

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

**Call to Order**

The Otter Tail County Board of Commissioners and County Attorney, David Hauser, met with the Wilkin County Board of Commissioners at 9:35 a.m. on Tuesday, July 13, 2010, at the Wilkin County Courthouse in Breckenridge, MN. All five seated Otter Tail County Commissioners were present.

**Proposed Upper Red-Lower Otter Tail Watershed District**

Commissioner Rogness addressed the Wilkin County Board stating that Otter Tail County, as friends and neighbors to Wilkin County, wants to discuss the Watershed proposal. The following reasons for Otter Tail County's opposition to formation of the proposed Watershed were offered to the Wilkin County Board and are summarized as follows:

- Residents in the proposed Watershed boundary are universally opposed to its formation.
- Judicial Ditch #2 is Otter Tail County's method of diverting water from Wilkin County.
- Otter Tail County is not in favor of accelerating water flow, but rather, slowing it down by attempting to store more water.
- Economically, government needs to do less and creating another level of government may not be the answer.
- Otter Tail County will have a minority voice on the Watershed Board because Wilkin County will have 3 representatives and Otter Tail County will have 2.
- Otter Tail County and Wilkin County have different interests and should not be one Watershed as proposed.
- The SWCD's, Highway Department and Shoreland Management offices are already established so there is no reason to create inefficiencies with another level of government while focusing on reducing budgets.
- A Taxing District for the Otter Tail County portion of the proposed Watershed could take care of water issues by implementing various conservation practices.
- A Watershed for Wilkin County may be Wilkin County's best option; however, Otter Tail County is confident with managing the flow of water from Otter Tail County.
- Otter Tail County could support Wilkin County in forming their own Watershed District – the SWCD could provide a letter of support.
- Otter Tail County has not turned over drainage authority to any other entity.
- Otter Tail County commissioners interviewed residents in the proposed district and have learned that no one, to their knowledge, is willing to serve on the Watershed Board. Consequently, there is no one to list on the petition.

Wilkin County Commissioners responded (summarized as follows):

- Judicial Ditch #2 has some erosion issues and when it floods, there are problems with the ditch that adversely affects Wilkin County.
- The Watershed tax would be for administration purposes only – projects would be funded by the benefited property owners.
- It is not Wilkin County's decision to determine the proposed Watershed District boundaries – it is the decision of the State Board of Water and Soil Resources (BWSR).
- Wilkin County was led to believe that BWSR would not accept the Watershed petition by political boundary.

Mr. Hauser indicated that it was his opinion that if an Otter Tail County person cannot be found to serve on the Watershed Board, the petition may not move forward in the process. Commissioners requested that Wilkin County remove Otter Tail County properties from the petition. Otter Tail County will partner with Wilkin County and discuss water flow issues. Because residents of Otter Tail County are universally opposed to the proposed Watershed District, Otter Tail County will use all resources including statutory appeal for withdrawal if forced into the Watershed District. BWSR Board Conservationist, Pete Waller, explained that when a petition is received, a twenty member panel would react by approving, denying, or tabling the petition. A Public Hearing is also required. The discussion concluded at 10:25 a.m.

#### **Call to Order**

The Otter Tail County Human Services Board convened Tuesday, July 13, 2010, at 11:15 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 Huebsch, second by Erickson, and unanimously carried to approve the Human Services Board agenda of July 13, 2010, with the following addition:

11:20 a.m. - Personnel Committee Meeting

#### **Approval of Minutes & Recess**

Motion by Froemming, second by Lindquist, and unanimously carried to approve the Human Services Board minutes of June 29, 2010, as presented. At 11:20 a.m., Chairman Froemming recessed the Human Services meeting for a Personnel Committee meeting and lunch break.

#### **West Central Regional Juvenile Center**

At 1:10 p.m., Chair Froemming reconvened the Human Services Board meeting. Probation Director, Chuck Kitzman, submitted the WCRJC Advisory Board agenda for July 15<sup>th</sup>. He also provided an accounting of beds used by Otter Tail County. Average bed usage for January through June of 2010 is 2.69 beds. Otter Tail County is paying for 2.5 beds. Further discussion took place regarding the 2010 WCRJC Budget which is based on 18 beds per day. Usage of juvenile detention centers has decreased statewide. The Moorhead facility is experiencing the same reduced usage which creates financial difficulties. County officials will attend the upcoming Board meeting and provide an additional update.

