

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, October 14, 2008
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, October 14, 2008, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Everett Erickson, Vice-Chair; Bob Block, Roger Froemming and Dennis Mosher present.

Approval of Agenda

Motion by Froemming, second by Block, and unanimously carried to approve the Human Services Board agenda of October 14, 2008 as presented.

Approval of Minutes

Motion by Mosher, second by Erickson, and unanimously carried to approve the Human Services Board minutes of September 30, 2008 as presented.

MCCC Ratification for PH-DOC Software

Motion by Froemming, second by Erickson, and unanimously carried to ratify the ACS Maintenance and Support Contract for 2009 – 2013 between the CHS User Group and Minnesota Counties Computer Cooperative. MCCC requires a ratification statement by County Boards because the agreement commits the Public Health Department for the term of the contract and associated financial obligations.

Grant Agreements with Minnesota Department of Health

Motion by Block, second by Mosher, and unanimously carried to approve a Grant agreement between the County of Otter Tail and MDH for health related to childhood immunizations. These cases are for perinatal Hepatitis B and immunization practices improvement. The Public Health Department receives \$500 for case management of each perinatal Hepatitis B case and \$100 - \$400 per site visit for improved immunization practices.

Public Health Financial Report

Public Health Director, Diane Thorson, submitted a Financial Analysis for January through September of 2008.

Dog Bite Hearing

At 9:35 a.m., County Attorney, David Hauser, opened a Dog Bite Hearing involving a Chihuahua named Skippy owned by Tammy Lee Mavaro. The owner of the dog did not appear at the hearing. The County Attorney gave an oath to Public Health Nurse, Kristen Erickson, and she provided testimony in the case. She described the circumstances of the two bites that have occurred and the fact that the dog is at a business where the public routinely enters the property. Mr. Hauser referred to documentation provided which creates the record in the case. Motion by Mosher, second by Block, and unanimously carried to require that the dog is either in a kennel or if out of the kennel, is wearing a muzzle. If these requirements are not met by October 28, 2008, the owner has two weeks to relocate the dog in an area not accessible to the public, not dependent on a wireless containment system, and approved by the Public Health Department to ensure the relocation is safe for the public. If another bite occurs, the remedy would require that the dog be euthanized.

DWI Court Update

Probation Director, Chuck Kitman, briefed the Board on the DWI Court and Family Court programs. He noted that an Advisory Committee made up of community leaders is being developed. Presentations regarding these new programs are taking place throughout the County at various service organization meetings.

Human Services Contracts

Motion by Froemming, second by Erickson, and unanimously carried to approve the following Human Services Contracts:

Agency	Program	Effective Date	Targeted Population	Funding Information
Lutheran Social Services	Children's Therapeutic Support Services-School Based Program	10/01/08 through 12/31/09	Children	Cost shall not exceed \$37,500 – funding from County and MA
Donald & Bonnie Puttonen	Residential Services/Home Plus/Foster Care Services	10/01/08 through 06/30/09	Elderly and/or Disabled	AC/EW/CADI or TBI Waivered Funds
Lake Region Halfway Homes	Chemical Dependency	Effective 10/01/08	Eligible Individuals	2% COLA – funding from County, CCDT Fund and MA

Approval to Pay Bills & Claims

Motion by Erickson, second by Block, and unanimously carried to approve payment of the Human Services bills and claims as presented.

Adjournment

At 10:25 a.m., Chairman Nelson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, October 28, 2008.

Dated: _____

OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____

Syd Nelson, Human Services Board Chair

Attest: _____

Larry Krohn, Clerk

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, October 14, 2008, at 11:00 a.m., at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Everett Erickson, Vice-Chair, Bob Block, Roger Froemming and Dennis Mosher present.

Approval of Agenda

Motion by Froemming, second by Block, and unanimously carried to approve the County Board agenda of October 14, 2008 with the following additions:

- Ratification of MCCC Users Group for County Attorney
- Closed Session for Labor Negotiation Strategy
- Closed Session for Real Estate Discussion

Approval of Minutes

Motion by Froemming, second by Erickson, and unanimously carried to approve the County Board minutes of October 7, 2008 as presented.

