

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
January 5, 2010
9:15 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, January 5, 2010, at 9:15 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.

Year 2010 Otter Tail County Board Chair

Board of Commissioners Clerk, Larry Krohn, requested nominations for the CY2010 Otter Tail County Board Chair. Motion by Erickson, second by Lindquist, and unanimously carried to elect Commissioner Roger Froemming as the Otter Tail County Board Chair for 2010.

Year 2010 Otter Tail County Board Vice-Chair

Chairman, Roger Froemming assumed the chair and requested nominations for the CY2010 Otter Tail County Board Vice-Chair. Motion by Huebsch, second by Rogness, and unanimously carried to elect Commissioner John Lindquist as the Otter Tail County Board Vice-Chair for 2010.

Approval of Agenda

Motion by Rogness, second by Lindquist, and unanimously carried to approve the Board of Commissioners agenda of January 5, 2010 as mailed.

Approval of Minutes

Motion by Lindquist, second by Rogness, and unanimously carried to approve the Board of Commissioners meeting minutes of December 29, 2009 as presented.

Approval to Pay Bills

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

**Depository Resolution
Otter Tail County Resolution No. 2010 - 01**

Commissioner Huebsch offered the following and moved its adoption:

RESOLVED by the Board of Commissioners of Otter Tail County, Minnesota, that all financial institutions in Otter Tail County, including state and federal banks be and are hereby designated as depositories of County funds.

Commissioner Rogness seconded the motion. Chairman Froemming called for the vote which was unanimous as follows:

<u>Board of County Commissioners</u>	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Leland Rogness	X			
Douglas Huebsch	X			
Everett Erickson	X			
John Lindquist	X			
Roger Froemming	X			

Adopted this 5th day of January, 2010

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

Investments Resolution
Otter Tail County Resolution No. 2010 - 02

Commissioner Erickson offered the following and moved its adoption:

RESOLVED by the Board of Commissioners of Otter Tail County, Minnesota, that the Otter Tail County Treasurer be and is hereby given authority to invest County funds as available.

Commissioner Lindquist seconded the motion. Chairman Froemming called for the vote which was unanimous as follows:

<u>Board of County Commissioners</u>	<u>YEA</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Leland Rogness	X			
Douglas Huebsch	X			
Everett Erickson	X			
John Lindquist	X			
Roger Froemming	X			

Adopted this 5th day of January, 2010

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

County Website

Motion by Erickson, second by Rogness, and unanimously carried to designate the Otter Tail County website as the official publication for highway project advertisements for bids as authorized by Minnesota Statutes 331A.12.

Annual Appropriations

Motion by Huebsch, second by Rogness, and unanimously carried to authorize payment of the following CY2010 annual appropriations:

West Otter Tail Fair Association	\$13,000.00
East Otter Tail Fair Association	13,000.00
Otter Tail Country Tourism Association	10,000.00
The History Museum	20,000.00
Rural Life Outreach	1,000.00
Minnesota Red River Valley Development Association	800.00
Stevens County Soil & Water Conservation District	6,136.00

Board of Equalization & Appeal Dates

Motion by Rogness, second by Erickson, and unanimously carried to convene the County Board of Appeal and Equalization on Wednesday, June 16, 2010 at 9:00 a.m. and to reconvene the County Board of Equalization for final action on Tuesday, June 29, 2010 (M.S. 274.14).

Calendar Year 2010 Pocket Gopher Bounty Resolution (M.S. 348.12 and 348.13)
Otter Tail County Resolution No. 2010 - 03

Upon a motion offered by Erickson, seconded by Lindquist and unanimously carried, the following resolution was adopted:

RESOLVED by the Board of County Commissioners of Otter Tail County, Minnesota, that

The sum of thirty cents (\$.30) be paid out of the General Revenue Fund of Otter Tail County for every pocket gopher killed in said County during the year 2010. Paid only in those cases where the township in which the pocket gophers were so killed shall provide for the payment of at least an additional bounty of forty cents (\$.40) for each pocket gopher so killed.

RESOLVED further that said payment of such County shall be made by the County Auditor upon certificates executed by the Chairman and/or Clerk of the Town Board of said Township setting forth that the township had issued and delivered to each claimant a payment for at least seventy cents (\$.70) for each pocket gopher so killed.

