

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
515 W. Fir Avenue, Fergus Falls, MN  
Tuesday, April 13, 2010  
9:30 a.m.**

**Call to Order**

The Otter Tail County Human Services Board convened Tuesday, April 13, 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 Rogness, and unanimously carried to approve the Human Services Board agenda of April 13, 2010 as mailed.

**Approval of Minutes**

Motion by Lindquist, second by Froemming, and unanimously carried to approve the Human Services Board minutes of March 23, 2010 as presented.

**Committee of the Whole Discussion**

Discussion took place regarding the Bois de Sioux Watershed District which includes a joint ditch system between Traverse and Grant County. The watershed district is completing a redetermination of benefits for the joint ditch system and in so doing; they are finding that there is Otter Tail County properties that are benefiting. They are proceeding with assessments to Otter Tail County properties even though there has been no transfer of drainage authority from the Otter Tail County Board or a joint ditch established. These county properties are in the Bois de Sioux Watershed District and the district is asserting jurisdiction that technically, they may not have. Otter Tail County has a representative on the watershed district. There are also factual questions as to whether or not these properties actually benefit. The Otter Tail County properties are 30 miles upstream from the ditch system on the Mustinka River. The Bois de Sioux Watershed District has scheduled a hearing Thursday evening at the Wheaton School where the Ditch Viewers will present their redetermination report.

**Public Health Department Contract Renewals**

Motion by Rogness, second by Lindquist, and unanimously carried to authorize the appropriate County Officials' signatures to execute a contract between the University of Minnesota, Moorhead, and the County of Otter Tail to designate the U of MN Moorhead location as a clinical site for nursing staff.

Motion by Erickson, second by Huebsch, and unanimously carried to authorize the Chairman's signature to execute a Project Agreement between Lake Region Healthcare Corporation and the County of Otter Tail to provide falls prevention in the elderly. Falls prevention grant dollars, in the amount of \$4,500, will be provided to Lake Region Healthcare for training.

Motion by Huebsch, second by Rogness, and unanimously carried to approve the Chairman's signature to execute a grant agreement between the Minnesota Department of Health and the County of Otter Tail Community Health Board. Otter Tail County will receive \$1,313.00 for follow-up and management for persons with latent tuberculosis disease.

**Wellness Committee Report**

Wellness Committee members, Janet Lindberg and Annamarie Tabery, presented a report regarding healthy activities encouraged by the committee throughout the year. They explained that funding for the various activities is received through Lakes County Service Cooperative through the health insurance program. A simple survey was completed by Board members to give the committee an idea of the level of support for worksite wellness programs. Flex time was encouraged to allow employees to attend County sponsored events if scheduling can be worked out in the departments.

**Public Health Department Ranking & Financial Report**

Public Health Director, Diane Thorson, reported on a ranking process used by Olmsted County to determine importance of programs. After providing information regarding each program including the economic burden to society, she requested that Board members complete an importance worksheet to rank each program. This information will be used as a tool when determining priority of programs to provide to Otter Tail County citizens in the future. Ms. Thorson also provided her department's financial analysis, by program, for the first quarter of 2010.

**Child Abuse Prevention Proclamation  
Otter Tail County Resolution No. 2010 - 23**

Commissioner Erickson offered the following and moved its adoption:

WHEREAS, child abuse prevention is a community problem and finding solutions depends on involvement among people throughout the community; and

WHEREAS, the effects of child abuse are felt by whole communities and need to be addressed by the entire community; and

WHEREAS, effective child abuse prevention succeeds because of partnerships created between parents, practitioners, schools, faith communities, health care organizations, law enforcement agencies, and the business community; and

WHEREAS, family-serving, youth-focused prevention programs offer positive alternatives for young people and encourage parents and youth to develop strong ties to their communities; and

WHEREAS, all citizens need to be more aware of child abuse and neglect and its prevention within the community and be involved in supporting parents to raise their children in a safe, nurturing society.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners hereby proclaim April 2010 as Child Abuse Prevention Month in Otter Tail County, and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in efforts to prevent child abuse and neglect, thereby strengthening the communities in which we live.