Approval to Pay Bills

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

Planning Commission Recommendations

Conditional Use Permit – Wee Villa LTD Partnership:

Motion by Erickson, second by Mosher, and unanimously carried to approve a Conditional Use Permit for modifications to various mobile homes at the resort as presented. The property is described as Lot 4 ex trs (36.15 AC), Section 14 of Elizabeth Township; Long Lake (56-784), RD.

Conditional Use Permit – James & Victoria Trites:

Motion by Froemming, second by Mosher, and unanimously carried to approve a Conditional Use Permit for earthmoving with conditions as recommended by the Planning Commission. The property is described as Lot 6 Kimber Shores, Section 21 of Girard Township; West Battle Lake (56-239), GD.

Conditional Use Permit - Sunset Beach Resort/Scott & Cathy Olson:

Motion by Froemming, second by Block, and unanimously carried to approve a Conditional Use Permit to convert the existing owners' home to a rental unit and remove some camping units as presented. The property is described as Sunset Heights Lots 1 - 6 & Lot 8 and pt SL A of GL 1, (13.14 AC), Section 28 of Girard Township; West Battle Lake (56-239), GD.

Conditional Use Permit – Rodney & Linda Schmidt:

Motion by Erickson, second by Froemming, and unanimously carried to approve a Conditional Use Permit for a driveway relocation with conditions as recommended by the Planning Commission. The property is described as Pt of GL1 lying S of Hwy 22 & W of Hwy 43, ex SLY 405', Section 15 of Friberg Township; Heilberger Lake (56-695), RD.

Conditional Use Permit – Dead Lake Township:

Motion by Nelson, second by Mosher, and unanimously carried to approve a Conditional Use Permit to reconstruct 385th St. beginning at its intersection with County Rd 44 and extending East with conditions as recommended by the Planning Commission. The project is located on 385th St. & Lot 4, Pt GL 5 lying SELY of Hwy 44, NE1/4 SW1/4 and SE1/4 NW1/4, Section 10 of Dead Lake Township; Tamarack Lake (56-320), NE.

Conditional Use Permit – Hagen's Point/Allen Chase:

Motion by Mosher, second by Erickson, and unanimously carried to deny a Conditional Use Permit to expand the resort for the reasons cited in the October 8, 2008 Planning Commission minutes. The property is described as All that pt of GL's 8 & 9, Section 6 of Sverdrup Township; Pleasant Lake (56-449), RD.

County Wide Zoning Discussion

Land & Resource Director, Bill Kalar, opened discussion regarding County Wide Zoning. Eagle Lake Township Officer, David Broud, discussed the challenges of Eagle Lake's enactment of an Interim Ordinance. Mr. Kalar talked about the wide variety of regulatory agencies relative to water quality and the variety of land uses. Mr. Kalar stated that the first thing the County needs to do is to map out the current land uses in the County. The GIS Department could assist in the mapping. Commissioners requested that Mr. Kalar proceed with mapping the current uses in Eagle Lake Township and around Dead Lake to use them as samples of what can be done throughout the County. Mr. Broud will ask townships, over the winter, to document what they want relative to zoning. Mr. Kalar provided a document from the Minnesota DNR entitled "Shoreland Rules Update Project".

Extension for Filing the Final Plat of R.J. Estates

Motion by Erickson, second by Froemming, and unanimously carried to extend the filing date for the Final Plat of Ronald and Joann Bina entitled "R.J. Estates" for one year to October 14, 2009. The plat is located in Section 3 of Star Lake Township; Star Lake (56-385).

Recess & Reconvene

At 11:55 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:30 p.m. with Vice-Chair Erickson, and Commissioners Block, Froemming and Mosher present.

CSAH 8 Ditch Cleanout

After previously advertising for quotations, the Highway Department received the following quotes for the CSAH 8 Ditch Cleanout project located East of Perham by Big Pine Lake:

Mark & Brenda Construction, Inc. Fergus Falls, MN	\$11,500.00
Ottertail Aggregate, Inc. Ottertail, MN	\$12,710.00
Barry Construction of Fergus Falls, Inc. Fergus Falls, MN	\$15,446.96
Hough Inc. Detroit Lakes, MN	\$18,595.00

Motion by Froemming, second by Block, and unanimously carried to award the CSAH 8 Ditch Cleanout project to the low bidder, Mark & Brenda Construction, Inc. at the low quotation of \$11,500.00.

