit for Phelps Mill River Heights. Mr. Jensen stated that his client is asking for the reconsideration because they believe that all questions relative to the plat were answered. Motion by Mosher, second by Froemming, and unanimously carried to schedule reconsideration for the proposed Preliminary Plat of Phelps Mill River Heights at 10:30 a.m. on Tuesday, November 29, 2005, and to direct that notification be given to interested parties at County expense.

Final Plats

Motion by Lee, second by Nelson, and unanimously carried to approve the Final Plat of The Sands of Star Lake, Inc., known as Tree Line Acres in Section 12 of Star Lake Township; Star Lake (56-385).

Motion by Nelson, second by Lee, and unanimously carried to approve the Final Plat of John P. and Clark A. Squires known as Squires Estates in Section 13 of Rush Lake Township; Rush Lake (56-141).

EIS Scoping Process for Blue Heron Bay Project

At 11:00 a.m., Land & Resource Director, Bill Kalar, began further discussion on the Environmental Impact Statement (EIS) Scoping Process for Blue Heron Bay. Last week, Mr. Kalar provided the Board with a proposed Scoping Document for review and comment. Also, last week, the County Board stated that if there are further comments regarding the scoping document, the Board would look at those comments. Mr. Kalar received comments from Peder Larson, Attorney for Blue Heron Bay. He distributed copies to the County Board. He also stated that Terry Sullivan from the Dead Lake Association has asked to provide comment on the Scoping Draft. A decision on the EIS Scope must be made by next Tuesday and must be released by November 17, 2005.

Commissioner Lee requested that Dead Lake follow the Federal Migratory Waterfowl Feeding and Resting Area Statutes. This means that there would be no motorized boats allowed on the lake during open waterfowl season. Mr. Lee stated that this is followed by 3 or 4 other lakes in Otter Tail County. The County Attorney stated that the effects of complying with this Statute could be studied.

The Chair opened the meeting to public comment. Terry Sullivan from the Dead Lake Association, provided a document entitled "Comments on EIS Scoping Draft for Blue Heron Bay". She reviewed the Draft Scoping Document and stated that it was very complete. She asked that the Board consider a few additional suggestions. Number 13 and Number 20 of the Scoping Document are aspects that will be subject to other regulatory agencies, but she felt these areas should be studied for significant environmental affects. Also, during the project construction period, Number 24 should be studied. Number 26 regarding lighting and further study on the impact of the project on existing wildlife, i.e. bald eagles and blue herons was requested.

It was determined that the additional information the Dead Lake Association is requesting is relative to existing storage tanks that may contain hazardous material and information on existing wells and any wells planned to be installed. Also, additional information is requested on the plans for lighting for this project.

Jim Erickson on behalf of Blue Heron Bay Land Company LLC, responded to the four items suggested by the Dead Lake Association. Mr. Erickson spoke against needing additional information on the four items submitted by Terry Sullivan as these areas were addressed in the Environmental Assessment Worksheet and do not have potential for significant environmental affects. Mr. Erickson will work with the Dead Lake Association to learn more about what they would like studied. He referred to Mr. Larson's letter of November 7, 2005, and asked for the Dead Lake Association's comment. In the letter, the developer suggests another alternative, which is a combination whereby a piece of land could be both lot & block

development and cluster development. Mr. Erickson spoke against Commissioner Lee's comment on the Federal Migratory Waterfowl Feeding and Resting Area Statutes because he felt this is a County issue and not just a Dead Lake issue and the EIS should not be burdened with this type of study.

Don Fondrick of the Dead Lake Association, spoke against the Migratory Waterfowl regulations as being too complex to apply to just one lake. The Dead Lake Association and the Developer will get together this week and review the material. He requested that the schedule proposed by the Blue Heron Bay developer for completion of the EIS not be limiting and be based on additional information that is studied.

Mr. Hauser will create a draft dated 11/08/05, which will be a scoping decision to include what has been completed and requested to be added for the County Board's November 15th meeting. This issue is scheduled for further discussion and a decision at the November 15, 2005, Board of Commissioners' meeting.

Recess & Reconvene

At 12:05 p.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:13 p.m.

The Preserve at Echo Bay – Discussion on the Need for an EIS

Mr. Kalar reported that the Planning Commission met on November 2, 2005, in the matter of the Preserve at Echo Bay and the need for an Environmental Impact Statement. He provided a three-part handout. The handout entitled "Positive Declaration for the Need of an Environmental Impact Statement and Proposed Scope Regarding The Preserve at Echo Bay" supports the recommendation of the Planning Commission that an EIS should be completed prior to proceeding with this project. The rules also require that a proposed scope be provided at the same time and this is included in the document. A public Scoping meeting must be held by the Board similar to what was completed for Blue Heron Bay last October. The proposed Scope, at that time, could change. There would also be a public comment period after the Scoping meeting which has been set for 1:30 p.m. on December 13, 2005, which assumes publication in the EQB monitor on November 21, 2005. Included in the packet was a copy of the Planning Commission meeting minutes, copy of the EAW with comments noted in red, and a summary of public responses to the EAW.

