

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
515 W. Fir Avenue, Fergus Falls, MN
Tuesday, July 27, 2010
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, July 27, 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 Huebsch, and unanimously carried to approve the Human Services Board agenda of July 27, 2010, as presented. A request from the Physical Plant Manager for a Personnel Committee meeting at 10:45 a.m. was approved.

Approval of Minutes

Motion by Erickson, second by Froemming, and unanimously carried to approve the Human Services Board minutes of July 13, 2010, as presented.

West Central Regional Juvenile Center Agreement

Probation Director, Chuck Kitzman, briefed the Board regarding a recent West Central Regional Juvenile Center Advisory Board meeting and submitted several handouts. Discussion followed about the financial situation at the facility, member counties bed usage, and the future challenges for secure detention facilities. Motion by Lindquist, second by Huebsch, and unanimously carried to authorize the Chairman's signature to execute an Annual Purchase Agreement between the WCRJC in Moorhead, MN, and County of Otter Tail for calendar year 2011 to purchase 2.5 beds.

Public Health Contracts

Motion by Huebsch, second by Rogness, and unanimously carried to authorize the appropriate County officials' signatures to execute the following contracts between the State of Minnesota DHS and the Otter Tail County Public Health Department:

- 1) Collaborative Grant, in the amount of \$60,450.00, for outreach with school districts to identify uninsured children
- 2) Contract for Professional and Technical Services for the Collaborative Grant

Public Health Sharing Opportunities

Public Health Director, Diane Thorson, discussed opportunities for regional partnerships to accomplish public health services in times of diminishing resources.

Indoor Air Quality Recommendations

Ms. Thorson submitted the Indoor Air Quality Work Group meeting minutes of July 20, 2010. She stated that the Fergus Falls Police Department was moving out of the Courthouse and has found other temporary locations. HEPA filters are in place until County employees are relocated. The old jail, old residence, and old highway department areas should not be used. The juvenile hold area could be relocated to the Fish Lake Room in the Courthouse. Coordinator, Larry Krohn, will be completing a walk-through in the Courthouse with several Indoor Environmental Testing Firms the second week of August to develop an on-going work plan.

Human Services Financial Report

Human Services Director, John Dinsmore, provided the 2010 Budget Report through 06/30/2010 for his agency. Agency expenses were reported at 45% and revenues at 44% of budget. Mr. Dinsmore noted that in 2004, 34% of the total agency expenses were funded by County levy as compared to about 42% in 2010.

Approval of Human Services Contracts

Motion by Erickson, 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
Our Home Your Home	Residential Services/ Assisted Living	07/01/10 through 06/30/12	Elderly	Total to be paid shall not exceed the OTC approved rate.
Rule 36 Limited Partnership of Duluth 3 (Gull Harbour)	Intensive Residential Treatment & Crisis Stabilization Program	08/01/10 through 12/31/10	Individuals with serious & persistent mental illness	Adult Mental Health Initiative Funds – Additional \$20,000 funding to support Non-MA clients
DHS State of MN	Shared Services Contract	01/01/08 through 06/30/13	Adult Mental Health	Mental Health Initiative Funds as outlined in contract

Approval to Pay Bills & Claims

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

Adjournment

At 10:43 a.m., Chairman Froemming declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, August 17, 2010, in the courtroom at the New York Mills County Offices.

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 27, 2010, at 11:04 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 July 27, 2010, with the following changes:

Physical Plant Manager, Rick Sytsma – Staffing Request

Approval of Minutes

Motion by Rogness, second by Huebsch, and unanimously carried to approve the Board of Commissioners minutes of July 20, 2010, with the following change:

July 20, 2010, Board of Commissioners Minutes, Page 2, under the heading of

"U.S. Fish & Wildlife Service Habitat Easement Certifications" reads as follows:

"The above motion also included an Otter Tail County policy/philosophy of no additional government owned land. This would allow County certification for the USFWS and/or the DNR to purchase land next to established public hunting and fishing land contingent upon selling other publicly-owned land that are stand-alone properties. Commissioners expressed concern with loss of tax revenue if the State decides to unallot payments in lieu of taxes. They spoke in favor of a program similar to PLOTS that North Dakota offers which pays farmers \$2.00 to \$4.00 per acre to open their private land to public hunting."

