

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, February 17, 2009
9:15 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, February 17, 2009, at 9:17 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners Roger Froemming, Vice-Chair; John Lindquist, Doug Huebsch and Lee Rogness present. Chairman Everett Erickson was absent.

Approval of Agenda

Motion by Huebsch, second by Lindquist, and unanimously carried to approve the Board of Commissioners agenda of February 17, 2009, as mailed.

Approval of Minutes

Motion by Lindquist, second by Huebsch, and unanimously carried to approve the Board of Commissioners meeting minutes of February 10, 2009, with the following corrections:

In the February 10, 2009 minutes, Page 4 under the heading "Payment Approval", the amount of \$7,432.52, was designated to be payable to Julie N. Johnson. The payment is hereby corrected to be payable to Janet and Clinton Bengston in the Land Use Claim of Johnson Etal vs. Otter Tail County.

In the February 10, 2009 minutes, Page 6 under the heading of "Adjournment", the next meeting of the Otter Tail County Board of Commissioners should be recorded as February 17, 2009 instead of March 3, 2009.

Approval to Pay Bills

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

Committee of the Whole Discussion

Discussion took place regarding the County levy and, the fact that reserves were going to be used for part of the CY2009 Budget so the taxpayers would not be further burdened in difficult economic times. After that decision was determined, further State budgetary issues developed including unallotment of State funding to the County. Commissioner Rogness reported that Department Heads have been reviewing the budgetary numbers and developing plans within their respective Departments to address a budget shortfall. Auditor, Wayne Stein, stated that a recommendation will be presented to the Board of Commissioners at their next meeting on March 3, 2009. A regional concept, as endorsed by the Governor, was encouraged by Board members.

County Ag Educator Position

University of Minnesota representatives, Nancy Frosaker-Johnson and Tim Arlt, spoke to the Board regarding the partnership and Memorandum of Agreement between the University of Minnesota and Otter Tail County relative to Extension services. Currently, the Otter Tail County Extension Service annual budget is \$360,000, which includes funding for two 4-H Coordinator positions and one Ag Educator position. The current Ag Educator has announced his retirement effective the end of March, 2009 and Ms. Johnson requested authorization from the County to fill that position. Discussion followed regarding budgetary issues and the possibility of re-designing the position. Ms. Johnson stated that Otter Tail County has signed a Memorandum of Agreement; however, the MOA will need to be updated based on the County's decision in the hiring of a new Ag Extension Educator.

Soil & Water Conservation District

SWCD Directors, Darren Newville and Brad Mergens, updated the Board regarding their conservation programs and corresponding budgets, and provided handouts. A tour of some of the SWCD conservation projects is planned for early summer.

Mr. Newville reported that last September, the EOTSWCD applied for a Shoreland Initiative Grant through the DNR and were successful. They received one of the two \$75,000 state grants to complete research on what incentives will be needed to support lake property owners in creating shoreland buffers.

Mr. Mergens opened discussion regarding the proposed Feedlot Officer position. He stated that a work plan has been developed between the State of Minnesota PCA and Otter Tail County in regards to the State Feedlot Program. Mike Sharp of the PCA has inquired when the County is planning to move forward. The program is funded by quarters of the year; therefore, April 1, 2009 would be too soon and the next quarter would start the project on July 1, 2009. It was reported that, if the County started the program July 1, 2009, the County would receive \$14,000 from the State with a draft budget of \$104,000 for the annual cost of a Feedlot Officer including purchase of a vehicle and related costs. The draft budget could be reduced by using a vehicle already owned by the County. Mr. Mergens and Mr. Newville will return to the Board with a work plan, delegation agreement, and other paperwork when the County decides to proceed with the position. Commissioner Rogness noted that documenting the number of feedlots will equate back to the funding available, then, the education component becomes important. Land & Resource Administrator, Bill Kalar, noted that the State has wanted the County to take over the Feedlot Program for many years and the County has maintained that this is a State responsibility.

Final Plat

Motion by Huebsch, second by Lindquist, and unanimously carried to approve the Final Plat of James and Susan Stodola, entitled "Wall Lake Development No. 3", a 2-lot subdivision in Section 33 & 34 of Aurdal Township; Wall Lake (56-658).