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

Dated: \_\_\_\_\_

OTTER TAIL COUNTY HUMAN SERVICES BOARD

Attest: \_\_\_\_\_

By: \_\_\_\_\_

Larry Krohn, Clerk

Roger Froemming, Human Services Board Chair

**Children and Family Services Report**

Human Services Supervisor, Brad Vold, introduced the children and family services staff and submitted their 2009 Annual Report. Mr. Vold reviewed various statistics focusing mainly on the annual performance report which compares Otter Tail County outcomes to national and state averages. Lengthy discussion took place about the services, how the services are currently provided, and the future of regionalization.

**Approval to Pay Bills & Claims**

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

**Adjournment**

At 11:00 a.m., Chairman Froemming declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, April 27, 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, April 13, 2010, at 11:05 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 April 13, 2010 with the following additions:

City of Fergus Falls Landfill Permit Application

Henning Snow Cruisers Resolution

Bois de Sioux Watershed District Discussion

**Approval of Minutes**

Motion by Lindquist, second by Huebsch, and unanimously carried to approve the Board of Commissioners minutes of April 6, 2010 as mailed.

**Approval to Pay Bills**

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

**U.S. Fish & Wildlife Service Habitat Easement Certification**

Realty Specialist, Lynn Sebeck, requested certification of two easements for waterfowl and wildlife habitat protection while allowing agricultural use. Motion by Huebsch, second by Rogness, and unanimously carried to certify the following described properties as wetland and wildlife habitat protection easements to be secured by the U.S. Fish & Wildlife Service:

Lori A. Fabian:

T. 132 N., R. 43 W., 5<sup>th</sup> P.M.

Section 1, part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ .

Section 12, part of Government Lot 2, part of the NE $\frac{1}{4}$  lying South and West of County Highway 29, part of the N $\frac{1}{2}$ NE $\frac{1}{4}$  together with an easement for ingress and egress over and across the east 33 feet of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

T. 132N., R 43 W., 5<sup>th</sup> P.M.

Section 12, the South 70 acres of the NE $\frac{1}{4}$  lying North and East of County Highway 29.

**Relay for Life – County Team**

Speaking on behalf of several Otter Tail County employees, Lori Wood informed the Board about their Relay for Life Team named "Otter Tail County Mission Possible". She shared some ideas for raising funds for the event and requested permission to use the e-mail system to notify other employees about the various fund raising events. The Relay for Life walk is scheduled for June 25<sup>th</sup>. Motion by Lindquist, second by Erickson, and unanimously carried to support the efforts of the Relay for Life Team and allow advertising of the fund raising events by way of County e-mail system.

**Land & Resource Staffing**

Motion by Erickson, second by Lindquist, and unanimously carried to authorize the Land & Resource Director to hire two seasonal, summer inspectors for the sewage system abatement program. Funding is from natural resources block grant and water plan dollars. Discussion occurred regarding the process when a septic system is found to be out of compliance.

Land & Resource Director, Bill Kalar, reported that the County will not hire a seasonal ag inspector for biological control of weeds. The townships are responsible for control of weeds and the County Weed Inspector will assist townships if needed.

Motion by Lindquist, second by Huebsch, and unanimously carried to authorize a shared arrangement between the GIS Department and the Land & Resource Department. GIS Clerk, Laura Nelson, will work as receptionist for the Land & Resource Department in the mornings during the busy summer season. This will help the Land & Resource Office as their position is currently vacant due to the hiring freeze.

**Henning Snow Cruisers Trail Association**

**Otter Tail County Resolution No. 2010 – 24**

Commissioner Erickson 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 Henning Snow Cruisers Trail Association and proposed extensions of Grant-In-Aid Trails with the aforementioned condition.

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

Adopted this 13<sup>th</sup> day of April, 2010

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: \_\_\_\_\_

By: \_\_\_\_\_

Larry Krohn, Clerk

Roger Froemming, Board of Commissioners Chair

**Ag Advisory Committee Update**

Commissioner, Lee Rogness, briefed the Board regarding the Ag Advisory Committee. He noted that Cynthia Johnson is the Chair of the committee and he provided a document that included a list of members, purpose of the committee, past efforts in the area of land use, and committee by-laws. Discussion took place regarding current County zoning regulations and the need for a comprehensive plan designating areas of land use throughout the County if a county wide zoning ordinance is considered.

**Recess & Reconvene**

At 11:46 a.m., Chairman Froemming recessed the Otter Tail County Board of Commissioners' meeting for a Solid Waste Committee meeting and lunch break. The meeting was reconvened at 1:01 p.m.

