

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, June 16, 2009
9:15 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, June 16, 2009, at 9:17 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners Everett Erickson, Chair; Roger Froemming, Vice-Chair; John Lindquist, Doug Huebsch and Lee Rogness present.

Approval of Agenda

Motion by Froemming, second by Rogness, and unanimously carried to approve the Board of Commissioners agenda of June 16, 2009 as mailed.

Approval of Minutes

Motion by Froemming, second by Lindquist, and unanimously carried to approve the Board of Commissioners meeting minutes of June 9, 2009 as mailed.

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.

Vehicle Lease – West Central Task Force

Sheriff Schlueter stated that the West Central Task Force cannot purchase vehicles, but they can lease vehicles through a federal grant. In order to participate in the Municipal Lease Program, you must be a governmental agency with taxing authority. The Sheriff requested Otter Tail County to be a conduit for this purpose. Nelson Ford Fleet Manager, Gerry Worner, reported that the Task Force is planning to lease five vehicles (SUV's) at \$480 per month for each vehicle for a period of 4½ years with a \$1.00 buyout option. The Sheriff stated that the Task Force has \$385,000 in forfeiture funds as a backup in case the federal funding runs out. Motion by Rogness, second by Huebsch, and unanimously carried to approve the concept of Otter Tail County acting as a conduit for the West Central Task Force purchase of five vehicles through the Municipal Lease Program at the cost stated above with Maintenance and Insurance being the responsibility of the Task Force. The Sheriff will return to the Board with proposed contracts.

Automated External Defibrillator

On behalf of the Public Health Department, Sheriff Schlueter requested approval to apply for a federal grant to identify existing locations with AED's in Otter Tail County and identify additional sites and partners who would agree to place AED's in their facility. Training and reporting of the use of the devices on a web-based reporting system will be part of the program. Motion by Rogness, second by Huebsch, and unanimously carried to approve a Grant Application for placing AED's throughout the County with Otter Tail County being the fiscal agent for the grant and subcontracting with Ringdahl Ambulance to do the work. The proposed three-year grant is \$158,000 per year.

Otter Tail Wadena Community Action Council

CAC Family Services Manager, Diane Leaders, presented an update regarding the Family Services Program. She requested approval of a resolution for support to apply for a Family Homelessness Prevention Program Grant.

Perham Resource Recovery Facility

Mr. Hanan submitted several documents regarding the concept of District/Regional Solid Waste Disposal and the Minnesota Statutes that govern waste disposal. The multi-county concept has been in place for various disposal systems since 1984. Discussion took place in regards to broadening the current partners in the Perham Resource Recovery Facility. Mr. Hanan presented a draft letter inviting additional partners to begin to discuss the formation of the new Governance Board. Commissioner Huebsch identified four major areas of cooperation for waste disposal as follows: 1) education (reuse & reduction), 2) land fill management, 3) waste to energy, and 4) recycling. The idea would be to trim cost and increase efficiency at the same time. Discussion continued regarding the amount of garbage needed if an expansion at the Perham Facility takes place and the need for all facets of waste disposal such as recycling and landfilling because of seasonal fluctuations of waste. Other areas of discussion included potential for steam sales and available grant dollars. Motion by Rogness, second by Lindquist, and unanimously carried to appoint Commissioners Huebsch, Froemming, and Solid Waste Director, Mike Hanan, to a Regional Solid Waste Steering Committee if the current PRRF Coordinating Committee agrees to invite the other counties who have expressed an interest in the project.

Recess

At 10:21 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break.

Meeting Reconvened in Closed Session

At 10:30 a.m., Chairman Erickson 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 Highway Engineer, Rick West, pursuant to M.S. Chapter 13D.05 Subd. 3. Commissioners Erickson, 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. At 11:04 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners reconvened in open session.