Adopted at Fergus Falls, MN this 5th day of January 2010.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

Annual Insurance Premiums

Motion by Rogness, second by Huebsch, and unanimously carried to approve payment to the Minnesota Counties Insurance Trust as follows:

Property/Casualty Coverage	Invoice No. 33216 JKR	\$466,475.00
Workers Compensation Coverage	Invoice No. 33147 CRZ	414,721.00
Property/Casualty Coverage	Invoice No. 33219 JKR	6,309.00

Calendar Year 2010 Tax Forfeited Land Sale Apportionment Resolution
Otter Tail County Resolution No. 2010 - 04

Upon a motion offered by Huebsch, seconded by Rogness and unanimously carried, the following resolution was adopted:

RESOLVED by the Board of County Commissioners of Otter Tail County, Minnesota, that

WHEREAS, it is provided in Minn. Stat. 282.05 for the apportionment of proceeds from the sale of tax forfeited lands, and

WHEREAS, the County Auditor shall apportion the tax sale proceeds to the taxing district pursuant to Minn. Stat. 282.08 and

WHEREAS, Minn. Stat. 282.08 (4) (b) provides that the County Board may set aside 20% of the proceeds remaining after the value of public improvements, special assessments and bond issues levied on the property have been paid, for acquisition and maintenance of county parks and recreational areas, and

WHEREAS, Otter Tail County has a park and recreational area, which would benefit by such an apportionment.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor retains 20% of the proceeds from the sale of tax forfeited lands for acquisition and maintenance of parks and recreational areas from the proceeds to be disbursed according to law.

Adopted at Fergus Falls, MN this 5th day of January 2010.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Roger Froemming, Board of Commissioners Chair

Attest: _____

Larry Krohn, Clerk

Assessment to Property

Motion by Huebsch, second by Erickson, and unanimously carried to assess, beginning with Payable Year 2010, the following public health nuisance abatement costs incurred under the provision of Minnesota Statute 145A.08 as detailed below:

Parcel No. 31-000-19-0132-000

Property Address – 24965 470th Ave

Date of Abatement - \$3,890.75 (spread over 8 years with 4% interest rate)

2010 Printing and Publishing Bids

After previously advertised for bids to be received for printing and publishing of the county board minutes, legal notices, delinquent tax list and county's annual financial statement, the County Auditor opened the following bids:

Legal Notices, Publications and Commissioners' Minutes:

Daily Journal \$14.08 per S.A.U.

Annual Financial Statement

Pelican Rapids Press First Publication \$14.08 per S.A.U.

Parkers Prairie Independent Second Publication \$14.08 per S.A.U.

Delinquent Tax List

Battle Lake Review First Publication \$14.08 per S.A.U.

Battle Lake Review Second Publication \$ 8.77 per S.A.U.

After consideration, a motion was offered by Erickson, seconded by Rogness, and carried with Huebsch opposed, to designate the following papers for Otter Tail County's 2010 publishing and printing requirements with the exception of the official publication for highway project advertisements for bids, which will be posted to the Otter Tail County website as authorized by Minnesota Statute 331A.12 Subdivision 2:

Legal Notices, Publications and Commissioners' Minutes:

Daily Journal \$14.08 per S.A.U.

Annual Financial Statement

Pelican Rapids Press First Publication \$14.08 per S.A.U.

Parkers Prairie Independent Second Publication \$14.08 per S.A.U.

Delinquent Tax List

Battle Lake Review First Publication \$14.08 per S.A.U.

Battle Lake Review Second Publication \$ 8.77 per S.A.U.

Delinquent Real Estate Parcels

Motion by Huebsch, second by Erickson, and unanimously carried to set the cost assessed to delinquent real estate parcels that are published in the Delinquent Tax List at \$39.00 per parcel authorized by M.S. 279.092.

Premise Permit

Otter Tail County Resolution No. 2010 – 05

Commissioner Lindquist 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 Elizabeth Firemen's Relief Association, Elizabeth, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at Ye Olde Schoolhouse located at 24028 Emery Drive in Friberg Township of Otter Tail County; and

WHEREAS, Minnesota Statute 349.213 provides that the Gambling Control Board may not issue an initial 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 Elizabeth Firemen's Relief Association, Elizabeth, MN, at Ye Olde Schoolhouse located at 24028 Emery Drive in Friberg 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 Elizabeth Firemen's Relief Association, Elizabeth, MN, at Ye Olde Schoolhouse located at 24028 Emery Drive in Friberg 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 Friberg by sending them a copy of this resolution.