**County Ditch No. 16**

Ditch Inspector, Randy Wasvick, reported that an invoice, in the amount of \$1,000.00, was received from the Department of Natural Resources for the permit to complete the work in Ditch No. 16 as described in the Engineer's report. Mr. Wasvick reported that the usual cost of this type of permit from the DNR has been \$200.00 to \$300.00. He also reported that the GIS Department will be taking elevation measurements of West Battle Lake and he recommended waiting to pay for the permit until after those elevations are known. Mr. Wasvick will return to the Board after receiving West Battle Lake elevation information and checking further on the cost of the permit. Property owner, Don Davenport, referenced elevation information in the Engineer's report.

**County Ditch No. 37**

Mr. Wasvick reported additional problems in Ditch No. 37 and asked if the Board would allow borrowing funds from the County's General Revenue fund to complete the work which would be paid back by the Ditch fund when the dollars are available. Motion by Huebsch, second by Lindquist, and unanimously carried to authorize the Ditch Inspector to obtain an estimate(s) for the work needed in Ditch No. 37 and return to the Board with that information.

**Final Payment – CP 09:128CU**

Motion by Erickson, second by Huebsch, and unanimously carried to approve Final Payment pursuant to Final Estimate No. 5, in the amount of \$1,733.38, payable to Sunblad Construction for completion of work on CP 09:128CU.

**OTTER TAIL COUNTY  
RESOLUTION**

**Resolution No. 2010 - 25**

Motion by Commissioner Rogness and seconded by Commissioner Erickson to adopt the following resolution:

IT IS RESOLVED that Otter Tail County enter into Mn/DOT Agreement No. 96536 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the use of County State Aid Highways No. 21, No. 11 and No. 10 as a detour route during the grading, bituminous milling and overlay construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 210 from 0.14 mile West of Trunk Highway No. 9 to 1.8 mile East of the East Wilkin Co. Line under State Project No. 5601-31 (T.H. 210=3).

IT IS FURTHER RESOLVED that the County Board Chair, Roger Froemming and County Board Clerk Larry Krohn are authorized to execute the Agreement and any amendments to the Agreement.

Chairman Froemming called for a vote as follows:

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

Dated: \_\_\_\_\_ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

By: \_\_\_\_\_  
Roger Froemming, Board of Commissioners Chair

**High Water Locations**

Highway Engineer, Rick West, submitted a summary of nine locations in Otter Tail County where high water is either flooding or threatening to flood a County road.

**Internal Revenue Service Agreement**

Motion by Huebsch, second by Lindquist, and unanimously carried to accept the results of the Internal Revenue Service Employment Tax Examination to authorize the County Auditor to sign on behalf of Otter Tail County, Form 2504 (Agreement to Assessment and Collection of Additional Tax and Acceptance of Over-assessment) and to authorize payment in the amount of \$19,502.66 as detailed in Form 4666.

### **License Applications**

Motion by Erickson, second by Froemming, and unanimously carried to approve the following applications for license:

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

On-Sale Liquor and Sunday Liquor  
(Seasonal)

Zorbaz on Pelican Lake  
51709 County Highway 9  
Pelican Rapids, MN 56572

On-Sale Liquor and Sunday Liquor  
(Seasonal)

Licenses are subject to approval of County Attorney and County Sheriff offices.

Henning Rod and Gun Club  
PO Box 484  
Henning, MN 56551

Temporary On-Sale Liquor  
Saturday – June 5, 2010  
Henning Township – Wojcik Property

### **Correspondence Approved**

Motion by Erickson, second by Lindquist, and unanimously carried to approve the draft letter to Wilkin County Board of Commissioners as presented by the County Attorney and dated April 13, 2010.

### **Bois de Sioux Watershed District**

Discussion continued regarding the Bois de Sioux Watershed District assessing Otter Tail County properties for Joint Ditch #14. Commissioner Rogness will attend the redetermination of benefits meeting this week and report back to the Board.

### **Sheriff's Department Agreement**

Motion by Erickson, second by Lindquist, and unanimously carried to authorize the Chairman's signature to execute an agreement between the Minnesota Department of Public Safety and the County of Otter Tail to facilitate eCharging submission capabilities.