Final Payment – S.P. 056-683-009

Motion by Block, second by Mosher, and unanimously carried to approve Final Payment per Final Estimate No. 14, in the amount of \$30,856.95 to Korby Contracting Co., Inc. as final payment for work completed on S.P. 056-683-009, MN Project No. BROS 5606 (034) Bridge #5636.

Change Orders Approved – 60-Bed CD Building

Motion by Froemming, second by Block, and unanimously carried to authorize payment of the following Change Orders for the construction of the 60-Bed Chemical Dependency building:

Change Order #16	\$11,405.00
Change Order #17	\$7,364.00
Change Order #18	\$3,704.00
Change Order #19	\$1,513.40
Change Order #20	\$9,144.00
Change Order #21	\$24,268.65

Premise Permit

Otter Tail County Resolution No. 2008 – 57

Commissioner Froemming 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, the Humane Society of the Lakes, Detroit Lakes, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at Heisler's Campground and Pub, located at 31870 County Highway 130 in Candor 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 the Humane Society of the Lakes, Detroit Lakes, MN, at Heisler's Campground and Pub, located at 31870 County Highway 130 in Candor 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 Humane Society of the Lakes, Detroit Lakes, MN, at Heisler's Campground and Pub, located at 31870 Count Highway 130 in Candor 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 Candor by sending them a copy of this resolution.

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

Adopted and signed this 14th day of October, 2008.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Attest: _____

Syd Nelson , Board of Commissioners' Chair

Larry Krohn, Clerk

Delayed Payroll

Motion by Froemming, second by Block, and unanimously carried to implement Delayed Payroll Option No. 1 beginning January 1, 2009.

Payment Approvals

Motion by Mosher, second by Froemming, and unanimously carried to approve the following cost incurred under the provision of Minnesota Statute 609.35:

Fergus Falls Medical Group Case No. 07027868 \$20.00

Motion by Block, second by Mosher, and unanimously carried to approve payment in the amount of \$2,682.81 to Young and Associates from the Capital Improvement Fund for services provided for the 60-Bed Chemical Dependency Health Center project.

MCCC Ratification for MCAPS Support Services Agreement

Motion by Block, second by Mosher, and unanimously carried to ratify the MCAPS Maintenance and Support Contract for 2009 – 2011 between Docutech and Minnesota Counties Computer Cooperative. MCCC requires a ratification statement by County Boards because the agreement commits the County Attorney's office for the term of the contract and associated financial obligations.

Closed to the Public – Labor Negotiation Strategies

At 2:19 p.m., Vice-Chairman Erickson 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 Facilities Maintenance Union. Present were Commissioners Erickson, Block, Froemming and Mosher, the County Attorney, County Coordinator and Board Secretary.

Closed to the Public – Consideration of Purchase of Real Estate

At 2:28 p.m., Vice-Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners closed to the public for discussion regarding the Sara Lee property in Fergus Falls. The closed session is authorized under Chapter 13D.05 Subd. 3(c) (1). Present were Commissioners Erickson, Block, Froemming and Mosher, the County Attorney, County Coordinator and Board Secretary.

Performance Evaluation Summary

At 2:33 p.m., upon completion of the previous closed session, Vice-Chair Erickson declared the Board of Commissioners' meeting open to the public. The County Board discussed clarifications regarding the performance of County Assessor, Bob Moe, on October 7, 2008 and the prior assessment summary was upheld.

Adjournment

At 2:35 p.m., Vice-Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, October 21, 2008.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Syd Nelson, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

