

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, March 23, 2010
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, March 23, 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 Erickson, second by Lindquist, and unanimously carried to approve the Human Services Board agenda of March 23, 2010 as mailed.

Approval of Minutes

Motion by Rogness, second by Froemming, and unanimously carried to approve the Human Services Board minutes of March 9, 2010 as presented.

Committee of the Whole Discussion

Commissioners Lindquist and Rogness reported on water flow from Otter Tail County that flows into Judicial Ditch #2. This was examined by an aerial fly over. Wilkin County officials took the opportunity to fly over the area as well.

Probation Department

Probation Director, Chuck Kitzman, reported that the Probation Advisory Board will meet March 25, 2010 at the Courthouse. He also apprised the Board regarding a summer internship in his office.

Public Health Department

Public Health Director, Diane Thorson provided a document from the National Association of County & City Health Officials (NACCHO) entitled "Public Health Funding in Final Health Reform Bill". Ms. Thorson reviewed the on-going funding in the bill for prevention, wellness, education repayment, family/home visitation and other public health activities.

Ms. Thorson submitted a sampling of six different ways that Community Health Boards (Public Health Agencies) are organized and governed. Discussion followed regarding the existing alliances.

Human Services 2009 Annual Report

Human Services Director, John Dinsmore presented the Otter Tail County Human Service Department 2009 Annual Report and briefed Board members on the Mission Statement and various programs, i.e. Minnesota Family Investment Program (MFIP), Minnesota Health Care Programs (GAMC and MNCare), Out-of-Home Placement, Vulnerable Adult Reporting and Child Care Licensing. Commissioner Huebsch requested up-to-date dollar statistics relative to the Cost Report provided. Mr. Dinsmore reported that out of every \$100 spent in a public program, Otter Tail County taxpayers spend \$7.40 with the rest of the dollars coming from State and Federal funds, most of which goes directly to care providers.

Legislative Update

Mr. Dinsmore provided a Legislative Update dated March 15, 2010 from the Minnesota Association of County Social Service Administrators (MACSSA). He submitted a document from the Kaiser Foundation with details regarding health care reform proposals (H.R. 4872).

Human Services Contract

Motion by Lindquist, second by Erickson, and unanimously carried to approve the following Human Services contract:

Agency	Program	Effective Date	Targeted Population	Funding Source
Joan Moerke & Valdean Merz Addendum to Current Contract	Adult Foster Care	03/15/2010 through 06/30 2011	Elderly & Disabled individuals	AC/EW/CADI or TBI Waivered Funds

Approval to Pay Bills & Claims

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

Adjournment

At 10:29 a.m., Chairman Froemming declared the meeting of the Otter Tail County Human Services Board adjourned until Tuesday, April 13, 2010.

Dated: _____

OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____
Roger Froemming, Human Services Board Chair

Attest: _____
Larry Krohn, Clerk

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, March 23, 2010, at 10:36 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 Huebsch, and unanimously carried to approve the Board of Commissioners agenda of March 23, 2010 with the following addition:

Closed Session – Attorney Client Privilege Regarding Ethanol Plant

Approval of Minutes

Motion by Erickson, second by Huebsch, and unanimously carried to approve the Board of Commissioners minutes of March 16, 2010 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.

Closed to the Public

At 10:39 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners closed to the public regarding the 60-Bed CARE Facility and disputes regarding construction/mechanical contracts. The closed session is authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were all five seated commissioners, County Attorney, Physical Plant Manager, County Coordinator and Board Secretary.

60-Bed CARE Facility

At 11:04 a.m., upon conclusion of the closed session, Chairman Froemming declared the meeting open to the public. Physical Plant Manager, Rick Sytsma, requested approval of an Analysis Contract for the heating system in the 60-Bed CARE Facility. A motion was offered by Rogness and seconded by Erickson, to approve an Engineer's Study from McFarlane to determine the cause of the problem with the heating system in the CARE Facility, at a cost of \$41,500.00. Chairman Froemming called for a roll call vote:

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

Motion carried.

