

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, January 19, 2010
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, January 19, 2010, at 9:30 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners, Roger Froemming, Chair; John Lindquist, Vice-Chair; Everett Erickson, Doug Huebsch and Lee Rogness present.

Approval of Agenda

Motion by Rogness, second by Erickson, and unanimously carried to approve the Board of Commissioners agenda of January 19, 2010.

Approval of Minutes

Motion by Lindquist, second by Rogness, and unanimously carried to approve the Board of Commissioners meeting minutes of January 12, 2010 as presented.

Approval to Pay Bills

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

Cashier's Check Accepted

Motion by Huebsch, second by Lindquist, and unanimously carried to accept a Cashier's check from John Young in lieu of bringing his proposed road into compliance with Otter Tail County's Subdivision Controls Ordinance on the property described as Lot 1 Blk 1 & Lot 1 Blk 2 Bal-View Estates & that part of the NW1/4 SE1/4, which lies Nwly of the dedicated public road in Bal-View Estates & adjoins the W line of said NW1/4 SE1/4, Sec 31, Otter Tail Township; Otter Tail Lake (56-242), GD / Non-Shoreland, so that the Final Plat can be filed.

Pawn Shop Ordinance Discussion

Lieutenant Mark Englund, Sergeant Al Frank and Fergus Falls Police Department Detective Carol Schmaltz discussed the draft of the Pawn Shop Ordinance. Otter Tail County has five pawn shops and having an ordinance requiring pawn shops to make an electronic record of everything they purchase will make tracking and recovering stolen property easier. The Commissioners gave their approval to move forward with the ordinance.

Recess & Reconvene

At 9:50 a.m. Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. At 9:54 a.m., Chairman Froemming declared the meeting reconvened.

State Auditor Exit Conference

State Auditor, Bob Johnson, conducted an Exit Conference regarding the 2008 Otter Tail County Financial Statements. He submitted revenue and expenditure fund balances, cash balances, and unreserved fund balances. Mr. Johnson reviewed the schedule of findings and stated that the County's financial report is very good. Mr. Johnson recommended that the County Board review the Uniform Policy among items that should be looked at are taxable items that tax is not being withheld on and setting a price range on certain expenditures.

Solid Waste Haulers License

Motion by Huebsch, second by Lindquist, and unanimously carried to approve a Solid Waste Hauler license for Detroit Lakes Disposal of Detroit Lakes for 2010.

Recess and Reconvene

At 10:29 a.m., Chairman Froemming declared the meeting recessed for a Capital Improvement Committee Meeting. The meeting was reconvened at 11:12 a.m.

Planning Commission Recommendations

Conditional Use Permit – Jason & Robin Ecker:

Motion by Huebsch, second by Rogness, and unanimously carried to approve a Conditional Use Permit for Topographical Alteration as recommended by the Planning Commission. The property is described as Quiet Creek Estates Lot 1 Blk1, Section 32 of Corliss Township; Big Pine Lake (56-130), GD.

Conditional Use Permit – Otter Tail County Highway Department:

Motion by Erickson, second by Lindquist, and unanimously carried to approve a Conditional Use Permit for the installation of a water level control system as recommended by the Planning Commission. The project is located near Deadman Lake: NE1/4 of NW1/4, NE1/4 of SW1/4 and SW1/4, Section 19, Pelican Township/T136N, R44W; Project No. SAP 56-630-10 & East Olaf Lake: SE1/4 of SW 1/4, Section 18, Pelican Township/T136N, R44W; Project No SAP 56-630-10; Olaf Lake (56-950), RD & Deadman Lake (56-951), NE

Conditional Use Permit – LeRoy J & Betty M Fielder:

Motion by Erickson, second by Huebsch, and unanimously carried to approve a Conditional Use Permit for the purposes of raising warm weather night crawlers with a the condition that approximately 10' of existing lilacs are removed for purposes of vehicle visibility, as recommended by the Planning Commission. The property is described as Lot 1 Blk 1 Church Bay Beach, Section 22 of Dunn Township; Franklin Lake (56-759), RD.