WARRANTS APPROVED ON 10/14/2008 FOR PAYMENT 10/14/2008

<u>VENDOR NAME</u>	<u>AMOUNT</u>
HENNING HARDWARE	40.59
CRYSTAL HERMAN	113.49
HINTERMEISTER INC	1.69
HITESMAN & ASSOCIATES PA	606.00
SANDY HOLO	24.00
HOME LINE	16.00
HONEYWELL	1,865.25
HOUSTON ENGINEERING INC	5,287.95
INDEPENDENT EMERGENCY SERVICES	64.00
INNOVATIVE OFFICE SOLUTIONS	62.84
INTERSTATE INC	26.63
JON KARGER	14.22
KELLY INN ST CLOUD	156.80
KELLY SERVICES INC	704.20
L & L SERVICE	167.36
LAKE REGION DENTAL CENTER	1,040.00
LAKE REGION HEALTHCARE CORP	1,028.00
LAKES COUNTRY SERVICE CO OP	71.89
LAKEWAY MARKET LLC	7,120.86
LARRY OTT INC TRUCK SERVICE	625.00
DEAN LARSON	7.50
LOCATORS & SUPPLIES INC	1,678.51
LONG WEEKEND GARMENTS	2,670.00
LYNN PEAVEY CO	154.85
MANNY'S - ROCKY'S BAIT	1,970.51
MCCC MI 33	8,056.60
MCHRMA	80.00
MERITCARE MEDICAL GROUP	150.00
MICK'S SCUBA INC	135.11
THE MIDWEEK	88.65
MIDWEST PRINTING CO	609.18
MIDWEST TESTING LABORATORY	2,516.00
MINN KOTA COMMUNICATIONS INC	257.30
MN MOTOR COMPANY	296.46
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
NAPA FERGUS FALLS	68.62
NAPA OF PERHAM	114.88
NARDINI FIRE EQUIPMENT	183.11
NATIONAL HIGHWAY INSTITUTE	1,400.00
NELSON AUTO CENTER	520.62
NETWORK CENTER COMMUNICATIONS	3,369.14
NORTHSTAR TECHNOLOGY GROUP INC	9,000.00
NORTHWEST DIVERS	51.00
OFFICEMAX INCORPORATED	998.16
OLSON OIL CO INC	531.03
ONE CALL LOCATORS LTD	218.50
OTTER TAIL CO EMPLOYEES COMMIT	44.00
OTTERTAIL HOME CENTER & HARDWA	25.95
OTTERTAIL TRUCKING INC	6,961.30
PARK REGION CO OP	142.05
PENROSE OIL COMPANY	1,300.03
PERHAM ACE HARDWARE	22.24
PERHAM CO OP CREAMERY	60.00
PERHAM ENTERPRISE BULLETIN	192.68
CITY PERHAM	81,366.90

PETE'S AMOCO	1,671.99
PRAIRIE IMPLEMENT INC	18.79
PREMIUM WATERS INC	24.08
PRO AG FARMERS CO OP	386.31
PURCHASE POWER	3,640.58
QUICK'S NAPA AUTO PARTS	62.50
RDO EQUIPMENT CO FARGO	81.81
RDO TRUCK CENTERS	619.06
REGENTS OF THE UNIVERSITY OF M	51,499.98
REVIEW ENTERPRISES INC	45.00
RILEY DETTMANN & KELSY	12,775.00
RITZ CAMERA	4,003.39
SBLC-FF	94.28
CHERI SCHULTZ	58.30
SCHWAAB INC	74.53
SCOTT HOFLAND CONSTRUCTION INC	5,670.00
SERVICE FOOD SUPER VALU	12.90
SEWER SERVICE	260.00
SIGELMAN STEEL & RECYCLING INC	61.38
SOUTHTOWN C-STORE	1,028.58
STATE INDUSTRIAL PRODUCTS	129.41
STEINS INC	550.41
STEVE'S SANITATION INC	228.15
STRAND HARDWARE & RADIO SHACK	115.20
STREICHERS	2,752.70
CHRIS STUBER	329.12
SUPER SEPTIC INC OF PELICAN RA	77.19
SWANSTON EQUIPMENT CORP	4,644.67
TITAN ACCESS ACCOUNT	776.59
TOM AVANT PAINTING	5,200.00
TRIMIN SYSTEMS INC	2,279.25
SUSAN ULSCHMID	24.00
UNITED BUILDING CENTERS	84.96
VERGAS ACE HARDWARE	45.49
VICTOR LUNDEEN COMPANY	3.83
VIKING COCA-COLA	341.28
VISUAL GOV SOLUTIONS LLC	48.00
VOSS LIGHTING	50.91
WADENA ASPHALT INC	198,294.48
WASTE MANAGEMENT	506.19
WELLER OIL CO	127.05
WEST PAYMENT CENTER	3,430.22
WHITE BANNER UNIFORM SHOP	588.49
XEROX CORPORATION	203.10
**** FINAL TOTAL.....	<u>\$526,333.29 ****</u>