Final Payments for Highway Projects

Motion by Lindquist, second by Huebsch, and unanimously carried to approve Final Payment, in the amount of \$6,587.02 (Est. #12), payable to Robert R. Schroeder Const, Inc. for S.A.P. 056-599-054, bituminous surfacing and bridge (#56534) removal and construction.

Motion by Huebsch, second by Erickson, and unanimously carried to approve Final Payment, in the amount of \$7,110.65 (Est. No. 8), payable to Lakes Paving Division of Strata of Detroit Lakes, MN, for S.A.P. 056-599-056, bituminous surfacing and bridge (#3300) removal.

Motion by Froemming, second by Erickson, and unanimously carried to approve Final Payment, in the amount of \$74,857.53 (Est. No. 9), payable to Central Specialties, Inc. of Alexandria, MN, for S.P. 056-619-011, MN Project No. STPX 5608, bituminous surfacing and concrete curb and gutter work.

RESOLUTION

**Agreement for Cultural Resources/Archaeology Survey
 Bridge 56502 (CSAH 72) Replacement Project, S.P. 56-674-04
Otter Tail County Resolution No. 2010 - 19**

Commissioner Rogness offered the following and moved its adoption:

WHEREAS, Otter Tail County is undertaking the replacement of Bridge 56502 (CSAH 72) over the Otter Tail River, and

WHEREAS, Otter Tail County will secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations, and

WHEREAS, the Mn/DOT Cultural Resources Unit has identified the need for an archaeology survey to identify whether any properties within the Area of Potential Effects (APE) are eligible for the National Register of Historic Places (NRHP) in order to assess impacts and to complete environmental documentation for the proposed project, and

WHEREAS, the proposed budget amount for aforementioned archaeology survey is \$14,314.89, and

WHEREAS, the local share of subject budget is 20%.

NOW THEREFORE BE IT RESOLVED, that Otter Tail County does hereby agree to provide the local share of the proposed budget for the stated archaeology survey, currently estimated at \$2,862.98.

BE IT FURTHER RESOLVED, the Chairman and the Clerk are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation.

Commissioner Huebsch seconded the motion and YEAS and NAYS are as follows:

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

Adopted at Fergus Falls, Minnesota, this 23rd day of March, 2010

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

High Water Discussion

Highway Engineer, Rick West, after having met with the Highway Committee, requested approval to purchase another pump because of the various high water problems throughout the County. Motion by Rogness, second by Erickson, and unanimously carried to authorize purchase of a Premier Pump (75 hrs-full warranty) from Neil Dornbusch and Associates, at the lowest bid price of \$26,000.00 plus sales tax. This pump is the same brand and model as the current pump owned by the County. Payment will be from the Highway Department's Capital Improvement Fund instead of purchasing two pickup trucks that were previously budgeted for CY2010.

Health & Safety Services

Physical Plant Manager, Rick Sytsma, and Highway Engineer, Rick West, requested approval of a proposal from Lakes Country Service Cooperative to contract services for a Lead Facilitator for the County's safety program. Motion by Huebsch, second by Erickson, and unanimously carried to approve the Proposal for Health and Safety Services dated September 17, 2009, from LCSC at an annual fee of \$26,500.00. Acting Safety Director and Coordinator, Larry Krohn, was designated as the Otter Tail County contact person.

Minnesota Counties Intergovernmental Trust Annual Report

Risk Management Coordinator, Karen Lundin, introduced MCIT Consultant, Jane Hennagir. Ms. Hennagir presented the 2010 MCIT Report to Members and briefed the Board on background of the organization, asset protection, rate calculations and dividends for Workers' Compensation and Property/Casualty Insurance.

Recess & Reconvene

At 11:54 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:00 p.m.