Commissioner Erickson seconded the motion, and upon being put to a vote, the resolution was unanimously adopted.

Adopted and signed this 5th day of January 2010.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

Recess & Reconvene

At 9:55 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 10:01 a.m.

Variance Request to Direct Deposit Policy

VSO Director, Bernie Gamber requested a variance be granted to the Veterans Services Department to the Otter Tail County direct deposit policy. The policy requires all employees to use direct deposit to receive their paychecks. Mr. Gamber stated that his department pays drivers a stipend to take disabled veterans to the Fargo VA for appointments and there have been some objections to the requirement of direct deposit. Commissioners discussed the value of the VSO transportation program. They also discussed the direct deposit policy which is used by many other governmental entities and private business. Motion by Huebsch, second by Erickson, and unanimously carried to deny the variance request to the VSO Department to the direct deposit policy because if some are allowed to opt out, others may request the same option and the policy saves the County money by not issuing physical checks and not mailing check stubs (available now by website). Requiring direct deposit is authorized by M.S. 471.426.

A motion was offered by Rogness to authorize the County to pursue other alternatives for consideration of the individuals who are objecting to receive their salary payments in a different electronic format such as a debit card arrangement. Treasurer, Steve Andrews reported that he has checked with a local bank regarding a debit card option; however, this would be more expensive than direct deposit. Commissioner Rogness withdrew his motion.

2010 Solid Waste Haulers' Licenses

Motion by Rogness, second by Lindquist, and unanimously carried to approve the following 2010 Solid Waste Haulers' licenses:

Ballard Sanitation
PO Box 368
Pelican Rapids, MN

Big Red Boxes (Greg Peterson)
23027 265th Ave
Fergus Falls, MN

City Dray Sanitation
16407 US Highway 71
Wadena, MN

Corrie's Sanitation
4966 River Place NE
Carlos, MN

Denzel's Region Waste
27766 Joten Lake Road
Dalton, MN

Fuch Sanitation
PO Box 204
Glyndon, MN

G & T Sanitation
PO Box 186
Sebeka, MN

Ken Saurer Garbage Service
Box 55
Clitherall, MN

Jon & Son Disposal
PO Box 1475
Detroit Lakes, MN

Metro Disposal
PO Box 947
Fargo, ND

Minn-Kota Recycling
PO Box 1864
Fargo, ND

Ottertail Trucking
PO Box 402
Fergus Falls, MN

Steve's Sanitation
240 6th Ave NE
Perham, MN

Toutges Sanitation
49601 Brandborg Creek Rd
Henning, MN

West Central Roll-Off
17205 Heartland Road
Vining, MN

Disposal of Municipal Solid Waste

The County Board directed Solid Waste Director, Mike Hanan, to pursue the development of an Ordinance that regulates the disposal of Otter Tail County MSW.

Final Payment – Fergus Falls Transfer Station

Motion by Erickson, second by Rogness, and unanimously carried to approve Final Payment #14, in the amount of \$118,358.23, payable to Breitbach Construction for completion of the Fergus Falls Transfer Station building.

Closed to the Public

At 10:35 a.m., Chairman Froemming 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 Human Services, Nursing, and Facilities Maintenance collective bargaining unions. Present were all five seated Commissioners, the County Attorney, County Coordinator, and Board Secretary.

Board of Commissioners' Meeting Dates for 2010

Motion by Rogness, second by Huebsch with Erickson opposed, to approve the following CY2010 Board of Commissioners' meeting schedule:

CY2010 Month	Full Day County Board 9:30 a.m.	Human Services Followed by County Board - 9:30 a.m.	Change in Regular Schedule due to Holidays	* No meeting due to 5 Tuesdays
January	05 & 19	12 & 26		
February	02 & 16	09 & 23		
March*	02 & 16	09 & 23		March 30
April	06 & 20	13 & 27		
May	04 & 18	11 & 25		
June*	01 & 15	8 & 29		June 22
July	06 & 20	13 & 27		
August*	03 & 17	10 & 24		August 31
September	07 & 21	14 & 28		
October	05 & 19	12 & 26		
November*	02 & 16	09 & 30	Thanksgiving 11/25 & 11/26	November 23
December	07 & 21	14 & 28		

Planning Commission Reappointments

Motion by Huebsch, second by Erickson, and unanimously carried to reappoint the following members to the Otter Tail County Planning Commission effective January 1, 2010 for a three year term:

Marion Gill (District 1)
Bert Kinzler (District 3)

Joe Maske (District 2)
Leona Zimmerman (District 5)

Courthouse Complex Space – FF Police Department

Discussion took place regarding communication with the City of Fergus Falls Police Department as it relates to their current location in the County Courthouse. Motion by Rogness, second by Huebsch, and unanimously carried to convey the message that, at this time, Otter Tail County has no timeline for the Fergus Falls Police Department to move out of their current location by any particular date. Further discussion took place regarding a five year plan and factors that could affect future space needs in the Courthouse.