Conditional Use Permit – Allen & Carmen Arvig:

Land & Resource Director, Bill Kalar explained that the Planning Commission recommended approval with condition of Conditional Use Permit of Allen & Carmen Arvig. The property is described as Lots 11, 12 & 13 Oakland Beach, Section 1 of Perham Township; Little Pine Lake (56-142), GD. Condition being the swale works as an interceptor to the satisfaction of Land and Resource Management. Paul Carlson, Attorney and Tom Clemenhausen, Engineer, representing Bill Cavanaugh expressed opposition to the plan. Some of the concerns included drainage, fill material that was already placed onsite, and a proposed barrier wall. A motion was made by Lindquist, and seconded by Rogness to table any motion until the two parties involved can meet and come to an agreement. Discussion followed. Rogness rescinded his second to the motion. Lindquist rescinded his motion. After further discussion a motion was made by Lindquist, second by Erickson to approve with condition as recommended by the Planning Commission the Conditional Use Permit of Allen & Carmen Arvig, with the additional statement that the plan can precede with or without the wall, and the wall will not be a required part of the plan. Chairman Froemming called for a roll call vote. Motion carried as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>
Commissioner Rogness	X		
Commissioner Huebsch			X
Commissioner Erickson	X		
Commissioner Lindquist	X		
Commissioner Froemming	X		

Recess and Reconvene

At 11:42 a.m., Chairman Froemming declared the meeting recessed for a Personnel Committee Meeting. The meeting was reconvened at 11:44 with Commissioners Rogness, Huebsch and Froemming present. Commissioners Erickson and Lindquist were attended the Personnel Committee Meeting.

Red River Basin Discussion

GIS Coordinator, Brian Armstrong reported to the Board on the Red River Basin Technical Committee meeting he recently attended. Discussion followed.

Recess and Reconvene

At 12:03 p.m., Chairman Froemming declared the meeting recessed for a Personnel Committee Meeting and lunch. The meeting reconvened at 1:28 p.m. with all seated Commissioners present.

Exempt Permit

Motion by Erickson, second by Lindquist, and unanimously carried to approve with No Waiting Period, the LG220 Application for Exempt Permit as submitted by the St. James Catholic Church for an event scheduled for Sunday, July 25, 2010 at the St. James Catholic Church located at 32009 County Highway 74.

Minnesota Heartland Tourism Association Annual Report

Auditor, Wayne Stein, presented the Minnesota Heartland Tourism Association Annual Report to the County Board.

Payment Approval - Groomer for Otter Trail Riders Snowmobile Club

Motion by Huebsch, second by Lindquist, and unanimously carried to approve payment to the Otter Trail Riders Snowmobile Club for the purchase of 2010 Tucker Terra Model 2000D1-28R-6-173 Groomer as follows:

Total Purchase Price	\$155,561.30
Less – Non Grant Eligible	<u>38,535.30</u>
Total	\$117,026.00

Otter Tail County will be reimbursed as follows:

	\$ 58,513.00 from Otter Trail Riders Snowmobile Club
	\$ <u>58,513.00</u> through DNR Project Agreement #0030-09-1B
Total	\$117,026.00

Payment Approval

Motion by Rogness, second by Erickson, and unanimously carried to approve payment in the amount of \$1,452.73 to the City of St. Cloud for support and maintenance of the Minnesota Regional Radio Joint Powers Board.

Confidentiality and Indemnification Agreement

Motion by Erickson, second by Rogness, and unanimously carried to authorize the County Auditor's signature on the Confidentiality and Indemnification Agreement between Blue Cross Blue Shield of Minnesota, Hildi, Incorporated and Otter Tail County for the release of data, which includes both confidential and protected health information necessary to adequately complete the GASB actuarial valuations of Otter Tail County's post employment obligations.

Approval to Transfer Funds

Motion by Huebsch, second by Erickson and unanimously carried, to approve an operating transfer from the General Fund to Debt Service Fund to fund the February 1, 2010 debt service payment (principal and interest) as noted below:

GO Tax Abatement Bonds, Series 2007B	
Principal	200,000.00
Interest	117,890.00
Paying Agent	450.00
GO Tax Abatement Bonds, Series 2007C	
Principal	325,000.00
Interest	8,287.50
Total Due	651,627.50
Less – Available Funds	11,512.60
Amount of Transfer -	640,114.90

Vehicle Purchase

Motion by Lindquist, second by Huebsch and unanimously carried to transfer the insurance proceeds received from MCIT, in the amount of \$10,825.00 (representing the total loss & deductions for the total loss of a 2008 Ford Crown Victoria) from the General Revenue Fund to the Capital Expenditure Fund to be used along with other Capital Improvement Funds from the Sheriff's account for purchase of a replacement squad vehicle.