Public Hearing for Proposed Pawnbroker Ordinance

At 1:00 p.m., the Board of Commissioners' meeting was reconvened with Vice-Chair, John Lindquist and Commissioners Rogness, Huebsch, and Erickson present. Other County officials present were Lieutenant, Mark Englund; Sergeant, Al Frank; and the County Attorney. Mr. Lindquist opened the public hearing for consideration of enactment of the Otter Tail County Pawnbroker Draft Ordinance dated 12-31-09.

County Attorney, David Hauser stated that notice of the public hearing was published in the Fergus Falls Daily Journal and copies of the draft ordinance were distributed to Pawnbrokers in the County and posted on the County website.

SO Lieutenant, Mark Englund, stated that the proposed Pawnbroker Ordinance was drafted from State information for regulation of pawnshops. It requires pawnshops to submit information into a database chosen by the Sheriff. Mr. Englund noted that currently, one pawnshop owner is already data entering information into the database. The purpose is to be able to access information by name of person, serial number and model number of the item(s) being brought to the pawn shop. He stated that there is no requirement to input items into the database that are not identifiable. This will be a tool for law enforcement to recover stolen items for people throughout the country.

Mr. Hauser stated that the draft Pawnbroker Ordinance is not more restrictive than State legislation (M.S. 325J) except for requiring the database information, which is the main reason for proceeding with an ordinance.

Discussion took place regarding the automated pawn system software entitled "Leads on Line National Database" selected by the Sheriff and the benefits of that system. Commissioner Huebsch requested that there not be a fee to the pawn brokers. Discussion took place regarding the fee currently charged by the City of Perham.

At 1:14 p.m., Vice-Chair Lindquist opened the hearing for public comment. Ken Williams, owner of the Fergus Falls Pawnshop and his Attorney, Jason Hastings were present.

Attorney, Jason Hastings, and Pawnshop Owner, Ken Williams, spoke in opposition of the proposed Pawnbroker Ordinance and cited the following concerns:

- financial obligation with the fee and licensing application
- implications of the ordinance that pawnshops are dealing with crime and theft
- pawnshops are already being controlled by State statute
- Clay, Becker and other counties do not have Pawnbroker Ordinances
- Ordinance is not clear regarding duties and obligations of the pawnbroker
- did not agree with the license suspension and revocation provision
- expensive software the County will pay for without a large gain because pawnbrokers are already working with law enforcement
- pawnbrokers are not dealing in large items, i.e. cars and 4-wheelers
- expressed concern that this is not being done nationally because not all cities and counties have ordinances

Vice-Chair Lindquist closed the public hearing at 1:30 p.m.

800 Megahertz ARMER System

Motion by Rogness, second by Erickson, and unanimously carried to authorize the Chairman's signature on a letter to State Representatives to encourage support of a bill (M.S. 297A.70, Subd.8) that exempts payment of sales tax on ARMER equipment.

Mr. Englund provided copies of a letter which invites interested individuals to an educational session on the statewide ARMER system on April 1, 2010 at 6:00 p.m. at the Ottertail Operations Center. A State regional interoperability person will give the presentation.

Parkers Prairie Tower Site Land Acquisition

Chairman Froemming was present at 1:39 p.m. and assumed the Chair position. Mr. Englund requested approval of a change to the Parkers Prairie Tower Site Purchase Agreement. Motion by Erickson, second by Lindquist, and unanimously carried to correct the purchase price on the Parkers Prairie Radio Site Purchase Agreement from \$17,500.00 to \$17,750.00.

Otter Country Trail Association (OCTA) Otter Tail County Resolution No. 2010 – 20

Commissioner Huebsch offered the following and moved its adoption:

WHEREAS, Otter Tail County has sponsored Grant-In-Aid Systems in the past; and

WHEREAS, acceptance of the Grant-In-Aid Systems proposed extensions are subject to the review and approval of the County Attorney.