Final Plat Filing Extension

Motion by Rogness, second by Huebsch, and unanimously carried to authorize an extension, to June 15, 2009, for filing the Final Plat of Thomas and Jodie Collins entitled "Collins Landing". The extension is needed because of defective legal descriptions and access easement issues.

Resolution in Support of the Otter Trail Riders Trail Association Federal Recreation Trail Grant Application Otter Tail County Resolution No. 2009 - 09

Commissioner Huebsch offered the following and moved its adoption:

WHEREAS, Otter Tail County has many multi-use trails, and

WHEREAS, Otter Tail County acts as a sponsor for Otter Trail Riders Trail Association in the State Grant In Aid Snowmobile Trail System, and

WHEREAS, Otter Trail Riders Trail Association wishes to apply for a Federal Recreation Trail Grant to purchase a new groomer for their many trails, and

WHEREAS, This Federal Grant is a 50/50 grant and Otter Trail Riders Association would pay half the price of a new groomer, and

WHEREAS, Otter Tail County will act as sponsor for this federal grant and will have no financial responsibility, and

NOW, THEREFORE, BE IT RESOLVED, That the Otter Tail County Board of Commissioners of Otter Tail County hereby supports Otter Trail Riders Association's application for the Federal Recreation Trail Grant.

Commissioner Lindquist seconded the motion, and upon being put to vote, the resolution was unanimously carried.

Adopted at Fergus Falls, Minnesota, this 17th day of February, 2009.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
 Everett P. Erickson, Board of Commissioners Chair

Attest: _____
 Larry Krohn, Clerk

Motion by Rogness, second by Lindquist, and unanimously carried to authorize Board Secretary, Kathy Domholt to sign the above resolution in the absence of Board Clerk, Larry Krohn.

Recess & Reconvene

At 10:59 a.m., Vice-Chair Froemming, declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 11:05 a.m.

CSAH 1 Overlay Project
CSAH 1 Trail Project

Motion by Rogness, second by Lindquist, and unanimously carried to include the CSAH 1 project, S.P. No. 56-601-52, and CSAH 1 Trail project, S.P. No. 56-601-49 in the 2007–2012 Highway Improvement Plan. This project was originally planned for 2012; however, is being moved up due to the Economic Stimulus Bill. Discussion took place regarding a desire to keep this work and affiliated jobs in Otter Tail County. Highway Engineer, Rick West, stated that the formal bid process must be followed, but generally, local contractors are very competitive in the bid process.

Motion by Rogness, second by Huebsch, and unanimously carried to authorize the appropriate County Officials' signatures to execute an Agreement (Proposal FA 09-00520) between the County of Otter Tail and Braun Intertec to provide geotechnical evaluation for the CSAH 1 project at a cost of \$4,575.00.

Phelps Mill Project

Mr. West reported that the Phelps Mill Project (walking bridge) will cost about \$125,000 for design work to get the project ready for construction. Mr. West suggested that the County not move forward with this project at this time. Instead, continue to support the project with the next application for funding slated as 2014. This timeframe will allow time to secure the local money required for the project.

Reduction in Retainage for CSAH 1 Project

Motion by Froemming, second by Rogness, and unanimously carried to reduce the retainage for Central Specialties of 5% on the paving project of CSAH 1 to a retainage of 2.5%, as recommended by the Highway Engineer.

CSAH 86 (Airport Road) Project

Motion by Huebsch, second by Lindquist, and unanimously carried to approve Final Payment to Central Specialties of Alexandria, MN pursuant to Estimate No. 14, in the amount of \$56,802.99, for completion of the CSAH 86 project.

Application for Exempt Permit

Motion by Froemming, second by Lindquist, and unanimously carried to approve, with no waiting period, the LG220 Application for Exempt Permit as submitted by Maidens of the Prairie to Lake, Ducks Unlimited Chapter 164 for an event scheduled for April 28, 2009 at the Peak Supper Club located at 43517 County Highway 38, Clitherall, MN.