#### **West Central Area Agency on Aging Federal Grant Award**

Motion by Erickson, second by Lindquist, and unanimously carried to approve the Public Health Department's partnership with the Land of the Dancing Sky AAA to administer a federal grant, in the amount of \$57,800.00, for chronic disease self-management education and training.

#### **Approval of Human Services Contracts**

Motion by Huebsch, second by Rogness, and unanimously carried to authorize the Chairman's signature to renew the following Human Services contracts:

Agency	Program	Effective Date	Targeted Population	Funding Source
<b>Adult Foster Care Contracts</b>				
Lakewood Health System Home Care & Hospice	Residential Services/ Assisted Living	07/01/10 through 06/30/12	Elderly	The total amount to be paid for such purchased services shall not exceed the OTC approved rate

Agency	Program	Effective Date	Targeted Population	Funding Source
<b>Adult Foster Care Contracts</b>				
Some Place Special	Residential Services/ Assisted Living	07/01/10 through 06/30/12	Elderly	The total amount to be paid for such purchased services shall not exceed the OTC approved rate
Prairie Community Services	Residential Services/ Assisted Living	07/01/10 through 06/30/12	Elderly	The total amount to be paid for such purchased services shall not exceed the OTC approved rate
Pioneer Senior Cottages/Pioneer Retirement	Residential Services/ Assisted Living	07/01/10 through 06/30/12	Elderly	The total amount to be paid for such purchased services shall not exceed the OTC approved rate
Donna Krull AFC	Residential Services/ Home Plus/ Foster Care Services	07/01/10 through 06/30/11	Elderly	The total amount to be paid for such purchased services shall not exceed the OTC approved rate

**Approval to Pay Bills & Claims**

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

**Adjournment**

At 1:25 p.m., Chairman Froemming declared the meeting of the Otter Tail County Human Services Board adjourned until Tuesday, July 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, July 13, 2010, at 1:30 p.m. at the Otter Tail County Government Services Center in Fergus Falls, MN, with all Commissioners present.

**Approval of Agenda**

Motion by Rogness, second by Huebsch, and unanimously carried to approve the Board of Commissioners agenda of July 13, 2010 with the following additions:

- Dog Bite Findings and Order
- Staff Request

**Approval of Minutes**

Motion by Huebsch, second by Lindquist, and unanimously carried to approve the Board of Commissioners minutes of July 6, 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.

**Courthouse Complex Discussion**

County Coordinator, Larry Krohn, submitted a handout regarding the issues surrounding the results of the air quality study previously performed in the law enforcement center of the Courthouse. The list identifies various issues with the facility including 1) relocating employees from the Sheriff's Department, 2) rental of space, and 3) long term building considerations for the complete complex. Mr. Krohn recommended 1) moving employees out of the law enforcement center because of the mold concerns, 2) leaving dispatch temporarily in its current location with HEPA filters in place, and 3) not rent the former Highway Administration space to the City of Fergus Falls because of broken asbestos tiles, inadequate handicap accessibility, and the County's need for space for a long term remodeling solution. Police Chief, Tim Brennan, addressed the issues and offered several solutions. He stressed the importance of a low cost, efficient temporary location for his department while a new building is constructed south of City Hall. Discussion continued regarding whole complex issues. A long term plan is needed to address short term issues. A motion was offered by Erickson and seconded by Lindquist, to proceed with an Environmental Assessment as soon as possible for the law enforcement center, former Highway Administration building, and main Courthouse building. Chairman Froemming called for a roll call vote:

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

Motion by Rogness, second by Froemming, and unanimously carried to appoint Larry Krohn as the lead coordinator for this decision-making process.