THEREFORE, BE IT RESOLVED that Otter Tail County shall continue to sponsor Grant-In-Aid Trail Systems as they exist for the Otter Country Trail Association Snowmobile Club for the 2010-2011 snowmobile season and proposed extensions of Grant-In-Aid Trails with the aforementioned condition.

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

Adopted this 23rd day of March, 2010

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: _____

By: _____

Larry Krohn, Clerk

Roger Froemming, Board of Commissioners Chair

Voluntary Furlough Plan

After discussion, a motion was offered by Huebsch and seconded by Rogness, to approve the Voluntary Furlough Plan presented in Attachment B of these minutes. Chairman Froemming called for a roll call vote:

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

Motion carried.

Premise Permit

Otter Tail County Resolution No. 2010 – 21

Commissioner Erickson 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 Cormorant Lakes Sportsman's Club, Audubon, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at The Pelican, located at 44086 US Highway 59 in Pelican 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 Cormorant Lakes Sportsman's Club, Audubon, MN, at The Pelican, located at 44086 US Highway 59 in Pelican 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 Cormorant Lakes Sportsman's Club, Audubon, MN, at The Pelican, located at 44086 US Highway 59 in Pelican 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 Pelican by sending them a copy of this resolution.

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

Adopted and signed this 23rd day of March 2010.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Attest: _____

Roger Froemming, County Board Chair

Larry Krohn, Clerk

Payment Correction

Motion by Erickson, second by Huebsch, and unanimously carried to correct the payment from \$8,142.26 to \$6,471.01 to Lindquist and Venum P.L.L.P. for professional services rendered through January 31, 2010 for the Chapter 11 bankruptcy of Otter Tail Ag Enterprises, LLC.

Approval to Purchase Replacement Truck

Motion by Huebsch, second by Rogness, and unanimously carried to authorize the Solid Waste Director to develop Request for Proposals to replace a 1986 cardboard collection truck and compactor unit. Bid specifications will include a trade-in.

Sheriff Department Staffing

Sheriff Brian Schlueter requested approval for an internal replacement of a Lieutenant position (position anticipated to be vacant the end of May, 2010), internal replacement of a Sergeant position, and replacement by open hire of a Deputy position. Motion by Huebsch, second by Rogness and unanimously carried to approve the Sheriff's request to replace a Lieutenant position by internal promotion, a Sergeant position by internal promotion, and replace the Deputy position that will be vacant due to the internal promotions. The reason for authorizing this hiring request is for public safety, the need for replacement of a key position to manage the 800 Megahertz state radio system project, and the initial exemption for law enforcement relative to the hiring freeze.

Closed to the Public

At 2:53 p.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners closed to the public to discuss litigation in the matter of foreclosure proceedings relative to the Ethanol Plant. The closed session is authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were all five seated commissioners, County Attorney, County Coordinator and Board Secretary.

Adjournment

At 3:30 p.m., upon conclusion of the closed session, Chairman Froemming adjourned the meeting of the Otter Tail County Board of Commissioners until Tuesday, April 6, 2010.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Roger Froemming, Board of Commissioners Chair