Capital Improvement Requests

Motion by Huebsch, second by Rogness and unanimously carried to approve the following expenditures in the Sheriffs' Department:

Vehicles -	Approximate cost	\$310,550.00
SWAT Equipment		\$42,800.00*
Investigative Equipment and Cameras		\$9,450.00*
Training Equipment		\$5,000.00*
Mobile Data Computer Upgrades		\$27,000.00*

*These figures are approximate costs.

Human Services Vehicle Replacement

Motion by Huebsch, second by Lindquist, and motion carried with Erickson opposed, to allow the Human Services Department to replace a destroyed car with the purchase of a van to transport families and children at the approximate cost of \$20,000.

Employees' Committee Request

Motion by Erickson, second by Froemming, and unanimously carried to approve an expenditure of \$988.60, for the Employee of the Month jackets and Years of Service Certificates for 2009.

Closed to the Public

At 2:43 p.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 acting Board Secretary.

Adjournment

At 3:20 p.m., upon conclusion of the closed session, Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. Tuesday, January 26, 2010.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

CB/kc

WARRANTS APPROVED ON 1/19/2010 FOR PAYMENT 1/19/2010

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	2,227.12
ABG MAINTENANCE INC	171.00
AMERICAN WELDING & GAS INC	115.81
AMERIGAS	332.50
ANDERSON LAND SURVEYING INC	4,415.00
ARVIG COMMUNICATION SYSTEMS	200.00
BANK OF THE WEST	22.80
BARRETT EMS TRAINING	450.00
BATTLE LAKE AUTO PARTS	209.12
BATTLE LAKE MOTOR PATROL ASSN	87.50
BATTLE LAKE STANDARD	15.33
BCA ST OF MN	530.00
BEN HOLZER UNLIMITED	70.24
TERRY BENNETT	109.26
BEYER BODY SHOP INC	2,955.53
BLUESTONE TECHNOLOGIES INC	268.40
BOB'S STANDARD BULK SERVICE	179.65
BRANDON COMMUNICATIONS INC	750.00
BREITBACH CONSTRUCTION CO	118,358.23
CAROLINA SOFTWARE	400.00
CARR'S LAKE COUNTRY SUPERMARKE	670.19
CHRISTENSEN CONSTRUCTION	1,155.00
CIT TECHNOLOGY FIN SERV INC	190.53
CO OP SERVICES INC	6,653.29
COMMISSIONER OF REVENUE	150.00
COMPUTER INFORMATION SYSTEMS	2,000.00
COOPERS TECHNOLOGY GROUP	366.87
DAVID COSSETTE	82.98
CULLIGAN	33.71
CULLIGAN WATER COND	91.28
D & T VENTURES LLC	739.00
DAKOTA PRINTERS LLC	58.20
DENZEL'S REGION WASTE INC	180.18
DESIGN ELECTRONICS	76.90
DICK'S STANDARD	95.09
EAST OTTER TAIL FOCUS	40.00
EGGE CONSTRUCTION INC	191.25
FARMERS CO OP OIL ASSN	4,160.19
FARNAM'S GENUINE PARTS INC	599.16
FERGUS FALLS DAILY JOURNAL	2,926.99
FERGUS FALLS MEDICAL GROUP	1,907.59
CITY FERGUS FALLS	4,125.32
FERGUS POWER PUMP INC	5,720.00
FERGUS TIRE CENTER	4,049.74
FORCE AMERICA	434.92
FOTH & VAN DYKE	1,723.96
FSH COMMUNICATIONS LLC	128.26
GALL'S INC	159.28

