

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
515 W. Fir Avenue, Fergus Falls, MN
Tuesday, May 25, 2010
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, May 25, 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 Froemming, and unanimously carried to approve the Human Services Board agenda of May 25, 2010, with the following change:

9:45 a.m. - Public Health Director Canceled
9:45 a.m. - County Coordinator – Indoor Air Quality Update

Approval of Minutes

Motion by Erickson, second by Froemming, and unanimously carried to approve the Human Services Board minutes of May 11, 2010, as presented.

Correspondence

Motion by Froemming, second by Rogness, and unanimously carried to send a letter of appreciation to Senator Dan Skogen for the time he spent with commissioners viewing high water/flooded areas in Otter Tail County.

Probation Department

Probation Director, Chuck Kitzman, introduced his Departments' summer intern, Rachel Haag. He explained the internship process and noted that 400 hours of internship is required to become a Probation Officer.

Mr. Kitzman provided a handout regarding legislation to strengthen sanctions against DWI offenders which requires certain offenders to use ignition interlock devices. The details need to be determined before the July 1, 2011, effective date.

Update – Indoor Air Quality

County Coordinator, Larry Krohn, briefed the Board regarding an indoor air quality situation in the law enforcement center. Mr. Krohn stated that a petition was submitted to the Safety Committee last fall expressing concerns with the air quality in the law enforcement facility. Under the direction of the Public Health Director, a number of interviews were conducted to isolate common factors with the issue, i.e. location, time of day, season of year, etc. The final step was to contract with a consultant to perform air quality testing which was completed about ten days ago. The consultant did instant testing on oxygen levels, carbon monoxide, CO₂, and dew point which were all completely acceptable. Samples were also taken from other areas (ceiling tile, carpet, etc.) and dust was found in the air handlers. The results of these tests will not be available until mid June and there are no preliminary results. Mr. Krohn explained that the air handling system in the law enforcement facility is separate from other areas of the Courthouse. He briefed the Board on planning that is taking place. If test results show that the duct work needs to be replaced, employees will need to be relocated. Contingent plans include relocating dispatch to the present GIS location which would accommodate six dispatch stations.

This will also provide enough space for the new statewide 800 megahertz communication system. Other law enforcement employees could be relocated to the second floor of the Courthouse. Motion by Rogness, second by Lindquist, and unanimously carried to direct the County Coordinator, Public Health Director, County Attorney, and Building Committee to meet with employees in the law enforcement center to explain the situation.

Legislative Update

Human Services Director, John Dinsmore, submitted a document entitled "Minnesota Association of County Social Service Administrators (MACSSA) Legislative Update" dated May 17, 2010. Mr. Dinsmore briefed the Board regarding the State's resolution of their three billion dollar budget deficit by postponing payments. He estimated a \$700,000 reduction to human service program aid for 2010 and the first half of 2011. He discussed earnings in other programs such as Medicare reimbursement and maintenance of effort for CD treatment charges that will offset some of the reductions. Mr. Dinsmore presented the number of employees in his department who could retire (Rule of 90 or SS Eligible) by the end of 2011. Discussion continued regarding regionalization of services.

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 10:34 a.m., Chairman Froemming declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, June 8, 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, May 25, 2010, at 11:00 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 Board of Commissioners agenda of May 25, 2010 with the following changes:

11:05 a.m. – Land & Resource Department Items Canceled

1:00 p.m. – Add County Wide Seal Coat Bid Award

1:55 p.m. – Add Ditch No. 37

Approval of Minutes

Motion by Lindquist, second by Rogness, and unanimously carried to approve the Board of Commissioners minutes of May 18, 2010, as presented.

Approval to Pay Bills

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

License Renewals

Motion by Huebsch, second by Lindquist, and unanimously carried to approve the following applications for license:

| | |
|-------------------------|-----------------------------|
| Northtown | On/Off-Sale 3.2 Malt Liquor |
| 25947 County Highway 88 | |
| Fergus Falls, MN 56537 | |

Subject to the approval of County Attorney and County Sheriff's office, Fergus Falls Town Board, and submission of the appropriate fee.

| | |
|-----------------------------|----------------------------------|
| Red Horse Ranch Arena, Inc. | On Sale Liquor and Sunday Liquor |
| 22671 County Highway 10 | |
| Fergus Falls, MN 56537 | |

Subject to the approval of County Attorney and County Sheriff's office.

| | |
|--------------------------|-----------------------------|
| Rolling Hills | On/Off-Sale 3.2 Malt Liquor |
| 49730 County Highway 9 | |
| Pelican Rapids, MN 56572 | |