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

Realty Specialist, Lynn Sebeck requested certification of a habitat easement to protect wetlands while allowing agricultural use. Motion by Huebsch, second by Erickson, and unanimously carried to certify the following described property as a wetland easement to be secured by the U.S. Fish & Wildlife Service:

Moen, Violet

T. 132 N., R. 39 W., 5<sup>th</sup> P.M.

Section 35, NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , the north 330 feet of the east 330 feet of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

**U.S. Fish & Wildlife Service Land Acquisition**

USFWS Realty Specialist, Don Kleven, requested certification for purchase of 108.44 acres of ag land, grassland, and woods (Joan Eisenschenk property) for public hunting and fishing. Discussion took place regarding County Ditch #24 that runs through this property. The USFWS does not pay assessments on ditches if work is performed to keep the ditch working; however, maintenance such as beaver removal can be provided. Mr. Kleven explained the payments in lieu of taxes that are paid to the County. Commissioners expressed some concern with the State buying private land. Motion by Huebsch, second by Erickson, and unanimously carried to certify the land acquisition of 108.44 acres from Pat and Joan Eisenschenk as described:

Eisenschenk, Pat et al

T. 131 N., R. 36 W., 5<sup>th</sup> P.M.

Section 31, Government Lots 2, 3 and 4, except the south 343 feet of Government Lot 4.

**Findings of Fact and Order**

Motion by Froemming, second by Erickson, and unanimously carried to authorize the Chairman's signature to execute the Findings of Fact and Order for the Yorkshire Terrier dog named Oscar owned by Alan Ratajesak as submitted by the County Attorney.

**Johnson Lake Pumping Project**

Motion by Erickson, second by Huebsch, and unanimously carried to authorize the appropriate County officials' signatures to execute an agreement between the County of Otter Tail and Anderson Land Surveying for land surveying work for placement of a permanent pump, in the amount of \$2,200.00 for S.A.P. 056-997-002.

**CSAH 88 Pumping Project**

Motion by Erickson, second by Huebsch, and unanimously carried to authorize the Chairman's signature to execute Amendment No. 1 to the Engineering Services Agreement between the County of Otter Tail and Interstate Engineering for additional cost for S.A.P. 056-997-004.

Motion by Lindquist, second by Erickson, and unanimously carried to declare the CSAH 88 Pumping Project an emergency due to high water/flooding. The Emergency Declaration reduces the required bid period to two weeks.

**Highway Contract**

Motion by Froemming, second by Rogness, and unanimously carried to approve a Highway Construction Contract between the County of Otter Tail and Korby Contracting Co., Inc. of Fergus Falls for township bridge replacement on Water Street Road (S.A.P. 056-599-057).

**Public Safety ARMER Radio System**

The Board of Commissioners acknowledged receipt of resolutions from the City of New York Mills, Perham, and Ottertail requesting that the County pay for conversion equipment for the statewide 800 Megahertz Communication System.

**Staffing Request**

Motion by Erickson, second by Lindquist, and unanimously carried to authorize the County Coordinator to hire a temporary employee from an employment agency to replace the part time, regular position of Receptionist/Secretary.

**Adjournment**

At 3:16 p.m., Chairman Froemming adjourned the meeting of the Otter Tail County Board of Commissioners until 9:30 a.m. on Tuesday, July 20, 2010.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