GIRL SCOUT TROOP 30899	250.00
JOHN GOOD	15.00
PAT GRIESER	150.00
BRUCE HANSTAD	100.00
MARK HAUGE	128.20
HENNING AUTO PARTS INC	169.66
HENNING HARDWARE	302.00
HENRY'S FOODS INC	1,473.52
HILDI INC	250.00
GERALD HOLO	149.99
SANDY HOLO	24.00
HOMESTEAD BUILDING SUPPLIES	12.39
HOUSTON ENGINEERING INC	1,921.25
INDEPENDENT EMERGENCY SERVICES	64.22
INNOVATIVE OFFICE SOLUTIONS	83.29
GREGORY JANUSZEWSKI	207.51
KELLY SERVICES INC	262.56
KOEP'S CLITHERALL CORNER	653.51
L & L SERVICE	60.00
LAKEWAY MARKET LLC	4,527.28
LARRY OTT INC TRUCK SERVICE	625.00
DEAN LARSON	142.45
LOCATORS & SUPPLIES INC	1,106.83
MARK AND BRENDA CONSTRUCTION I	21,588.15
MCAA	3,690.00
MCCC MI 33	5,150.61
MCCOLLOUGH WELDING	77.59
MIDWESTERN MAT RENTAL & SUPPLY	164.47
MINNEAPOLIS CENTER FORENSIC PS	1,250.00
MN DEPT OF AGRICULTURE	200.00
MN DEPT OF NATURAL RESOURCES O	140.00
NANIK'S ELECTRIC	253.00
NAPA FERGUS FALLS	5.77
NAPA OF PERHAM	72.49
NAPA STANDARD PARTS OF WADENA	80.32
NELSON AUTO CENTER	1,645.06
NICE THREADS	10.00
NORTHERN SAFETY TECHNOLOGY INC	539.87
NORTHERN STATES SUPPLY INC	177.19
NORTHSTAR TECHNOLOGY GROUP INC	9,500.00
NOVA FIRE PROTECTION	348.00
OLSON OIL CO INC	1,897.47
OTTER TAIL CO EMPLOYEES COMMIT	124.00
OTTER TAIL CO RECORDER	200.00
OTTER TAIL CO TREASURER	66,712.00
OTTERTAIL BAKERY	19.00
OTTERTAIL TRUCKING INC	9,339.00
OTTO OTTERS 4-H CLUB	250.00
OVERHEAD DOOR CO OF FERGUS FAL	60.00
PAMIDA PHARMACY	5,601.18
PARK REGION CO OP	603.10

PEBBLE LAKE TAKE 5	260.80
PELICAN RAPIDS PRESS	45.00
PELICAN RAPIDS TESORO	155.00
PENROSE OIL COMPANY	3,549.58
PEPSIAMERICAS	678.00
PERHAM ACE HARDWARE	31.74
PERHAM AREA EMS	330.00
CITY PERHAM	123,878.76
PETE'S AMOCO	3,912.96
CHERYL PETERSEN	84.95
JON PETTERSON	15.00
POSTMASTER	40.00
PRAIRIE IMPLEMENT INC	274.75
PRAXAIR DISTRIBUTION INC	413.61
PREMIUM WATERS INC	39.59
PRO AG FARMERS CO OP	2,177.95
PRO-WEST & ASSOCIATES INC	4,947.50
PRODUCTIVE ALTERNATIVES INC	165.66
PUBLIC SAFETY CENTER INC	1,081.91
QUARTERMASTER	35.58
QUICK'S NAPA AUTO PARTS	111.23
QUILL CORPORATION	191.45
RAY'S OIL COMPANY	2,352.60
RDO EQUIPMENT CO FARGO	18.34
RDO TRUCK CENTERS	490.24
REVIEW ENTERPRISES INC	39.60
RYAN'S REPAIR	273.98
SCHWAAB INC	101.51
SCOTT HOFLAND CONSTRUCTION INC	5,775.00
SEWER SERVICE	420.00
SIGELMAN STEEL & RECYCLING INC	337.57
SNIPERCRAFT INC	450.00
SOUTHTOWN C-STORE	1,779.51
STEINS INC	313.74
STEVE'S SANITATION INC	1,398.74
STREICHERS	237.64
SUPER SEPTIC & EXCAVATION	77.19
TITAN ACCESS ACCOUNT	61.50
TNT REPAIR INC	144.62
SUSAN ULSCHMID	24.00
KEITH VAN DYKE	22.94
VERGAS HARDWARE	84.28
VERGAS 66	3,073.69
VICTOR LUNDEEN COMPANY	108.16
VIKING COCA-COLA	275.20
WASTE MANAGEMENT	5,224.49
WELLER OIL CO	231.40
WHITE BANNER UNIFORM SHOP	129.00
WINMAR HME	198.00
XEROX CORPORATION	192.56
ZIEGLER INC	6,088.83

**** FINAL TOTAL..... 485,299.65

approved minutes