Re-conveyance of Property

Motion by Huebsch, second by Lindquist, and unanimously carried to approve payment, in the amount of \$1,000.00, to the Commissioner of Transportation for the re-conveyance of the following described property:

That part of Tract A described below:

Tract A.: That part off the Northwest Quarter of the Northeast Quarter of Section 24, Township 133 North, Range 38 West, Otter Tail County, Minnesota, described as follows; Beginning 628 feet east and 33 feet south of the north quarter corner of said Section 24; thence south, 150 feet; thence east; 451.2 feet; thence North 12 degrees 03 minutes West, 153 feet; thence west, 420 feet to the point of beginning; excepting therefrom the right of way of highway existing prior to January 1, 1934; which lies southerly of a line run parallel with and distant 100 feet southerly of Line 1 described below:

Line 1.: Beginning at a point on the east line of Section 13, Township 133 North, Range 38 West, distant 6.0 feet north of the southeast corner thereof; thence westerly to a point on the north and south quarter line of said Section 24, distant 5.60 feet south of the north quarter corner thereof, and there terminating; containing 0.80 acre, more or less.

Payment Decisions

Motion by Lindquist, second by Huebsch, and unanimously carried to approve payment, in the amount of \$253,579.05, from the Construction Fund to Comstock Construction, Inc. of MN for the construction of the Otter Tail County 60-Bed State Operated Inpatient Chemical Dependency Treatment Facility as detailed in Payment Request No. 15.

Motion by Froemming, second by Rogness, to approve payment, in the amount of \$888.22, from the Construction Fund to Young & Associates for the 60-Bed Chemical Dependency Treatment Center. Motion and second were withdrawn pending the Building Project Update discussion.

Building Project Update

Physical Plant Manager, Rick Sytsma, reported that two of the three wings at the new Inpatient CD Facility are full. The project is nearing completion, which will be within budget. This building is owned by Otter Tail County and leased back to the State of Minnesota, who is responsible for the operations of the CD facility. The monthly lease will contain the following: 1) debt repayment, 2) an amount dedicated toward future capital improvement projects on the building, and 3) a portion to be allocated to management which is reimbursable and reconciled at the end of the year.

Motion by Rogness, second by Huebsch, and unanimously carried to delay the previous request for payment to Architect, Young & Associates, until the next Board meeting, which will allow time for the County's legal counsel and Plant Manager to study the issues relative to the Treatment Center building and make a recommendation.

County Emergency Management Position

Emergency Management and Safety Director, Tiny Holm, introduced Glen Elvecrog from the MN Department of Public Safety and Homeland Security Division representative from District IV. Mr. Holm announced his upcoming retirement and he questioned what the Board wants to do with the position of Emergency Management and Safety Director. A handout briefing of State requirements in Emergency Management under M.S. 12.25 was provided. Mr. Elvecrog explained that the National Incident Management System (NIMS) requires emergency management training in order for the County to be eligible for emergency preparedness grants. Mr. Elvecrog talked about other grants provided through the Emergency Management position. The value of volunteer fire departments and emergency responders in the rural areas was discussed. Other options for the position were discussed including splitting the two positions. Commissioners requested information on what would happen with the Safety Director portion of the position if the half-time Emergency Management position was moved to the Sheriff's Department.

Solid Waste Department

Solid Waste Director, Mike Hanan, proposed a tour of the Perham Resource Recovery Facility and a tour of the Recovery Facility in Fosston, MN to be scheduled at 9:30 a.m. on Tuesday, April 7, 2009. Commissioners agreed to take the tour as part of their regular Board meeting and at a later date, may tour the Douglas County facility.

Public Information/Education Officer, Jess Steinbrenner, provided a handout with the dates that CLIMB Theater will be presenting a show entitled "Trash!" to educate 3-6 graders of the importance to reduce, reuse, and recycle. Motion by Huebsch, second by Froemming, and unanimously carried to authorize payment, in the amount of \$8,820.00 for the CLIMB Theatre productions as presented.

Recess

At 12:30 p.m., Vice-Chair Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break.

Reconvene in Closed Session

At 1:01 p.m., Vice-Chair Froemming declared the meeting of the Otter Tail County Board of Commissioners reconvened and closed to the public for the purpose of evaluating the performance of Land & Resource Director, Bill Kalar, pursuant to M.S. Chapter 13D.05 Subd. 3. Commissioners Froemming, Lindquist, Huebsch, and Rogness were present for the evaluation. A summary of performance conclusions will be provided at the next regular County Board meeting.