Attest: _____

Larry Krohn, Clerk

CB/kd

approved minutes

WARRANTS APPROVED ON 3/23/2010 FOR PAYMENT 3/23/2010

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A & S TRAINING	2,755.00
A-1 ENGRAVING	34.20
A-1 LOCK & KEY LLC	17.15
ALLEN'S AUTO BODY & 24 HR TOWI	78.05
JEFFREY ARNDT	138.39
ARNTSON CONSTRUCTION LLC	160.00
BATTERIES PLUS	95.13
BEN FRANKLIN	13.81
BOB'S STANDARD BULK SERVICE	89.40
BRETZ HARDWARE	10.66
WADE BUGBEE	52.25
CDW GOVERNMENT INC	82.70
CHEMSEARCH	39.28
CITIZENS ADVOCATE	102.00
CONVERGENT SOLUTIONS GROUP LLC	7,093.21
COOPERS TECHNOLOGY GROUP	92.32
CORPORATE HUMAN SERVICES INC	5,789.41
VINCE CRARY	175.00
DACOTAH PAPER COMPANY	821.46
DENZEL'S REGION WASTE INC	180.18
DESIGN ELECTRONICS	242.52
DEX EAST	21.70
KATHY DOMHOLT	11.37
EGGE CONSTRUCTION INC	160.00
ELECTION SYSTEMS & SOFTWARE IN	33,144.20
FASTENAL COMPANY	117.89
FERGUS FALLS DAILY JOURNAL	156.00
FERGUS FALLS MEDICAL GROUP	2,764.00
CITY FERGUS FALLS	1,875.60
FERGUS POWER PUMP INC	330.00
FOTH & VAN DYKE	7,540.48
GALL'S INC	83.73
GE CAPITAL (CA)	374.05
GODFATHERS EXTERMINATING INC	263.13
GOODIN COMPANY	38.64
GOPHER STATE ONE CALL	14.20
GRAINGER INC	14.98
GRANT'S MECHANICAL	568.63
GREEN LIGHTS RECYCLING INC	964.85
CHRISTINE GREENE	37.49
H & L MESABI	730.61
DAVID HAUSER	370.00
HAWES SEPTIC TANK PUMPING	70.00
HEDAHLS HEADQUARTERS	141.95
HSBC BUSINESS SOLUTIONS	17.91
INDEPENDENT EMERGENCY SERVICES	64.22
THE INDEPENDENT	112.00
INNOVATIVE OFFICE SOLUTIONS	130.51
ISSUETRAK INC	600.00
JOHN'S HEATING & AC INC	318.42
ERWIN JOHNSON	11.46
KELLY SERVICES INC	700.00
KNUTSON ELECTRIC REBUILDING	73.13
LAB SAFETY SUPPLY INC	412.82
LAKE REGION HEALTHCARE CORP	960.00
LARRY OTT INC TRUCK SERVICE	1,375.00
LAWSON PRODUCTS INC	343.36

ROGER LEWIS	184.95
LITTLE FALLS MACHINE INC	434.01
LOCATORS & SUPPLIES INC	147.10
M-R SIGN COMPANY INC.	15.50
MARCO	1,571.40
MARCO INC ST LOUIS	331.65
MCHRMA	100.00
JAMES MCMAHON	4.90
MFIA	200.00
MID-CENTRAL EQUIPMENT INC	218.03
MINNKOTA	29.00
MN DEPT OF HEALTH	350.00
MN STATE AUDITOR	3,730.00
NANIK'S ELECTRIC	86.30
NELSON AUTO CENTER	44,807.79
KEVIN NEWBORG	583.33
NORTH AMERICAN SALT CO	16,211.73
NORTHSTAR TECHNOLOGY GROUP INC	87.79
ONE CALL LOCATORS LTD	60.08
OTTER TAIL CO EMPLOYEES COMMIT	199.50
OTTER TAIL CO PUBLIC HEALTH	256.00
OTTER TAIL TELCOM	37.35
OTTERTAIL AGGREGATE	398.75
OTTERTAIL BAKERY	80.76
OTTERTAIL TRUCKING INC	10,252.00
OVERHEAD DOOR CO OF FERGUS FAL	672.00
OVERLAND MECHANICAL SERVICES	247.35
PELICAN RAPIDS PRESS	35.00
PEPSIAMERICAS	481.99
PERHAM SAND & GRAVEL	47.70
PITNEY BOWES	1,528.56
PRO-WEST & ASSOCIATES INC	1,272.50
PRODUCTIVE ALTERNATIVES INC	69.24
RDO EQUIPMENT CO FARGO	962.70
RDO TRUCK CENTERS	1,059.67
RETROFIT COMPANIES INC	1,081.17
ROCKHURST UNIVERSITY	199.20
RUFFRIDGE JOHNSON EQUIP CO INC	3,248.95
RUTTIGERS BAY LAKE LODGE	355.95
SCHMIDT MARBLE AND WOOD	2,287.50
SIMPLEXGRINNELL LP	7,838.22
SPRINT	559.86
ST JOSEPH EQUIPMENT INC	21.37
STEINS INC	917.27
STREICHERS	86.52
SUNRISE EQUIPMENT INC	1,777.05
SYNERGY GRAPHICS	6,123.31
TASER INTERNATIONAL	650.00
GARY TORGERSON	10.00
TRANQUILITY BUILDING SERVICES	908.44
UGSTAD PLUMBING INC	2,354.78
UNIFORMS UNLIMITED	114.35
UNIV OF MN EXTENSION SERVICE	56.64
US BANK	431.25
VICTOR LUNDEEN COMPANY	76.42
VIKING GARAGE DOOR COMPANY INC	204.01
VOSS LIGHTING	23.77
WALLWORK TRUCK CENTER	1,634.60
WASTE MANAGEMENT	793.35
WEST PAYMENT CENTER	649.87
WHITE BANNER UNIFORM SHOP	99.00
ZIEGLER INC	9.83
3RD DISTRICT SHERIFF'S ASSOCIA	50.00