### **Phased Retirement Option**

Motion by Lindquist, second by Erickson, and unanimously carried to amend the Phased Retirement Option (PRO) policy as submitted by the County Attorney and attached to these minutes as Attachment B.

### **Solid Waste License for Landfill Site**

Motion by Huebsch, second by Rogness, and unanimously carried to approve the license application of the City of Fergus Falls for their new demolition/landfill site and accept the \$500.00 license application fee.

### **Attendance Approved**

Motion by Erickson, second by Lindquist, and unanimously carried to approve Commissioner Rogness's attendance at the Bois de Sioux Watershed District meeting regarding Judicial Ditch #14 redetermination of benefits on Thursday, April 15, 2010 at 4:00 p.m. at the Wheaton High School Auditorium.

**Closed to the Public**

At 3:10 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 3:20 p.m., Chairman Froemming adjourned the meeting of the Otter Tail County Board of Commissioners until Tuesday, April 20, 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 4/13/2010 FOR PAYMENT 4/13/2010**

<b><u>VENDOR NAME</u></b>	<b><u>AMOUNT</u></b>
AMERICAN TOWER CORPORATION	98.71
ARVIG COMMUNICATION SYSTEMS	200.00
AT&T MOBILITY	861.19
ATTN: MEDICAL RECORDS DEPT	481.25
AUTO VALUE FERGUS FALLS	387.78
BCA ST OF MN	620.00
BOBCAT OF OTTER TAIL COUNTY	6.68
BRANDON COMMUNICATIONS INC	753.92
MYRNA BUDKE	30.00
CARR'S LAKE COUNTRY SUPERMARKE	40.67
CDW GOVERNMENT INC	2,834.02
CERTIFIED AUTO REPAIR	956.01
CO OP SERVICES INC	552.64
CODE 4 SERVICES LLC	1,362.00
CONCEPT CATERING	561.09
CONCEPT FINANCIAL GROUP	535.91
CONVERGENT SOLUTIONS GROUP LLC	15,222.77
COOPERS TECHNOLOGY GROUP	189.89
CULLIGAN WATER COND	40.46
CUMMINS NPOWER LLC	949.98
DAKOTA PRINTERS LLC	232.80
DALTON COMMUNITY FIRE AND RESC	350.00
DAN'S TOWING & REPAIR	36.70
DENZEL'S REGION WASTE INC	180.18
DEPT OF PUBLIC SAFETY	510.00
EAST OTTER TAIL FOCUS	77.40
EVERTS LUMBER CO	551.12
FARMERS CO OP OIL ASSN	1,357.87
FARNAM TIRE CENTER	18.00
FARNAM'S GENUINE PARTS INC PR	77.94
FASTENAL COMPANY	42.87
FERGUS ELECTRIC	11,366.97
FERGUS FALLS DAILY JOURNAL	4,749.76
BRENT FLODEN	293.23
FOTH & VAN DYKE	2,362.10
FOTH INFRASTRUCTURE & ENVIRONM	50.00
FRAZEE ELECTRIC INC	790.16
GALL'S INC	346.91
GOODIN COMPANY	194.54
GRAINGER INC	603.01
GREAT RIVER ENERGY	60,000.00
HENRY'S FOODS INC	724.53
INNOVATIVE OFFICE SOLUTIONS	6,731.25
JON KARGER	7.26
KELLY SERVICES INC	700.00
DARREN KUNZ	110.00
KUSTOM SIGNALS INC	145.04
L & L SERVICE	44.72
LAB SAFETY SUPPLY INC	1,169.55
PAT LARUM	49.26
LOCATORS & SUPPLIES INC	435.83
M-R SIGN COMPANY INC.	9,869.80
MARCO	92.50
MARCO INC ST LOUIS	469.12
MCCC MI 33	13,377.80
MICHAEL MCGEE MD	500.00
MERICKEL LUMBER	114.68
THE MIDWEEK	63.96
MIDWESTERN MAT RENTAL & SUPPLY	13.09