Planning Commission Recommendations

Conditional Use Permit – DLM LLC & Jon Saetre:

Motion by Huebsch, second by Lindquist, and unanimously carried to approve a Conditional Use Permit to rebuild roads as identified in Option #2 of the Planning Commission minutes of June 10, 2009 and with conditions as recommended by the Planning Commission. The original request identified as Option #1 in the Planning Commission minutes was withdrawn. The property is described as ELY portion along W shores of lakes of SE¼, Section 11 and Pt of Lot 4, Section 12 of Edna Township; Moenedick Lake (56-336), NE & Ceynowa Lake (56-337), GD.

Conditional Use Permit – “Twin Acres”, Dennis & Tammy Buchanan:

Motion by Huebsch, second by Rogness, and unanimously carried to approve a Preliminary Plat entitled “Twin Acres” consisting of 2 non-residential, non-riparian lots as presented. The property is described as Parcel G of GL 4 (2.69 Acres), Section 36 of Rush Lake Township, Rush Lake (56-141), GD & Buchanan Lake (56-209), GD.

Conditional Use Permit – Larson Lake Property Partnership:

Motion by Erickson, second by Froemming, and unanimously carried to approve a Conditional Use Permit to replace existing pipe with conditions as recommended by the Planning Commission. The property is described as Lot 15 Killarney Beach & Lot 15 & vac rd Barry's Addn-Killarney Beach, Section 4 of Dunn Township; Pelican Lake (56-786), GD.

Conditional Use Permit – Otter Tail County Highway Department:

Motion by Froemming, second by Lindquist, and unanimously carried to approve a Conditional Use Permit to replace Deficient Bridge No. 93127 located on CSAH 67 over Rock Creek as presented. The project is located at the Crossing of CSAH 67 and Rock Creek in Government Lot 1, Section 19, Deer Creek Township; East Leaf Lake (56-116), RD & Rock Creek (56-TR), Trib.

Conditional Use Permit – Thomas Vertin:

Motion by Froemming, second by Lindquist, and unanimously carried to approve a Conditional Use Permit for topographical alterations for a new residence with a condition as recommended by the Planning Commission. The property is described as Lots 9, 10, 11, & 12 of Augustana Beach, Section 28, Amor Township; Otter Tail Lake (56-242), GD.

Correction to April 14, 2009 minutes for Preliminary Plat of “Oakwood Glen”:

Motion by Lindquist, second by Rogness, and unanimously carried to amend the motion to be subject to the conditions as recommended by the Planning Commission except the property is subject to a private easement. The language previously used was “subject to an easement”.

Collins Landing

Motion by Huebsch, second by Rogness, and unanimously carried to approve an extension for filing the Final Plat entitled Collins Landing on Dead Lake until July 15, 2009 to allow additional time to clear the existing title problems.

Drainage System No. 16

Ditch Inspector, Randy Wasvick, submitted a Proposal for Engineering Services for Otter Tail County Ditch No. 16 and Clitherall Lake Area dated June 12, 2009 from Houston Engineering, Inc. Mr. Wasvick stated that the proposal is to look at more than initially planned. It includes consideration of different scenarios that might happen. Houston Engineering is not going to make recommendations in this proposal; however, they will provide options in the proposal. The scope of work is to include upstream all the way to Molly Stark and Annie Battle lakes. Motion by Lindquist, second by Rogness, and unanimously carried to approve the Proposal for Engineering Services Preliminary Report for Drainage System No. 16 and Clitherall Lake Area dated June 12, 2009 from Houston Engineering, Inc. at an estimated cost of \$25,400. This motion is subject to a recommendation from the engineer working on the project to be included in the report and scope of services in addition to the detailed options.

Drainage System No. 70

Motion by Lindquist, second by Huebsch, and unanimously carried to adopt the Order for Redetermination of Benefits for Drainage System No. 70 for the following reasons: 1) Ditch No. 70 was established in 1923, 2) benefits of the Ditch have not been re-determined since the original determination of benefits, 3) because of the subdivision of land, it is not possible to determine who should be assessed for the benefits of Ditch No. 70, 4) the current benefited areas do not reflect the larger catchment basin of the Ditch, and 5) a public meeting was held on June 11, 2009, wherein the majority of the public indicated that a redetermination of benefits should be completed.