Replaced as follows:

"Discussion took place regarding an Otter Tail County philosophy regarding the acquisition of private land by the USFWS and/or DNR. Commissioners expressed concern with loss of tax revenue when private land is removed from the tax rolls. They spoke in favor of a program similar to PLOTS that North Dakota offers which pays farmers \$2.00 to \$4.00 per acre to open their private land to public hunting."

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.

Watershed Update

WOTSWCD Manager, Brad Mergens, spoke in regards to the proposed petition to form the Upper Red - Lower Otter Tail Watershed District. He stated that it appears that Wilkin County plans to move forward with the petition despite the recent meeting where Otter Tail County requested to be left out. The Board of Water & Soil Resources in St. Paul has responded to some statute questions regarding the petition. They encourage representation from individuals in the proposed District who live in Otter Tail County. BWSR has recommended that Wilkin County advertise for members to serve; however, if there are no members from Otter Tail County on the petition, BWSR will continue to consider the petition for formation of the District. In regards to watershed district size, BWSR commented that the larger the size of the district, the more controversy when forming a district. Judicial Ditch #2 does not address water quantity although JD #2 diverts most of the water that would otherwise flow into Wilkin County. Mr. Mergens discussed the proposed water improvement area to address water quality, which, by statute is an annual commitment. Mr. Mergens stated that many of the questions regarding the proposed District will be answered at the Public Hearing. Lengthy discussion continued about the issues. Property owners in the proposed district expressed concern about the cost and the complications that occur when doing a project because the watershed would add permit requirements in addition to what is already in place at the County and State levels. Chairman Froemming appointed a committee to prepare for the public hearing as follows:

WOTSWCD Manager, Brad Mergens; GIS Coordinator, Brian Armstrong; Commissioner, John Lindquist; County Attorney, David Hauser; Commissioner, Everett Erickson; and Property Owner, Cynthia Johnson

Recess & Reconvene

At 12:02 p.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:03 p.m.

Disaster Credit Discussion

Assessor, Bob Moe, presented a tornado damaged property list from the June 17, 2010 incident. The estimated dollar value of damage is reported as \$2,533,600.00. He reported the total number of taxable buildings damaged or destroyed at 74 with average dollar amount of damage at \$34,238.00. The list is damaged privately-owned properties in Otter Tail County and does not include public infrastructure damage.

**Resolution Requesting Tax Relief for Damaged/Destroyed Property
Otter Tail County Resolution No. 2010 - 42**

Commissioner Huebsch offered the following and moved its adoption:

WHEREAS, the County of Otter Tail experienced a disaster on June 17, 2010; and

WHEREAS, said disaster did cause extensive property damage to buildings in the County of Otter Tail; and

WHEREAS, the County of Otter Tail has been declared a disaster area by Presidential Declaration of a Major Disaster, number FEMA-1921-DR; and

WHEREAS, Minnesota Statutes, sections 273.1231 through 273.1235, provides for tax relief for properties damaged by a disaster upon application to the Governor of the State of Minnesota and the State Executive Council; and

WHEREAS, the minimum requirements of the aforementioned statutes have been met as demonstrated in the attached disaster survey.

NOW, THEREFORE, BE IT RESOLVED, by the County of Otter Tail that the County of Otter Tail does hereby request property tax relief under Minnesota Statutes, sections 273.1231 through 273.1235, for property damaged by the disaster that occurred on June 17, 2010 and identified in the attached disaster survey.

Commissioner Rogness 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>
Leland R. Rogness	X			
Douglas A. Huebsch	X			
Everett P. Erickson	X			
John Lindquist	X			
Roger Froemming	X			

Adopted at Fergus Falls, Minnesota, this 27th day of July, 2010.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Roger Froemming, Chair

Attest: _____
Larry Krohn, Clerk

Law Enforcement Committee Follow-Up

County Attorney, David Hauser, presented Law Enforcement Committee meeting minutes for June 15, 2010. A sample follow-up letter was provided to facilitate continuation of discussions. Commissioners requested a meeting be scheduled in September.