Attorney, Kris Svingen representing the Developer, stated that he reviewed the Planning Commission minutes and the proposal the County Board received. He noted that this project did not require a mandatory EIS, so that decision became a discretionary matter for the County Board. He stated that on twenty-two EAW items, the Planning Commission recommended no significant potential for environmental impact. On the other ten items, he felt the Planning Commission was asking for more information, but it was not necessarily the complete panel that deemed that additional information was necessary. Mr. Svingen stated that in talking with the developers and other professionals, they were of the opinion that the additional information is contained in the EAW. Mr. Svingen felt that the EAW is so large, it is difficult to work your way through it to find all of the information. In conclusion, the developer's opinion is that the information is in the EAW and will satisfy the Board that there is not a potential for significant environmental impact. Another factor in the rules is that some concerns are handled by other regulatory agencies, MPCA, DNR, Historical Society, etc. He suggested that if the County Board feels they need more information to make a fair

determination regarding an EIS, Rule 4410.1700 Subdivision 2a B, allows the Board to either make a positive declaration and include within the scope of an EIS appropriate studies to obtain the lacking information or postpone the decision on the need for an EIS for not more than 30 days in order to obtain the lacking information. If the decision is postponed, a written notice of the action including a brief description of lacking information must be provided within five days to the project, EQB staff, and any person who submitted substantive comment.

Gene Miller stated that Planning Commission members were asking questions that were in the EAW. He addressed the storm water and traffic issues including the fact that storm water issues need to be approved by MPCA. The Project Manager of West Central Environmental also expressed the issue that much of the additional information is included in the EAW. If there is information lacking, many items can be resolved in the planning process as a conditional plat approval.

Motion by Mosher, second by Froemming, to determine that information necessary to an informed decision about the potential for, or significance of, one or more possible environmental impacts is lacking, but can reasonably be obtained; therefore, a decision on the need for an EIS is postponed for up to 30 days pursuant to Minnesota Rule 4410.1700. The information lacking is that which was proposed for the scope for an EIS as outlined in the Proposed Positive Declaration and Scope submitted to the County Board on November 8, 2005. Additionally, the motion included a timeline that all comments regarding the ten items recommended by the Planning Commission for additional information be received by November 22, 2005, with final determination scheduled at 1:30 p.m. on Tuesday, November 29, 2005. Motion carried unanimously.

June 19, 2005, Storm Damage
Otter Tail County Resolution No. 2005 - 69

Commissioner Nelson offered the following and moved its adoption:

WHEREAS, Otter Tail County suffered damage from high winds the week of June 19, 2005; and

WHEREAS, Individuals, townships, and cities incurred significant costs related to the high winds; and

WHEREAS, The County established a tree disposal site for area businesses and individuals; and

WHEREAS, The County received significant damage to highway signage.

NOW, THEREFORE, BE IT RESOLVED, The Otter Tail County Board of Commissioners agrees to enter into an agreement with the State of Minnesota Department of Employment and Economic Development (DEED) to receive and administer \$500,000 that was appropriated from the State of Minnesota general fund.

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

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Robert Block, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

Adjournment

At 2:08 p.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, November 15, 2005.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Robert Block, County Board Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

11/08/2005 14:21:42 OTTER TAIL COUNTY AUDITOR
MPEDERSO RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66
WARRANTS FOR PUBLICATION PAGE 1