Subject to the approval of County Attorney and County Sheriff's office and submission of the certification form.

| | |
|-------------------------|--------------------------|
| Underwood Quick Stop | Off Sale 3.2 Malt Liquor |
| 29346 State Highway 210 | |
| Underwood, MN 56586 | |

Motorola Radios for 800 MHz Communication System

Motion by Rogness, second by Huebsch, to approve payment in the amount of \$52,780.04 to Motorola Communication Enterprise for 17 radios (XTL 2500 764-870MHz W options), which will be used in connection with the statewide 800 MHz communication system. Discussion followed regarding the bid process and concerns about whether or not this action will require purchase of Motorola brand radios in the future to preserve the integrity of the system. Motion was tabled to obtain additional information.

Payment/Purchase Approvals

Motion by Erickson, second by Rogness, and unanimously carried to approve payment, in the amount of \$20,632.25, to Lindquist & Venum for legal services regarding Otter Tail Ag Enterprises, LLC bankruptcy case during the period of April 1 through April 30, 2010.

Motion by Lindquist, second by Erickson, and unanimously carried to authorize the county auditor's signature on the sale order agreement with Election Systems and Software for the purchase of 12 M100 Optical Scan Precinct Ballot Counter as previously recommended by the Capital Improvement Committee.

Motion by Erickson, second by Lindquist, and unanimously carried to approve the following drainage related expenditures:

| | | |
|---------------------------|--------------------------------------|------------|
| Bruce Hanstad | Beaver Trapping – Ditch 37 | \$200.00 |
| Sidney Nelson | Beaver Trapping – Ditch 43 | \$100.00 |
| Houston Engineering, Inc. | Ditch No. 16 – Professional Services | \$3,248.00 |

Motion by Huebsch, second by Rogness, and unanimously carried to approve a request from the IT Department for a Microsoft Software Upgrade which includes migrating from Novell to MS Office 2010 and migrating from GroupWise to Outlook at a total cost of \$180,000.00 with funding for the request as follows:

| | |
|----------------------------|-------------|
| Human Services Fund - | \$45,000.00 |
| Compliance Fund | \$40,000.00 |
| Recorder's Technology Fund | \$65,000.00 |
| Capital Improvement Fund | \$30,000.00 |

NACO Membership

Motion by Erickson, second by Froemming, and carried with Huebsch opposed, to approve payment, in the amount of \$1,143.00, payable to the National Association of Counties for 2010 annual membership dues.

Public Meeting – Jennie-O Turkey Store

At 11:20 a.m., Chairman Froemming opened a public meeting for comment(s) regarding a permit request from Jennie-O Turkeys to increase their animal units at their Sandridge South farm located in Girard Township. County Attorney, David Hauser, stated that this public hearing is held on behalf of the MPCA. The MPCA is responsible for issuing the permit. No comment was offered regarding the proposed expansion, either at this public meeting or in writing previous to the meeting. Hearing no comment, Chairman Froemming closed the public meeting at 11:25 a.m.

Closed Session for Performance Evaluation

At 11:30 a.m., Chair Froemming declared the meeting of the Otter Tail County Board of Commissioners 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. All five seated commissioners were present for the evaluation. A summary of performance conclusions will be provided at the next regular County Board meeting.

Recess & Reconvene

At 11:59 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.

Highway Contract

Motion by Erickson, second by Lindquist, and unanimously carried to authorize the Chairman's signature to execute a Highway Maintenance Contract between the County of Otter Tail and Traffic Marking Service, Inc. of Maple Lake, MN, for C.P. 10:TM & C.P. 10:208TM, county wide traffic marking services.

Bid Award

Motion by Rogness, second by Huebsch, and unanimously carried to award the County Wide Seal Coat Project to the low bidder, Morris Sealcoat & Trucking, Inc. in the bid amount of \$1,433,992.06 as recommended by the Highway Engineer.

Reappointment – Highway Engineer

Motion by Erickson, second by Huebsch, and unanimously carried to reappoint County Highway Engineer, Rick West, for a four-year appointment (until May of 2014) with terms and conditions as stated in his current contract, except that commuting is not authorized.

Electronic Communication Policy

Technology Committee members presented an updated Otter Tail County Electronic Communication Policy. They reported, once approved, the policy will be presented to employees at the spring safety training. Motion by Rogness, second by Huebsch, and unanimously carried to approve the Otter Tail County Electronic Communication Policy as presented.