Payment Approval

Motion by Erickson, second by Lindquist, and unanimously carried to approve payment, in the amount of \$5,022.50, to Mark and Brenda Construction, Inc. (dba Delzer Construction) for the following:

County Drainage System No. 21	Clean Open Ditch	\$2,450.00
County Drainage System No. 37	Install Tile	\$2,572.50

Acquired Natural Resource Lands

Auditor, Wayne Stein, reported the value of acquired natural resource land in Otter Tail County as \$54,196,529.02 (20,345.55 acres of land). He explained the breakdown of revenue from the acquired natural resource land that goes to Otter Tail County, school districts and townships.

OTTER TAIL COUNTY RESOLUTION

Otter Tail County Resolution No. 2010 - 40

Commissioner Erickson offered the following and moved its adoption:

IT IS RESOLVED that Otter Tail County enter into Mn/DOT Agreement No. 97296 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 Highway No. 23 as a detour route during the grade raising and bituminous surfacing and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 34 from 0.5 mile East of Trunk Highway No. 32 to 0.9 mile West of Otter Tail County State Aid Highway No. 23 under State Project No. 1404-18 (T.H. 34).

IT IS FURTHER RESOLVED that Roger Froemming and Larry Krohn
County Board Chair County Board Clerk

are authorized to execute the Agreement and any amendments to the Agreement.

Commissioner Lindquist seconded the motion and the resolution was unanimously adopted.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

RESOLUTION

**Agency Agreement No. 97156
For Federal Participation in Force Account
For S.P. 56-591-02, M.P. SRTS 5609(100)**

Otter Tail County Resolution No. 2010 – 41

Commissioner Erickson offered the following and moved its adoption:

BE IT RESOLVED, that pursuant to Minnesota Statutes Section 161.36, the Commissioner of Transportation be appointed as Agent of Otter Tail County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the County Board Chair and the County Board Clerk are hereby authorized and directed for and on behalf of the County of Otter Tail to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 97156", a copy of which said agreement was before the County Board and which is made a par hereof by reference.

Commissioner Lindquist seconded the motion and the resolution was unanimously adopted.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

Vehicle Commuting

Motion by Rogness, second by Huebsch, and unanimously carried to authorize Engineering Technician, Dave Sillerud, to commute with a County vehicle while working on the county wide seal coat project located north of townships 134 and 133, as recommended by the Highway Engineer.

Tobacco Citation Findings and Order

Motion by Erickson, second by Froemming and carried, with Lindquist abstaining, to authorize the Chairman's signature to execute the Findings and Order related to a Tobacco Administrative Citation issued to JC's General Store.

Annual Partnership Payment – Family Services Collaborative

Motion by Erickson, second by Lindquist, and unanimously carried to approve payment of \$300 for the Otter Tail County Board's annual partnership payment to the Otter Tail Family Services Collaborative for FY2010/11.

Letter of Support

Motion by Rogness, second by Huebsch, and unanimously carried to send a letter of support for a Biomaterials Manufacturing business prospect to the State Department of Employment and Economic Development.

Economic Development Presentation

Motion by Rogness, second by Erickson, and unanimously carried to bring in a County Economic Developer for a presentation.

Leadership Conference

Motion by Huebsch, second by Rogness, and unanimously carried to approve Commissioner Lindquist's attendance at the Leadership Conference in Walker, MN, August 11, 2010 through August 13, 2010.

Temporary Staff

Motion by Lindquist, second by Erickson, and unanimously carried to authorize the Physical Plant Manager to hire, through the Coordinator's office, a .5 FTE temporary Housekeeper to replace a vacant position.

Adjournment

At 2:28 p.m., Chairman Froemming adjourned the meeting of the Otter Tail County Board of Commissioners until 9:30 a.m. on Tuesday, August 3, 2010.