WARRANTS APPROVED ON 11/08/2005 FOR PAYMENT 11/08/2005

VENDOR NAME	AMOUNT
A-1 LOCK AND KEY	16.00
A'VIANDS LLC	3,844.42
AMERICAN INSTITUTIONAL SUPPLY	63.07
AMERICAN LEGAL PUBLICATIONS	59.85
AMERICAN TOWER CORPORATION	81.12
ARVIG COMMUNICATION SYSTEMS	200.00
RUDOLPH AUCH	35.00
AUTO VALUE FERGUS FALLS	26.77
MARK BECKER	146.93
BEYER BODY SHOP INC	300.34
BLUESTONE TECHNOLOGIES INC	177.51
BNSF	5,042.23
BOB'S STANDARD BULK SERVICE	98.41
BOUND TREE MEDICAL LLC	278.49
BRANDON COMMUNICATIONS INC	92.42
KAREN CANNELL	8.25
CATCO	50.52
CENTRAL SPECIALTIES INC	1,631.00
CHECKERS	13.68
CO OP SERVICES INC	92.80
COMMUNICATION BRIEFINGS	109.00
COOPERS TECHNOLOGY GROUP	257.71
CRAGUNS LODGE AND CONFERENCE C	387.00
DACOTAH PAPER COMPANY	652.90
DAKOTA GYPSUM	103.76
DAKOTA WOOD GRINDING INC	7,631.25
DALTON SPORTS AND REPAIR	78.22
KATHY DOMHOLT	46.07
EGGE CONSTRUCTION INC	125.00
ERIC'S ODD JOBS PLUS	852.00
FARGO FREIGHTLINER	450.30
FARNAM'S GENUINE PARTS INC PR	25.50
FERGUS ELECTRIC	423.16
FERGUS FALLS NEWSPAPERS INC	4,402.89
FERGUS FALLS POLICE DEPT	320.56
FERGUS FALLS VISION CARE PA	19.17
FERGUS TIRE CENTER	368.84
FIRST LINE MEDICAL	761.26
GALL'S INC	411.00
NEILL HARDINA	140.00
HEIKES ADVANCED AUTO CARE	24.19
HENNING AUTO PARTS INC	179.41
HILLTOP LUMBER INC	9.77
HOLIDAY CREDIT OFFICE	62.43
THE INDEPENDENT	105.00
INNOVATIVE OFFICE SOLUTIONS LL	267.25
JK SPORTS	177.50
ERWIN JOHNSON	155.00
KELLY SERVICES INC	361.25

11/08/2005 14:21:42 OTTER TAIL COUNTY AUDITOR
MPEDERSO RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66
WARRANTS FOR PUBLICATION PAGE 2

WARRANTS APPROVED ON 11/08/2005 FOR PAYMENT 11/08/2005

VENDOR NAME	AMOUNT
JILL KLUCK	58.79
KOLPAK	132.28
L & L SERVICE	12.00
LAKE REGION HEALTHCARE CORP	3,063.13
LARRY OTT INC TRUCK SERVICE	515.00
PAT LARUM	69.99
LITTLE BEAR TOWING	297.14
LOCATORS & SUPPLIES INC	14.90
MARK SAND & GRAVEL CO	29,569.22
DARRAN MEYER	99.36
MIDWEST PRINTING CO	95.85
MIDWESTERN MAT RENTAL & SUPPLY	12.19
MN DEPT OF CORRECTIONS	75.00
MN MOTOR COMPANY	509.98
MN OFFICE OF ENTERPRISE TECHNO	900.00
NATURES GARDEN WORLD	5,984.48
NELSON FORD LINCOLN MERCURY IN	24.08
NETWORK CENTER INC	351.25
OFFICEMAX CONTRACT INC	247.80
OTIS ELEVATOR CO	169.42
OTTER TAIL CO EMPLOYEES COMMIT	86.50
OTTER TAIL CO PUBLIC HEALTH	840.00
OTTER TAIL TELCOM	40.20
PAMIDA INC 008	76.31
VIRGINIA PAULSON	75.00
PELICAN RAPIDS PRESS	166.20
PERHAM ENTERPRISE BULLETIN	66.43
CITY PERHAM	185,000.00
PETE'S AMOCO	148.99
PETE'S BODY SHOP & TOWING	150.16
MICHELE PETTERSON	36.94
PITNEY BOWES	142.67
POLK CITY DIRECTORIES	308.80
POLK CO SOLID WASTE MANAGEMENT	529.92
PRODUCTIVE ALTERNATIVES INC	503.87
REVIEW ENTERPRISES INC	110.00
ROYAL TIRE INC	24.17
SECURITY STATE BANK	25.00
SERVICE FOOD SUPER VALU	30.57
SHESHUNOFF INFORMATION SERVICE	255.95
SIGELMAN STEEL & RECYCLING INC	50.33
SIMPLEXGRINNELL LP	1,281.55
SOUTH MILL SERVICE	26.46
STEINS INC	3,118.61
STENERSON LUMBER	50.83
STEVE'S SANITATION INC	73.71
STRAND ACE HARDWARE	153.92
GENEVIEVE STRANDE	35.00
STREICHERS	536.50

11/08/2005 14:21:42 OTTER TAIL COUNTY AUDITOR
MPEDERSO RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66
WARRANTS FOR PUBLICATION PAGE 3

WARRANTS APPROVED ON 11/08/2005 FOR PAYMENT 11/08/2005

VENDOR NAME	AMOUNT
STRINGER BUSINESS SYSTEMS INC	56.18
DAVID THOMPSON	100.00
TOOL CRIB OF THE NORTH	71.24
VICTOR LUNDEEN COMPANY	19.17
VIKING OFFICE PRODUCTS	177.63
WALLWORK TRUCK CENTER	2,125.26
WOESSNER CONSTRUCTION INC	13,897.36
XEROX CORPORATION	139.67
210 LUBE EXPRESS	87.55

**** FINAL TOTAL..... \$283,986.71 ****