**** FINAL TOTAL.....

\$192,291.76 ****

approved minutes

To: Otter Tail County Employees

From: Human Resource Department

Subject: Voluntary Furlough Plan

The Otter Tail County Commissioners approved the following furlough plan. The plan will allow employees on a volunteer basis to request up to 96 hours of furlough (unpaid time off) during a calendar year, beginning April 1, 2010 and possibly continuing through December 31, 2011.

Employees on a volunteer basis may request up to 96 hours of furlough (unpaid time off) during a calendar year (January 1 to December 31). The plan will be in affect beginning April 1, 2010 through December 31, 2011. This is based on eight (8) hours per month. For 2010, the maximum furlough hours will be 72 hours. By agreement, employees may take more than eight (8) hours in one month.

If an employee requests furlough time, the following will apply:

- A. The leave will not exceed 96 hours within a calendar year or 12 days for Exempt employees.
- B. For non exempt (hourly) employees leave time can be taken in increments of no less than one (1) hour.
- C. For exempt employees, leave time will need to be taken in increments of no less than a day.
- D. Exempt employees cannot work more than 40 hours during the week they use voluntary furlough hours.
- E. The employee's longevity and seniority will not be affected.
- F. The employee will not be prorated on insurance benefits, vacation accrual, or sick leave accrual, holiday accrual and/or holiday pay.
- G. The leave is subject to prior approval by the Department Head and the County Coordinator or their designees.

The County reserves the right to deny any employee's request for unpaid time based on the number of requests received, an employee's critical skills, and business needs. The County will only approve unpaid time in situations when the County could absorb the loss of hours within the department/unit without significantly impacting service. Voluntary furloughs shall be planned ahead of time on a quarterly basis (by April 30th for the 2nd quarter; thereafter, 30 days in advance of a calendar quarter).

Requests for furlough (unpaid leave) will need to be in writing, and each department will be required to track the total hours taken so not to exceed the 96 hours. Employees must document the unpaid leave time on their timesheet in the explanation area as "furlough".

*Please note that unpaid time will affect your PERA and Social Security as these are determined based on wages.

For PERA: Generally, there is no effect on your pension unless you are within 5 years of retirement. If an employee chooses to pay their portion to buy back furlough time from PERA, it must be made within one year of your return or within 30 days of your termination of public service, whichever is sooner. If an employee chooses a buy back, Otter Tail County will pay the employer portion.

Board of Commissioners' Chairman

Date

ATTEST: _____
Larry Krohn, Clerk

Date