Bid Award – CSAH No. 1 Overlay

After previously advertising for bids, the following bids were opened on May 27, 2009 for S.P. 56-601-52, MN Project No. ES 09ES(098):

Mark Sand & Gravel Co.
Fergus Falls, MN

\$1,213,802.03

(Corrected Bid - \$1,213,956.53)

Central Specialties, Inc. Alexandria, MN	\$1,285,306.55
Knife River Corp. Bemidji, MN	\$1,435,976.33

Motion by Rogness, second by Huebsch, and unanimously carried to award S.P. 56-601-52, CSAH No. 1 Overlay, to the low bidder, Mark Sand & Gravel Co, at the bid price of \$1,213,956.53 as recommended by the Highway Engineer.

CSAH 24 High Water

Highway Engineer, Rick West, reported that a pump may be required to reduce flooding on CSAH 24, East of Rothsay. Discussion took place regarding a used low hour, late model pump for sale through Fergus Power Pump on a three-year lease/purchase option. Motion by Rogness, second by Huebsch, and unanimously carried to authorize the Highway Engineer to move forward with researching the option of purchasing a pump for high water issues. The motion requested a second estimate on a used pump and continued discussion on this topic at next week's Board meeting.

Proposed West Central Regional Treatment & Correctional Center

County Attorney, David Hauser, reported on a proposed Eleven-County Project for a jail that provides Chemical Dependency Treatment. He reported approximately 3 million dollars as the proposed annual operating cost with a construction cost of 15,480,179.00. The reason the State of Minnesota may help fund the project is because this would include people who would otherwise go to prison. It would include departure from sentencing guidelines to return people back to the public.

Proposed Tower Road/Bridge Funding

At noon, the City of Fergus Falls and County Board of Commissioner discussed the status of the proposed Tower Road Bridge & Street Project with an estimated project cost of \$14,500,000. A federal financial commitment of \$7,700,000 was reported with a proposed \$2,500,000 from both the City of Fergus Falls and Otter Tail County. The City is continuing to look for additional federal dollars to fill-in the gap. Discussion continued regarding the project.

Legislative Discussion

At 1:00 p.m., upon completion of the City/County meeting, Senator Dan Skogen and Senator Tom Bakk announced Mr. Bakk's candidacy for Minnesota Governor in the next election and spent some time discussing the current legislative climate and financial concerns.

Recess & Reconvene

At 1:38 p.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed until 1:43 p.m., when the meeting was reconvened.

License Applications

Motion by Erickson, second by Lindquist, and unanimously carried to approve the following applications for licenses:

Brian Evenson
Birchwood Golf Course
19711 430th St
PO Box 432
Pelican Rapids, MN 56572

On/Off- Sale 3.2 Malt Liquor

The license is subject to the approval of the County Sheriff's office and County Attorney's office.

BPOE Elks Lodge 1093
Elks Point
20970 Elks Point Road
Fergus Falls, MN 56537

On Sale Seasonal Liquor & Seasonal
Sunday Liquor

J. Steven Gribble, Revocable Living Trust
Cozy Cove Resort
38811 Cozy Cove Road
Dent, MN 56528

On/Off-Sale 3.2 Malt Liquor

The license is subject to the approval of the County Sheriff's office and County Attorney's office.

Eric Malmstrom
Madsen's Resort
27102 State Highway 78
Battle Lake, MN 56575

On/Off-Sale 3.2 Malt Liquor

The license is subject to the approval of the County Sheriff's office and County Attorney's office.

Dwayne and Lori Codner
Peak Supper Club
43517 County Highway 38
Clitherall, MN 56524

On Sale 3.2 Malt Liquor and On-Sale Wine

The license is subject to the approval of the County Sheriff's office and County Attorney's office.

T & T Enterprises of Perham, Inc.
Silver Moon Steakhouse & Lounge
1117 W Main
Perham, MN 56573

Liquor and Sunday Liquor
On Sale 3.2 Malt Liquor

Appointments to Otter Tail Water Management District

Motion by Froemming, second by Huebsch, and unanimously carried to reappoint Mr. Robert Young and to appoint Mr. Dave Erwin to four-year terms on the Otter Tail Water Management District Board effective July 1, 2009.

