

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 Fir Avenue W., Fergus Falls, MN
Tuesday, March 7, 2006
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, March 7, 2006, at 9:31 a.m., at the Otter Tail County Government Services Center with Commissioners Roger Froemming, Chair; Dennis Mosher, Vice-Chair; Bob Block, Syd Nelson, and Malcolm Lee present.

Approval of Agenda

Motion by Lee, second by Mosher, and unanimously carried to approve the County Board agenda of March 7, 2006, as mailed.

Approval of Minutes

Motion by Nelson, second by Block, and unanimously carried to approve the County Board minutes of February 28, 2006, 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.

Years of Service Awards

Employees' Committee President, Scott Backstrom, introduced members of the Employees' Committee and presented Years of Service Awards to County employees. The County Board congratulated employees and expressed appreciation for their dedicated service with Otter Tail County.

Recess & Reconvene

At 9:44 a.m., Board members took a short recess to congratulate employees and returned to open session at 9:52 a.m.

Non-Water Fire Suppression System

MIS Director, Tim Brand, requested approval of a non-water fire suppression system for the Computer Room at the GSC building and the 911 Room at the Courthouse which is beneath the dispatch area. He reported that he has received a quote from Simplex for the non-water fire suppression system in the amount of \$22,000.00. Motion by Nelson, second by Mosher, and unanimously carried to approve the non-water fire suppression system for the Computer Room at the GSC and the 911 Room at the Courthouse, to be installed by Simplex at an estimated cost of \$22,000.00.

Western Area Cities Counties Organization

Commissioners discussed the question of annual membership to WACCO. Commissioner Nelson submitted a list of current members. Discussion took place regarding the high annual membership fee and services used by Otter Tail County as well as potential duplication of services provided by Lakes Country Service Cooperative. Commissioner Froemming spoke

in favor of the Meth education program. Consideration of an Audit of the organization was discussed. No action was taken.

License Application

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

Wee Villa Resort Ltd Partnership Consumption and Display Permit (Renewal)
Wee Villa Lodge
Fergus Falls, MN 56537

Juvenile Restitution Grant

Motion by Froemming, second by Block, and unanimously carried to authorize the appropriate County Officials' signatures to execute a Grant Contract between Otter Tail County and the State of Minnesota, which will provide \$3,500.00 for the County's Juvenile Restitution Program for CY2006.

Coney Street/CSAH No. 8 Road/Traffic Signals

Highway Engineer, Rick West, reported that the City of Perham applied for a grant through the Economic Development Commission for the Coney Street/CSAH 8 Road/Signals project in Perham. The City of Perham has received notice that they have been approved for a \$593,000.00 grant for this project. This is 90% of the cost of the project.

Final Payment – C.P. 04:12RG

Motion by Mosher, second by Nelson, and unanimously carried to approve Final Payment per Estimate No. 6, in the amount of \$24,008.69, payable to Riley Bros. Construction, Inc. for work completed on C.P. 04:12RG.

Contract Approval – CSAH No. 86

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute a Highway Construction Contract between Otter Tail County and Central Specialties, Inc. of Alexandria, MN for work on CSAH No. 86, from CSAH 15 to TH 210 West of Fergus Falls, S.A.P. 56-686-01, subject to the approval of the County Attorney.

Highway Consulting Services Agreement

Motion by Nelson, second by Mosher, and unanimously carried to authorize the Highway Engineer to enter into agreements with Braun Intertec Corporation of Fargo, ND, for the following Geotechnical Services:

CSAH 1 Reconstruction, S.A.P. 56-601-46 From the Grant County Line North to CSAH 2	\$5,230.00
CSAH 13 Reconstruction, S.A.P. 56-613-05 From CSAH 60 North to the Becker County Line	\$4,540.00
CSAH 19 Reconstruction, S.P. 56-619-11 From TH 10 North to CSAH 76	\$2,790.00
CSAH 83 Reconstruction, S.A.P. 56-683-10 From CH 122 North 2.8 Miles	\$3,250.00

Highway Right of Way Plats

Motion by Lee, second by Block, and unanimously carried to authorize the Highway Engineer to enter into agreements for Right of Way Plat work for the following projects:

Project	Contractor	Quotation Amount
S.P. 56-619-11, CSAH No. 19 Reconstruction, From the Intersection of Prospect Street & 5 th Street in Bluffton to CSAH 76	Interstate Engineering, Inc. Fergus Falls, MN	\$7,550.00
S.A.P. 56-661-05, CSAH No. 61 Reconstruction, From approximately 0.5 Mile North of 300 th Street to TH 108	Heyer Land Surveying and Engineering, LLC Detroit Lakes, MN	\$7,750.00
S.A.P. 56-599-58, Dunn Township Bridge (4824) Old 59 Road	Anderson Land Surveying, Inc., Fergus Falls, MN	\$3,800.00

Agreement for Railroad Crossing

Motion by Mosher, second by Block, and unanimously carried to authorize the Chairman's signature to execute an Agreement between the Otter Tail Valley Railroad Company and the County of Otter Tail for installation of concrete crossing surface material on Wilkin/Otter Tail County 11 near Rothsay, MN. The Highway Engineer estimated total cost at \$40,000.00, of which, 50% of the amount will be Otter Tail County's responsibility and 50% is Wilkin County's responsibility.