Compliance Fund

At 1:45 p.m., upon completion of the closed session, Vice-Chair Froemming opened the meeting to the public. GIS Coordinator, Brian Armstrong, submitted a synopsis of proposed spending for 2009 from the Compliance Fund. Mr. Armstrong noted that Department Heads are in agreement with the proposed expenditures. Motion by Rogness, second by Huebsch, and unanimously carried to approve expenditures from the Compliance Fund as recommended with total additional dollars requested for 2009 reported as \$28,500 and total Compliance Fund expenditures for 2009 reported as \$211,678.

Sheriff's Department

Sheriff, Brian Schlueter and Chief Deputy, Stacy Paulseth, reviewed the 2008 Year End Report for the Department. Discussion took place regarding Squad Car purchases and the possibility of delaying purchase of one of the requested vehicles. The possibility of reducing the budget in other areas was discussed. Sheriff Schlueter requested approval to promote a Deputy into a vacant Sergeant position. Motion by Huebsch, second by Lindquist, and unanimously carried to approve filling the vacant Sergeant position as recommended by the Sheriff.

Forfeiture Fund

Motion by Froemming, second by Huebsch, and unanimously carried to authorize the appropriate County Officials' signatures to execute the Equitable Sharing Agreement and Certification for the Criminal Forfeiture Fund.

Performance Evaluation Summary

Motion by Rogness, second by Lindquist, and unanimously carried to approve a commendable performance evaluation for Human Services Director, John Dinsmore and to direct that the evaluation summary be placed in his personnel file.

Lakeland Mental Health Center Advisory Board

Motion by Rogness, second by Huebsch, and unanimously carried to appoint Ellen Palmer or Bob Block to serve on the LMHC Advisory Board on behalf of Otter Tail County.

Adjournment

At 3:15 p.m., Vice-Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, March 3, 2009.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Everett P. Erickson, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

WARRANTS APPROVED ON 2/17/2009 FOR PAYMENT 2/17/2009

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	6,734.74
ABG MAINTENANCE INC	170.40
AMERICAN INSTITUTIONAL SUPPLY	230.00
AMERICINN	328.62
AMY ANDERSON	75.39
ASSOCIATED BAG COMPANY	91.73
AUTO VALUE FERGUS FALLS	195.09
BARNA GUZY & STEFFEN LTD	1,196.00
BATTLE LAKE AUTO PARTS	494.96
BATTLE LAKE PUBLIC SCHOOL	50.00
BEN HOLZER UNLIMITED	64.17
BOB'S STANDARD BULK SERVICE	83.87
BRAUN VENDING INC	45.29
CANADIAN PACIFIC RAILWAY COMPA	589.67
CARR'S LAKE COUNTRY SUPERMARKE	1,236.41
CIT TECHNOLOGY FIN SERV INC	189.86
CLEAN PLUS INC	33.24
CLERK US DISTRICT COURT	40.00
CO OP SERVICES INC	5,892.02
COMMISSIONER OF TRANSPORTATION	300.00
COOPERS TECHNOLOGY GROUP	541.94
CREATIVE FORMS & CONCEPTS INC	354.36
CRS INC DETENTION REPORTER	80.00
CULLIGAN	31.91
CULLIGAN WATER COND	80.66
CUSTOM BUSINESS FORMS	118.02
D & T VENTURES LLC	464.00
WAYNE ERICKSON	921.55
EVERTS LUMBER CO	45.75
FARGO GLASS AND PAINT CO	1,665.00
FARMERS CO OP OIL ASSN	6,713.89
FARNAM'S GENUINE PARTS INC	545.06
FARNAM'S GENUINE PARTS INC PR	13.06
FERGUS FALLS DAILY JOURNAL	4,779.00
CITY FERGUS FALLS	9,468.90
FERGUS POWER PUMP INC	3,052.15
FERGUS TIRE CENTER	1,086.69
FERRELLGAS	201.27
FOTH & VAN DYKE	1,835.78
FSH COMMUNICATIONS LLC	63.90
GALL'S INC	47.93
GE CAPITAL (CA)	372.74
GOPHER STATE ONE CALL	114.20
DENISE GUBRUD	455.07
HENNING AUTO PARTS INC	565.11
HENNING HARDWARE	615.43
HENNING LUMBER INC	10.72
HENRY'S FOODS INC	1,722.65
CRYSTAL HERMAN	6.69
HERNESS CONSTRUCTION COMPANY	5,900.00
HIGH PLAINS TECHNOLOGY	50.62
SANDY HOLO	129.87
HOUSTON ENGINEERING INC	8,724.25
INDEPENDENT EMERGENCY SERVICES	64.00
THE INDEPENDENT	39.00
INNOVATIVE OFFICE SOLUTIONS	51.80