Payment Approval

Motion by Lindquist, second by Rogness, and unanimously carried to approve payment, in the amount of \$91.85, from the Capital Improvement Fund to Young & Associates for the 60-Bed Chemical Dependency Treatment Center.

Property Tax Overview

Assessor, Bob Moe, submitted a handout entitled "County Board Training-Assessment Process" and discussed by power point presentation, the property land classification and valuation process. County Auditor, Wayne Stein, submitted a handout entitled "Rate and Tax Calculation" dated June 16, 2009 and discussed by power point presentation the unique taxing areas, net tax capacity, referendum market value tax, State property tax, and gross and net tax calculation. This review is in preparation for the County Board of Equalization to be held June 17, 2009.

Commissioner Froemming was absent at 3:35 p.m.

Dog Bite Order

Motion by Huebsch, second by Rogness, and unanimously carried to authorize the Chairman's signature to execute the Findings of Fact and Order pertaining to a dog owned by Tanya Patricia Kline.

Independence Day Parade

Motion by Huebsch, second by Lindquist, and unanimously carried to approve the Annual Independence Day Parade and corresponding road closure(s) on the west end of Otter Tail Lake on Sunday, July 5, 2009, as requested. This motion is contingent upon approval of the Sheriff's Department, proof of insurance and that Otter Tail County is held harmless relative to liability.

Labor Management Committee

Commissioner Doug Huebsch will be serving on the Otter Tail County Labor Management Committee in place of Commissioner Rogness.

Correspondence Acknowledged

Commissioners received correspondence from Kathy Mayer handed to them at the Board meeting. A letter of response will be drafted.

Adjournment

At 4:15 p.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, June 23, 2009.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

Attest: _____
Larry Krohn, Clerk

CB/kd

approved minutes

WARRANTS APPROVED ON 6/16/2009 FOR PAYMENT 6/16/2009

<u>VENDOR NAME</u>	<u>AMOUNT</u>
ABG MAINTENANCE INC	170.40
AL'S REFRIGERATION	798.60
ALCOPRO	222.00
ALERUS FINANCIAL	57.00
BRANDBORG LAW OFFICE	337.50
MELINDA CARRLSON	538.13
CDW GOVERNMENT INC	31,381.50
CENTRAL LAKES COLLEGE	450.00
CIT TECHNOLOGY FIN SERV INC	189.86
CITIZENS ADVOCATE AND VERNDALE	25.00
CO OP SERVICES INC	1,218.18
CODE 4 SERVICES LLC	2,622.52
COMSTOCK CONSTRUCTION INC	55.00
CONVERGENT SOLUTIONS GROUP LLC	46,745.29
COOPERS TECHNOLOGY GROUP	555.56
CORNERHOUSE	409.43
CULLIGAN WATER COND	54.66
CUSTOM BUSINESS FORMS	1,855.90
D & T VENTURES LLC	464.00
DACOTAH PAPER COMPANY	184.61
DENZEL'S REGION WASTE INC	360.36
FARGO FREIGHTLINER	959.67
FARNAM'S GENUINE PARTS INC	254.31
FARNAM'S GENUINE PARTS INC PR	1.59
FERGUS ELECTRIC	128.27
FERGUS FALLS DAILY JOURNAL	474.02
FERGUS TIRE CENTER	3,217.53
DAVID FIEDLER	150.00
FOTH & VAN DYKE	10,996.97
FSH COMMUNICATIONS LLC	63.90
G & K SERVICES	1,467.55
GALL'S INC	278.61
KEVIN GOEDEN	150.00
GRAINGER INC	143.14
PAT GRIESER	8.36
PATRICK GRIFFIN	5.92
MATTHEW HANSON	63.15
CODY HENDRICKX	119.99
HENNING HARDWARE	186.52
CRYSTAL HERMAN	37.40
HIGH PLAINS TECHNOLOGY	684.80
SANDY HOLO	157.20
HOUSTON ENGINEERING INC	9,047.75
THE INDEPENDENT	130.00
INNOVATIVE OFFICE SOLUTIONS	80.37
JOHNSTON FARGO CULVERT INC	10,351.80
KC WASH IT	79.87
KELLY SERVICES INC	1,591.20
KEN'S SAW SHOP	18.37
LAKE REGION DENTAL CENTER	587.00
LAKE REGION ELECTRIC CO OP	25.00
LAKE REGION HEALTHCARE CORP	1,218.00
LAKELAND MENTAL HEALTH CENTER	1,507.00
LAKES COUNTRY SERVICE CO OP	2.00
LAKES CRISIS & RESOURCE CENTER	129.00
LAKEWAY MARKET LLC	1,535.43
LARRY OTT INC TRUCK SERVICE	375.00