Highway Improvement Plan

Mr. West provided the Otter Tail County Highway Department Highway Improvement Plan for 2004 – 2009 dated March 2, 2004, to County Board members. He scheduled two public information meetings for public input on the plans as follows:

Monday, March 27, 2006, at 7:00 p.m.

County Board Room, Government Services Center, Fergus Falls

Thursday, March 30, 2006, at 7:00 p.m.

Conference Room, New York Mills County Offices

Road Restrictions

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Highway Engineer to establish the beginning and ending dates for spring road restrictions for 2006 for Otter Tail County.

Blue Heron Bay EIS Process

Land & Resource Director, Bill Kalar, provided a handout outlining the Environmental Impact Statement process for Blue Heron Bay after discussions with the Environmental Quality Board staff. He stated that Item 6 on the handout could change if the EQB decides to take responsibility for the EIS adequacy decision. If a determination is made that the EIS is adequate, the County then moves forward with the permitting process. If a determination is made that the EIS is inadequate, then the County and the Consultant, Wenck & Associates, are responsible to correct the identified deficiencies before the Conditional Use Process could proceed. County Attorney, David Hauser, stated that the adequacy decision is generally the responsibility of the Responsible Government Unit, which, in this case, is Otter Tail County, however; there is a provision for the State to take over the adequacy determination. The Dead Lake Association has petitioned the EQB to take over the determination. He stated that Otter Tail County does not agree with the factual foundations raised by the DLA; however, from the County's point of view, there is no downside to having the EQB make the adequacy determination. Bob Russell, Attorney for Blue Heron Bay,

presented a letter dated March 4, 2006, from the owner of Blue Heron Bay Land Company, Jim Erickson. The letter explained the delay in signing the Reimbursement Agreement with Wenck & Associates. Mr. Russell spoke in favor of the County objecting to the State taking over the adequacy decision and strongly disagreed that the County lacks the technical expertise or objectivity to make the decision. Terry Sullivan, representing the DLA, stated that the DLA has no objection to development; however, Blue Heron Bay is a complex issue and the DLA wants a complete EIS. Lengthy discussion took place regarding the County Board's options regarding the adequacy decision. Marlene Fondrick and Gary Ruehmann, from the DLA, both spoke in favor and presented rationale for the State to take over the EIS adequacy decision. Commissioners did not agree with many of the assertions made by the petitioner, Doug Martin of the Dead Lake Association Board; however, decided not to object to the EQB completing the determination of adequacy for the EIS.

Final Plats

Motion by Lee, second by Block, and unanimously carried to approve the Final Plat known as "Fitzpatrick Addition", a two lot subdivision in Section 32, Township 136, Range 42, Lida Township, South Lida Lake.

Motion by Nelson, second by Lee, and unanimously carried to approve the Final Plat of the Otter Tail/Wadena Community Action Council known as OTWCAC First Addition, a non-shoreland, two lot subdivision in Section 9, Township 135, Range 37, in Newton Township.

Closed to the Public

At 11:50 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners closed to the public for the purpose of evaluating the performance of GIS Coordinator, Brian Armstrong, 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.

Recess & Reconvene

At 12:10 p.m., upon conclusion of the Performance Evaluation, Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:01 p.m.

Public Health Smoke-Free Discussion

Public Health Director, Diane Thorson, introduced PH Nurses, Marion Kershner and Kristin Bye, and two members of the CHS Advisory Committee, Kathy Bergren and George Walter. Ms. Thorson stated that the Public Health Department has received \$60,000 per year for three years, with this year being the last year of the grant to increase smoke free areas of the community. Several handouts were provided with suggested environments in the County to become smoke free. Ms. Kershner reviewed survey statistics regarding government agencies responsibility to provide more smoke free environments because of health concerns including secondhand smoke. She provided a video from Beltrami County which presented a story of the smoke free work that has been in place for one year. Beltrami County has an ordinance that is scheduled to become stronger in 2006. Lengthy discussion took place regarding voluntary smoke free compliance, enforcement issues, and the issue of allowing businesses to decide their own status regarding smoking. Commissioner Mosher expressed a desire to continue with voluntary smoke free options rather than imposing an Ordinance. The Board requested the Public Health Department to draft a Smoke Free

Ordinance for the County and schedule two Public Hearings; one in Fergus Falls and one in New York Mills.

Performance Evaluation Summary

Motion by Block, second by Nelson, and unanimously carried to approve the positive Performance Evaluation Summary of Solid Waste Director, Mike Hanan, as presented, and to direct that the summary be placed in his personnel file.