Roger Froemming, Board of Commissioners Chair

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

Larry Krohn, Clerk



**WARRANTS APPROVED ON 7/13/2010 FOR PAYMENT 7/13/2010**

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A-1 WAYNE'S TOWING	116.00
AFFILIATED COMPUTER SERVICES	4,558.24
ALEXANDRIA TECHNICAL COLLEGE	600.00
ALLEN'S AUTO BODY & 24 HR TOWI	179.44
AMERICAN TOWER CORPORATION	98.71
AMERICAN WELDING & GAS INC	28.10
ATCO INTERNATIONAL	451.00
AUTO VALUE FERGUS FALLS	173.56
BANK OF THE WEST	29.00
BATTLE LAKE AUTO PARTS	54.23
BATTLE LAKE STANDARD	90.91
JASON BERGSTRAND	27.59
BLACK HILLS AMMUNITION	837.50
BLESI-EVANS COMPANY	692.79
BOB'S STANDARD BULK SERVICE	61.70
BRAUN VENDING INC	28.37
CAROLINA SOFTWARE	400.00
CARR'S LAKE COUNTRY SUPERMARKE	59.80
CERTIFIED AUTO REPAIR	112.29
CHEMSEARCH	363.08
CONCEPT FINANCIAL GROUP INC	32.88
COOPERS TECHNOLOGY GROUP	392.09
CULLIGAN	45.74
CULLIGAN WATER COND	50.28
DACOTAH PAPER COMPANY	365.32
DENZEL'S REGION WASTE INC	374.40
DETROIT LAKES OVERHEAD DOOR SE	100.00
DICK'S STANDARD	73.69
EHLERS & ASSOCIATES INC	100.00
ELECTION SYSTEMS & SOFTWARE IN	6,588.85
EVERGREEN LAWN CARE	128.25
EVERTS LUMBER CO	76.89
FARMERS CO OP OIL ASSN	1,282.99
FARNAM'S GENUINE PARTS INC	923.00
FARNAM'S GENUINE PARTS INC PR	7.47
FERGUS FALLS DAILY JOURNAL	1,127.17
FERGUS POWER PUMP INC	4,180.00
FERGUS TIRE CENTER	20.00
FORTWENGLER ELECTRIC INC	691.21
FORUM COMMUNICATIONS PRINTING	7,465.18
GALL'S INC	105.44
HITESMAN & ASSOCIATES PA	777.00
SANDY HOLO	150.00
INNOVATIVE OFFICE SOLUTIONS	901.46
JOHN DEERE CONSTRUCTION RETAIL	37,985.04
KEEPRS INC CY'S UNIFORMS	94.49
L & L SERVICE	43.50
LAKES RADIO	108.00
LARRY OTT INC TRUCK SERVICE	1,000.00
PAT LARUM	198.72
LITTLE BEAR TOWING	245.81
LOCATORS & SUPPLIES INC	656.72
GEORGE MEYER	58.00
MIDWEST PRINTING CO	87.64
MIDWESTERN MAT RENTAL & SUPPLY	84.48
MARY MITLYNG	40.00
MN BOARD OF WATER & SOIL RESOU	500.00

MN DEPT OF NATURAL RESOURCES O	150.00
MN MOTOR COMPANY	371.86
MN STATE AUDITOR	2,311.00
MONITOR TIRE DISPOSAL INC	2,888.95
NAPA FERGUS FALLS	6.20
NAPA OF PERHAM	98.30
NORTHERN STATES SUPPLY INC	44.84
O'REILLY AUTOMOTIVE INC	44.76
OFFICEMAX INCORPORATED	124.83
OLSON FUNERAL HOME	232.00
OLSON OIL CO INC	849.54
RICHARD OLSON	3,438.00
OLYMPIC SALES INC	299.94
ONE CALL LOCATORS LTD	360.48
OTTER TAIL CO EMPLOYEES COMMIT	75.00
OTTERTAIL TRUCKING INC	15,927.00
OUTDOOR RENOVATIONS LANDSCAPE	134.00
OVERHEAD DOOR CO OF FERGUS FAL	240.00
PELICAN RAPIDS PRESS	36.48
PETE'S BODY SHOP & TOWING	235.13
POSTMASTER	100.00
POWER PLAN	2,165.63
PRAXAIR DISTRIBUTION INC	190.24
PRODUCTIVE ALTERNATIVES INC	18.34
PROFESSIONAL DAIRY SYSTEMS	297.44
RDO TRUCK CENTERS	40.89
REVIEW ENTERPRISES INC	73.63
ALLISON RIESTENBERG	630.00
ROYAL TIRE INC	586.51
SEWER SERVICE	260.00
RICK SHEILS	30.00
SHI CORP	166,100.85
PAUL SIMENGAARD	88.96
SOUTHTOWN C-STORE	15.97
STANDARD PARTS OF WADENA	18.85
STRAND HARDWARE & RADIO SHACK	16.02
STREICHERS	38.97
TELVENT DTN	2,476.46
THIS WEEKS SHOPPING NEWS	383.76
TITAN ACCESS ACCOUNT	1,852.95
UNIFORMS UNLIMITED	1,438.01
VERGAS HARDWARE	19.97
VERGAS 66 GAS & CONVENIENCE IN	483.34
VICTOR LUNDEEN COMPANY	20.31
VOSS LIGHTING	613.83
WADENA ASPHALT INC	17,072.22
WALLWORK TRUCK CENTER	547.29
WASTE MANAGEMENT	20,274.75
WEETOWN OUTPOST	29.00
WEST PAYMENT CENTER	84.70
WHITE BANNER UNIFORM SHOP	23.54
XEROX CORPORATION	196.44
210 LUBE EXPRESS	65.48
**** FINAL TOTAL.....	<u>\$320,146.68****</u>