Motorola Radios for 800 MHz Communication System

The Sheriff and staff answered questions regarding the Motorola radio purchase request. They reported that the radios were being purchased from the State contract. Discussion took place regarding equipment. The IT consoles in the dispatch center for the new communication system will be Motorola brand so there will be a service contract with Motorola, regardless which brand mobile radios are purchased. They stated that this purchase does not require purchase of Motorola brand radios in the future and the bidding process will be used. Motion by Rogness, second by Huebsch, and unanimously carried to approve payment, in the amount of \$52,780.04, to Motorola Communication Enterprise for 17 radios (XTL 2500 764-870MHz W options) which will be used in connection with the 800 MHz communication system. Funding will be from the ARMER Capital Improvement Fund.

Storm Water Permit Applications

Solid Waste Director, Mike Hanan, reported that the MPCA adopted new storm water standards on April 5, 2010, and several Otter Tail County facilities have until June 4, 2010 to comply. Otter Tail County is required to have an industrial storm water and multi-sector permit for most of the solid waste facilities. The county has nine facilities and no exposure permit applications were submitted for five of the nine sites. No activity occurs outside of these facilities. There are four facilities that will need new permits due to the new regulations, which cost \$400 each for the application fee, which has not been budgeted. Motion by Huebsch, second by Erickson, and unanimously carried to approve storm water standards permit applications along with \$400.00 for each permit for the Battle Lake, Henning, and Pelican Rapids Transfer Stations and the NE Otter Tail Demolition and Ash Landfill. The fee will be paid from the Solid Waste Enterprise Fund. The permit is good for five years.

Recess & Reconvene

At 1:43 p.m., Chairman Froemming recessed the meeting for a short break. The meeting was reconvened at 1:55 p.m.

Ditch No. 37

Ditch Inspector, Randy Wasvick, reported that a culvert in Ditch No. 37 underneath Wilson Road in Trondhjem Township has washed out and he requested permission to replace the culvert. Mr. Wasvick advised the Town Board to close the road until the culvert is replaced. Motion by Lindquist, second by Froemming, and unanimously carried to approve replacement of the culvert in Ditch No. 37 underneath Wilson Road as recommended by the Ditch Inspector.

Ditch No. 16

Mr. Wasvick reported that he has received a request to cut cattails in Ditch No. 16 in an area that goes to the unnamed lake (referenced as Station 46 in the Engineer's Study). This is a floating bog and the individuals requesting this feel that cutting the cattails will speed the flow of water. There was no opposition expressed to do this work. Motion by Rogness, second by Erickson, and unanimously carried to allow cutting cattails off of the bog as described by Mr. Wasvick. Discussion followed regarding other requests. No action was taken.

Closed to the Public

At 2:20 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, Attorneys from Lindquist & Venum via phone conference, and Board Secretary.

Adjournment

At 3:35 p.m., Chairman Froemming adjourned the meeting of the Otter Tail County Board of Commissioners until 9:30 a.m. on Tuesday, June 1, 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 5/25/2010 FOR PAYMENT 5/25/2010