Reclassification

Motion by Mosher, second by Lee, and unanimously carried to approve a reclassification of the position of Administrative Assistant/Transportation Coordinator (job #2604) in the Veterans Service Office from a Grade 8 to a Grade 10, with a title change to Administrative Assistant/Benefits Specialist, effective January 1, 2006, as presented by the County Coordinator.

Adjournment

At 2:21 p.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, March 14, 2006.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

3/07/2006
12:26:41

OTTER TAIL COUNTY AUDITOR
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66
WARRANTS FOR PUBLICATION PAGE 1

WARRANTS APPROVED ON 3/07/2006 FOR PAYMENT 3/07/2006

VENDOR NAME	AMOUNT
AGGREGATE INDUSTRIES INC	2,201.50
BEYER BODY SHOP INC	90.53
BIG RED BOXES	230.40
BETSY BJERKLIE	43.16
BLUESTONE TECHNOLOGIES INC	461.47
BRANDBORG LAW OFFICE	363.75
HEATHER BRANDBORG	339.35
BRANDON COMMUNICATIONS INC	8,305.15
BRANDT & MAGNUS P.A.	110.00
WADE BUGBEE	360.41
CARR'S LAKE COUNTRY SUPERMARKE	434.70
CITIZENS ADVOCATE	162.00
CLAY CO. TREASURER	856.25
CONVERGENT STORAGE SOLUTIONS	90,013.03
COOPERS TECHNOLOGY GROUP	213.75
CROW WING CO SHERIFF'S OFFICE	400.00
DACOTAH PAPER COMPANY	571.07
DAKOTA FLUID POWER INC	127.80
DAN'S TOWING & REPAIR	10.00
DICTAPHONE	193.00
ESRI INC	5,470.20
FARGO GLASS AND PAINT CO	713.55
FERGUS ELECTRIC	1,032.64
FERGUS FALLS MEDICAL GROUP	8,798.00
FERGUS FALLS POLICE DEPT	4,774.01
FERGUS INTERNATIONAL INC	21.14
FERGUS TIRE CENTER	143.34
FERRELLGAS	134.17
FOTH & VAN DYKE	15,531.02
GODFATHERS EXTERMINATING INC	119.28
GR GRAPHICS INC FARGO	26.63
GR GRAPHICS INC ST LOUIS	405.70
NICOLE HANSEN	35.00
HENNEPIN CO SHERIFF	54.20
HOLIDAY CREDIT OFFICE	19.50
SANDY HOLO	338.70
INDEPENDENT EMERGENCY SERVICES	10,710.00
INNOVATIVE OFFICE SOLUTIONS LL	4,883.80
INSIGHT PUBLIC SECTOR	1,977.71
INTERSTATE INC	161.56
ERWIN JOHNSON	250.00
KELLY SERVICES INC	2,338.56
LAKES RADIO	99.00
LARRY OTT INC TRUCK SERVICE	830.00
PAT LARUM	106.65
MATHISON COMPANY	51.63
MCCC MI 33	3,031.10
MIDWESTERN MAT RENTAL & SUPPLY	60.75
MN CO ATTORNEYS ASSOCIATION	47.93

3/07/2006 12:26:41 OTTER TAIL COUNTY AUDITOR
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66
WARRANTS FOR PUBLICATION PAGE 2

WARRANTS APPROVED ON 3/07/2006 FOR PAYMENT 3/07/2006

VENDOR NAME	AMOUNT
MN MOTOR COMPANY	174.82
MN OFFICE OF ENTERPRISE TECHNO	900.00
NELSON BROS PRINTING	399.00
NELSON INTERNATIONAL	134.11
KEVIN NEWBORG	393.85
NOVA FIRE PROTECTION	374.00
OFFICE DEPOT	102.73
OFFICEMAX CONTRACT INC	107.19
OTTER TAIL CO TREASURER	20.39
PAMIDA INC 008	12.64
PERHAM AREA EMS	300.00
PERHAM TRUCK SERVICE INC	93.54
PRODUCTIVE ALTERNATIVES INC	103.97
SERVICE FOOD SUPER VALU	78.52
SIRCHIE	76.63
SOUTH MILL SERVICE	51.72
SPECIAL OPERATIONS TRAINING AS	350.00
DAVID STADUM	26.37
STEINS INC	468.45
DAVID THOMPSON	230.00
TNT REPAIR INC	123.44
TRANQUILITY BUILDING SERVICES	452.63
U S BANK	1,150.00
ULTEIG ENGINEERS	1,486.31
UPPER MIDWEST COMMUNITY POLICI	50.00
VICTOR LUNDEEN COMPANY	19.30
VIKING COCA-COLA	106.25
VOSS LIGHTING	185.40
WEST PAYMENT CENTER	1,159.01
XEROX CORPORATION	139.67
ZEE SERVICE COMPANY	140.78
210 LUBE EXPRESS	28.54
3 D SPECIALTIES INC	518.85
3RD DISTRICT SHERIFF'S ASSOCIA	50.00

**** FINAL TOTAL..... \$177,661.20 ****