Board of Commissioners' Meetings for 2010

Motion by Froemming, second by Erickson, and unanimously carried to establish the time for beginning the Human Services Board and Board of Commissioners' meetings during CY2010 at 9:30 a.m.

Economic Improvement Commission

Commissioner Rogness reported that the City of Fergus Falls EIC is hosting speakers from the UND Center for Innovation on January 7, 2010. Motion by Erickson, second by Froemming, and unanimously carried to authorize Commissioner Rogness and Commissioner Huebsch to attend the FFEIC meeting on January 7, 2010, which will provide information for understanding financing tools under the EB-5 Foreign Direct Investment program.

Red River Basin Commission Meeting

Motion by Lindquist, second by Erickson, and unanimously carried to authorize Commissioners Rogness and Huebsch and GIS Coordinator, Brian Armstrong to attend, on behalf of Otter Tail County, the RRBC meeting at 10:30 a.m. on January 13, 2010 at the RRBC's Moorhead office.

Adjournment

At 11:31 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, January 12, 2010.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

WARRANTS APPROVED ON 1/05/2010 FOR PAYMENT 1/05/2010

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A & S TRAINING	5,285.00
A'VIANDS LLC	8,814.23
AMERICAN INSTITUTIONAL SUPPLY	51.64
BATTERIES PLUS	231.61
CARR'S LAKE COUNTRY SUPERMARKE	50.44
CHARTER COMMUNICATIONS	68.35
CITIZENS ADVOCATE AND VERNDALE	11,323.52
COMPUTER PROFESSIONALS UNLIMIT	1,906.28
CULLIGAN WATER CONDITIONING	46.44
DACOTAH PAPER COMPANY	212.17
DALTON GOPHERS 4-H	250.00
FIRE FIGHTER & DETECT ALARM	1,608.54
FOTH & VAN DYKE	5,960.74
SHARON FUNK	19.99
GALL'S INC	22.76
GIRL SCOUT TROOP 981	250.00
H & L MESABI	48,661.41
NICOLE HANSEN	101.20
HENNING LEAF LAKERS 4-H GROUP	250.00
INFORMATION SYSTEMS CORP	845.00
INNOVATIVE OFFICE SOLUTIONS	983.29
K.I.D.LEASING	256.44
LAKE REGION HEALTHCARE CORP	76.16
MACO	9,630.00
MARCO	199.12
MN ASSOC OF CO OFFICERS	265.00
MN ASSOC OF TOWNSHIPS	15.00
MN DEPT OF NATURAL RESOURCES O	90.00
MN MOTOR COMPANY	32.46
MN POLLUTION CONTROL AGENCY	400.00
NEW YORK MILLS 4TH GRADERS	250.00
OTTER TAIL CO TREASURER	8,084.69
OTTER TAIL POWER COMPANY	720.00
OTTER TAIL TELCOM	179.66
OTTERTAIL TRUCKING INC	7,905.00
OVERLAND MECHANICAL SERVICES	64.04
PELICAN RAPIDS PRESS	94.48
PUBLIC SAFETY CENTER INC	238.91
RELIABLE OFFICE SUPPLIES	60.40
SOUTH MILL SERVICE	168.45
ST JOHN'S ACT	250.00
STEINS INC	151.33
STEVE SCHIERER APPRAISALS	600.00
STREICHERS	19.22
THYSSEN KRUPP ELEVATOR CORPORA	849.93
TNT REPAIR INC	1,773.60
U S POSTMASTER	88.00
UNIFORMS UNLIMITED	217.57
WEST CENTRAL INITIATIVE	20,000.00
WEST PAYMENT CENTER	649.87
WHITE PINE ACADEMY	62.55
<u>**** FINAL TOTAL.....</u>	<u>\$140,334.49****</u>