MARIE LEVANG	103.40
MANNY'S - ROCKY'S BAIT	517.27
MARCO	725.76
MARK SAND & GRAVEL CO	120,434.56
MATHISON COMPANY	552.59
MIDWEST PRINTING CO	89.46
MIDWESTERN MAT RENTAL & SUPPLY	79.72
MODERN ASSEMBLIES INC	40.00
MOORE MEDICAL LLC	318.97
KURT MORTENSON	39.05
NAPA FERGUS FALLS	34.57
NAPA OF PERHAM	224.61
NAPA STANDARD PARTS OF WADENA	126.58
NATURES GARDEN WORLD	874.51
NELSON AUTO CENTER	47,313.87
NEWMAN TRAFFIC SIGNS	55,628.06
NORTHLAND BUSINESS SYSTEMS INC	20,854.38
OFFICE DEPOT	158.39
OLSON OIL CO INC	891.57
ONE CALL LOCATORS LTD	306.04
THE ORIGINAL HEATING MAN	57.00
OTTERTAIL TRUCKING INC	9,112.00
PAKOR INC	221.10
PAMIDA PHARMACY	4,189.52
PARK REGION CO OP	70.00
PENROSE OIL COMPANY	859.88
PEPSIAMERICAS	399.75
PERHAM CO OP OIL	676.10
PERRIN MOBILE MEDICAL	62.79
PETE'S AMOCO	551.04
PRAIRIE IMPLEMENT INC	23.09
PRAXAIR DISTRIBUTION INC	334.41
PREMIUM WATERS INC	31.83
HENRY PRICE	397.00
QUARTERMASTER	211.96
QUILL CORPORATION	334.81
RAY'S OIL COMPANY	224.94
RDO EQUIPMENT CO FARGO	711.04
RDO TRUCK CENTERS	439.01
RELIABLE OFFICE SUPPLIES	123.75
REVIEW ENTERPRISES INC	122.39
RINGDAHL AMBULANCE SERVICE	150.00
ROAD EQUIPMENT PARTS CENTER	1,066.90
ROTHSAY FARMERS CO OP	41.43
ROYAL TIRE INC	41.11
CHERI SCHULTZ	51.18
NATHAN SELANDER	19.05
SOUTHTOWN C-STORE	398.36
STEINS INC	1,662.55
STEVE'S SANITATION INC	4,387.15
STREICHERS	981.16
SWANSTON EQUIPMENT CORP	2,596.52
MARCIA THOMPSON	5.25
TITAN ACCESS ACCOUNT	158.77
TOM AVANT PAINTING	3,900.00
TRAVERSE CO SHERIFF	1,080.34
SUSAN ULSCHMID	96.60
UNIFORMS UNLIMITED	323.60
UNIV OF MN EXTENSION SERVICE	1.07

UNIVERSITY OF MN PRINTING SERV	111.02
VARITECH INDUSTRIES	368.03
VERGAS 66	910.56
WADENA ASPHALT INC	350.68
WADENA CO SHERIFF	80.00
WASTE MANAGEMENT	37,029.92
WEST PAYMENT CENTER	649.42
WILKIN CO SHERIFF	2,531.52
LORI WOOD	76.00
ZACK JONES & MAGNUS	2,903.82
ZIEGLER INC	262.37
<u>**** FINAL TOTAL.....</u>	<u>\$465,623.34 ****</u>

approved minutes