| <u>VENDOR NAME</u> | <u>AMOUNT</u> | |
|------------------------------------|---------------|--------|
| A'VIANDS LLC | 2,162.94 | |
| AMERICAN INSTITUTIONAL SUPPLY | | 375.47 |
| ANDERSON LAND SURVEYING INC 725.00 | | |
| APPLIED CONSULTING & TRAINING | 1,345.00 | |
| BACHMAN PRINTING COMPANIES | 407.26 | |
| BARRETT EMS TRAINING | 480.00 | |
| BECKLUND OIL CO | 841.37 | |
| BOUND TREE MEDICAL LLC | 287.08 | |
| RYAN BRASEL | 4.78 | |
| BRIAN M RIPLEY EXCAVATING | 965.00 | |
| CIT TECHNOLOGY FIN SERV INC | 190.53 | |
| CO OP SERVICES INC | 50.31 | |
| CODE 4 SERVICES LLC | 2,695.72 | |
| CONCEPT CATERING | 387.00 | |
| COOPERS TECHNOLOGY GROUP | 41.14 | |
| CULLIGAN WATER COND | 16.82 | |
| DACOTAH PAPER COMPANY | 821.12 | |
| DENZEL'S REGION WASTE INC | 1,245.60 | |
| EAST OTTER TAIL FOCUS | 145.55 | |
| ELECTION SYSTEMS & SOFTWARE IN | 885.65 | |
| EVERTS LUMBER CO | 26.91 | |
| FARGO GLASS AND PAINT CO | 343.96 | |
| FASTENAL COMPANY | 62.94 | |
| CITY FERGUS FALLS | 101,397.30 | |
| FERGUS POWER PUMP INC | 570.00 | |
| FLINT HILLS RESOURCES LP | 32,091.29 | |
| GALL'S INC | 62.53 | |
| GOODIN COMPANY | 345.46 | |
| GOPHER STATE ONE CALL | 33.05 | |
| GRAINGER INC | 20.66 | |
| GREAT RIVER ENERGY | 722,960.04 | |
| PATRICK GRIFFIN | 10.00 | |
| H & R CONSTRUCTION CO | 695.00 | |
| HANCOCK CONCRETE PRODUCTS LLC | 2,458.57 | |
| HEALTHCARE ENVIRONMENTAL SERVI | 29.10 | |
| MARILYN HELLER | 100.00 | |
| HENRY'S FOODS INC | 980.34 | |
| HOUSTON ENGINEERING INC | 10,468.00 | |
| THE INDEPENDENT | 42.24 | |
| J C'S GENERAL STORE | 17.09 | |
| KELLY SERVICES INC | 700.00 | |
| KETTLE CREEK CORPORATION | 1,807.76 | |
| LAKE REGION HEALTHCARE CORP | 592.97 | |
| LAKES AREA PEST CONTROL LLC | 83.36 | |
| LARRY OTT INC TRUCK SERVICE | 825.00 | |
| LAWSON PRODUCTS INC | 256.20 | |
| LOCATORS & SUPPLIES INC | 248.84 | |
| MANNY'S - ROCKY'S BAIT | 365.12 | |
| MARCO INC ST LOUIS | 232.06 | |
| MATTHEW BENDER & COMPANY INC | 258.17 | |
| MEND CORRECTIONAL CARE LLC | 211.25 | |
| MIDWESTERN MAT RENTAL & SUPPLY | 79.99 | |
| MINNKOTA | 29.00 | |
| MN WEST COMMUNITY & TECHNICAL | 627.00 | |
| MONITOR TIRE DISPOSAL INC | 2,950.60 | |
| NAPA FERGUS FALLS | 46.51 | |
| NEIL DORNBUSCH & ASSOCIATES | 52.49 | |

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|--------------------------------|--------------------------|
| NELSON AUTO CENTER | 66.92 |
| NOLO | 23.62 |
| NORTHERN PLUMBING SUPPLY | 556.00 |
| NORTHLAND BUSINESS SYSTEMS INC | 11,768.70 |
| OLSON OIL CO INC | 950.90 |
| ONE CALL LOCATORS LTD | 315.42 |
| OTTER TAIL CO EMPLOYEES COMMIT | 28.00 |
| OTTER TAIL CO TREASURER | 76.00 |
| OTTERTAIL BAKERY | 57.96 |
| OTTERTAIL TRUCKING INC | 15,072.00 |
| PELICAN RAPIDS BASEBALL ASSOCI | 350.00 |
| PERHAM CO OP CREAMERY | 929.25 |
| PITNEY BOWES | 1,435.00 |
| PRAIRIE IMPLEMENT INC | 2.84 |
| PREMIUM WATERS INC | 25.59 |
| HENRY PRICE | 73.00 |
| PRO SWEEP INC | 11,187.50 |
| PRODUCTIVE ALTERNATIVES INC | 70.43 |
| RAY'S OIL COMPANY | 244.62 |
| RDO EQUIPMENT CO FARGO | 146.55 |
| RELIABLE OFFICE SUPPLIES | 119.16 |
| REVIEW ENTERPRISES INC | 51.00 |
| RINGDAHL AMBULANCE SERVICE | 450.00 |
| ROBERT B HILL CO | 514.20 |
| SCOTT ROCHOLL | 730.00 |
| SAFELITE FULFILLMENT INC | 211.55 |
| CHERI SCHULTZ | 135.06 |
| GREG SEIM | 7.50 |
| STEINS INC | 1,341.16 |
| JAMES STEWART | 49.87 |
| STREICHERS | 2,356.59 |
| SUPER SEPTIC & EXCAVATION | 77.19 |
| SUPERIOR LAMP INC | 161.53 |
| ULTIMATE AUTO REPAIR-AUTO SAFE | 794.09 |
| UNIFORMS UNLIMITED | 133.93 |
| VICTOR LUNDEEN COMPANY | 79.46 |
| WADENA CO SHERIFF | 129.30 |
| WASTE MANAGEMENT | 31,435.14 |
| WEST GOVERNMENT SERVICES | 84.70 |
| WEST PAYMENT CENTER | 1,088.86 |
| <u>**** FINAL TOTAL.....</u> | <u>\$979,484.73 ****</u> |