KELLY SERVICES INC	635.31
KOEP'S CLITHERALL CORNER	298.79
L & P FINANCIAL SERVICES	251.32
LAB SAFETY SUPPLY INC	316.58
LAKE REGION HEALTHCARE CORP	400.00
LARRY OTT INC TRUCK SERVICE	375.00
LAWSON PRODUCTS INC	204.17
LITTLE BEAR TOWING	228.98
LOCATORS & SUPPLIES INC	460.55
M V DEISZ CONSULTING	89.00
MANNY'S - ROCKY'S BAIT	3,195.08
MARCO	415.35
MARCO INC ST LOUIS	319.76
MARIPOSA PUBLISHING	62.95
MATTHEW BENDER & COMPANY INC	974.65
JAMES MCMAHON	14.55
THE MIDWEEK	91.35
MIDWESTERN MAT RENTAL & SUPPLY	74.07
MINNESOTA'S BOOKSTORE	479.25
MN MOTOR COMPANY	633.84
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
MN SHERIFFS' ASSOCIATION	25.00
MN STATE BAR ASSOCIATION	1,044.54
MN VIEWERS ASSOCIATION	225.00
NAPA FERGUS FALLS	118.47
NAPA OF PERHAM	537.80
NAPA STANDARD PARTS OF WADENA	238.42
NELSON AUTO CENTER	675.04
NORTH AMERICAN SALT CO	20,035.70
NORTHERN SAFETY TECHNOLOGY INC	687.28
OFFICEMAX INCORPORATED	292.61
OLSON OIL CO INC	690.61
ONE CALL LOCATORS LTD	84.02
OTTER TAIL CO EMPLOYEES COMMIT	118.00
OTTERTAIL TRUCKING INC	9,869.50
OVERLAND MECHANICAL SERVICES	47.57
PAMIDA INC 008	5.95
PAMIDA PHARMACY	8,995.82
PARK REGION CO OP	632.61
PEBBLE LAKE TAKE 5	3,577.10
PELICAN RAPIDS PRESS	78.75
PEPSIAMERICAS	666.25
PERHAM ENTERPRISE BULLETIN	339.10
CITY PERHAM	104,769.84
PETE'S AMOCO	2,878.92
PETE'S BODY SHOP & TOWING	185.31
PRAIRIE IMPLEMENT INC	18.08
PREMIUM WATERS INC	31.83
PRO AG FARMERS CO OP	2,292.96
PUBLIC SAFETY CENTER INC	106.65
QUARTERMASTER	161.97
QUICK'S NAPA AUTO PARTS	70.33
QUILL CORPORATION	233.95
REVIEW ENTERPRISES INC	433.79
ROYAL TIRE INC	1,974.94
SBLC-FF	59.08
CHERI SCHULTZ	43.14
SCOTT HOF LAND CONSTRUCTION INC	3,960.00
SERVICE FOOD SUPER VALU	16.80
SEWER SERVICE	260.00

SIGELMAN STEEL & RECYCLING INC	34.61
SOUTHTOWN C-STORE	1,096.56
STEINS INC	1,645.67
STEVE SCHIERER APPRAISALS	850.00
STEVE'S SANITATION INC	1,642.58
STRAND HARDWARE & RADIO SHACK	422.30
STREICHERS	204.98
TRI STAR RECYCLING	1,058.46
SUSAN ULSCHMID	84.54
UNIFORMS UNLIMITED	72.85
UNIV OF MN EXTENSION SERVICE	86.75
UNIVERSITY OF MN PRINTING SERV	146.25
VERGAS ACE HARDWARE	55.79
VERGAS 66	2,897.06
VICTOR LUNDEEN COMPANY	1,564.76
WADENA CO AUDITOR TREASURER	2,036.68
WADENA PIONEER JOURNAL	108.60
WALLWORK TRUCK CENTER	3,260.47
WASTE MANAGEMENT	8,557.28
WEST PAYMENT CENTER	3,642.23
<u>ZIEGLER INC</u>	<u>390.86</u>
<u>**** FINAL TOTAL.....</u>	<u>\$276,036.99 ****</u>

approved minutes