MINN KOTA COMMUNICATIONS INC	21.38
MINNESOTA WEST COLLEGE	495.00
MN MOTOR COMPANY	350.70
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
ANNE MUELLER	38.57
NAPA FERGUS FALLS	54.61
NAPA OF PERHAM	24.76
NAPA STANDARD PARTS OF WADENA	289.65
NATURES GARDEN WORLD	80.15
NELSON AUTO CENTER	2,911.48
NETWORK CENTER COMMUNICATIONS	285.00
O'REILLY AUTOMOTIVE INC	63.80
RICHARD OLSON	5,046.50
OTTER RISERS KIWANIS CLUB	320.00
OTTER TAIL CO EMPLOYEES COMMIT	72.00
OTTERTAIL BAKERY	57.00
OTTERTAIL TRUCKING INC	6,140.00
OUTDOOR RENOVATIONS LANDSCAPE	105.00
PAMIDA PHARMACY	2,355.44
PARK REGION CO OP	702.59
PELICAN RAPIDS PRESS	36.48
PEPSIAMERICAS	312.49
PERHAM AREA EMS	330.00
PERHAM STEEL & WELDING	20.30
PERRIN MOBILE MEDICAL	167.28
POWER PLAN	3,122.46
PRAIRIE IMPLEMENT INC	75.61
PRO BUILD FERGUS FALLS	280.40
RAMSEY COUNTY	1,400.00
RDO EQUIPMENT CO FARGO	218.58
RDO TRUCK CENTERS	30.46
REAL VISION SOFTWARE INC	4,561.87
REED BUSINESS INFORMATION	669.12
REGENTS OF THE UNIVERSITY OF M	32,449.98
REGIONS HOSPITAL	203.00
RELIABLE OFFICE SUPPLIES	231.46
REVIEW ENTERPRISES INC	33,781.14
RINGDAHL AMBULANCE SERVICE	150.00
KAREN ROGGLE	54.00
ROTHSAY FARMERS CO OP	41.54
ROYAL TIRE INC	3,149.36
CHERI SCHULTZ	40.00
SEEBA'S SHOP	186.50
SIGELMAN STEEL & RECYCLING INC	39.96
SIGNWORKS	582.47
PAUL SIMENGAARD	65.36
STEINS INC	2,408.27
STREICHERS	1,319.15
THYSSEN KRUPP ELEVATOR CORPORA	849.93
TITAN ACCESS ACCOUNT	45.91
TRADEHOME SHOES	114.99
UNIFORMS UNLIMITED	258.97
US BANK	2,000.00
TERRY VAN DYKE DVM	300.00
VERGAS HARDWARE	28.18
VICTOR LUNDEEN COMPANY	24.44
VICTORY CORPS	383.21
VINCO INC	2,052.22
WALLWORK TRUCK CENTER	246.60
WHITE BANNER UNIFORM SHOP	79.00
XEROX CORPORATION	194.82
3 D SPECIALTIES INC	262.66
**** FINAL TOTAL.....	<u>\$258,876.72 ****</u>

**Otter Tail County  
Phased Retirement Option (PRO) Policy  
March 16, 2010 – Amended April 13, 2010**

The PERA Phased Retirement Option is for Coordinated Plan members who are age 62 or over. The eligibility requirements are detailed by PERA and may be viewed at [www.mnpera.org](http://www.mnpera.org). Please note that even if you meet all eligibility requirements, it is solely the discretion of your department head to offer/approve a phased retirement agreement. The PRO will be an option for eligible employees until PERA's sunset date of June 30, 2011.

This document will address how Otter Tail County plans to deal with benefits for all employees on a PRO arrangement:

- 1) Employees will retire (terminate employment) with Otter Tail County and then are rehired under a Phased Retirement Option (PRO) Policy.
- 2) Because the employee is also eligible for a public pension (PERA), Otter Tail County would offer an indefinite continuation of health and/or dental insurance. The premium would be the responsibility of the employee.
- 3) All severance will be paid out to the Post Employment Health Plan and all benefits will be treated the same as any other retired employee.
- 4) Employees working under a PRO Policy will receive pro-rated sick leave, vacation leave, and holidays. There is no carryover of seniority or vacation accrual rates based on prior years of service. There can be no further contributions into the Post Employment Health Plan after retirement. At the end of the PRO employment, unused vacation pay will be paid out.
- 5) Salary compensation will be based on the job duties and responsibilities of the Phased Retirement position. The Personnel Board is required to approve the salary of a PRO agreement.

Please note: If you have already reached your full social security retirement age, you are eligible for only one year of the PRO. You are not eligible to renew the agreement.

\_\_\_\_\_  
Board of Commissioners Chair

\_\_\_\_\_  
Date