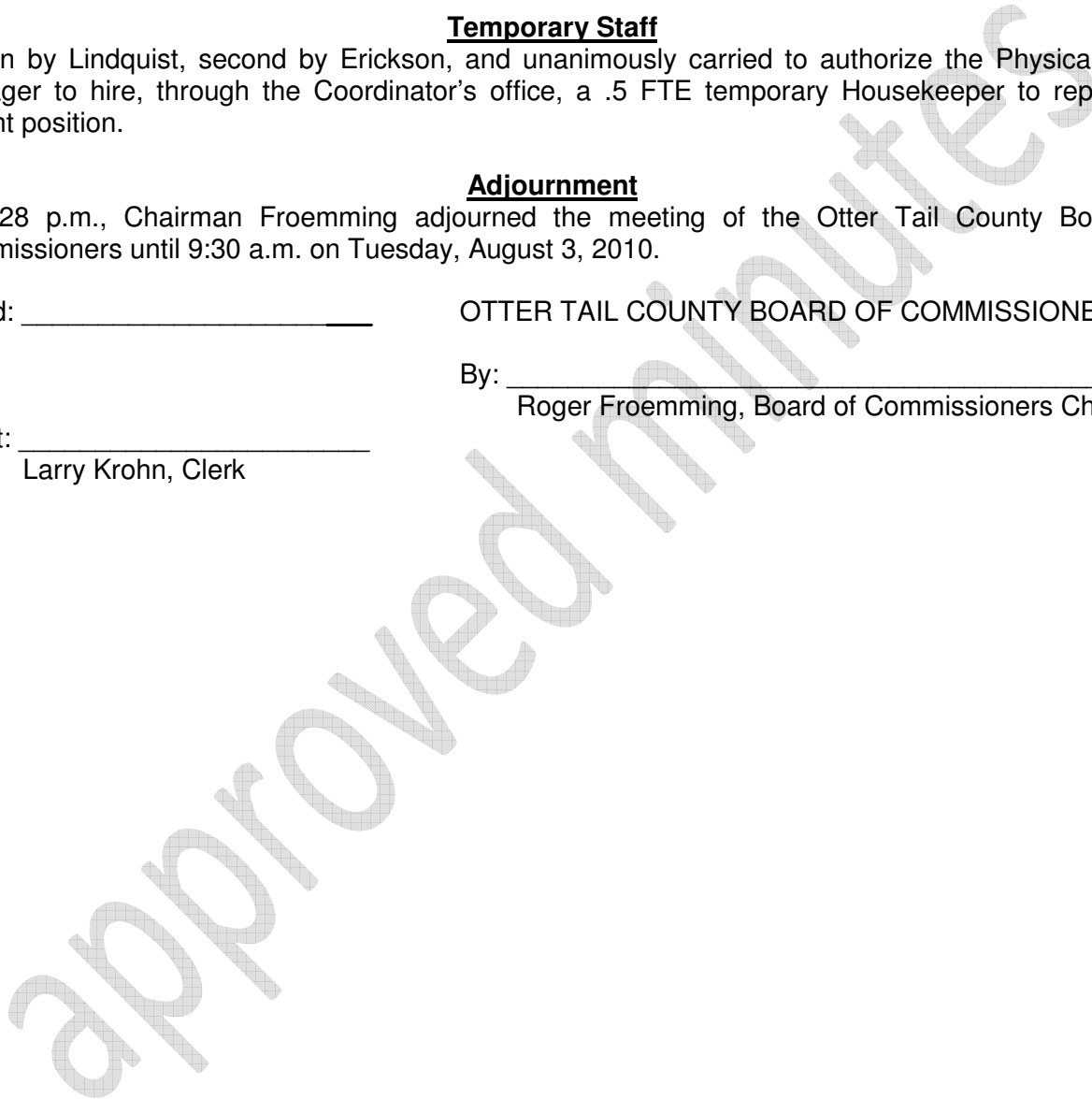
Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

CB/kd



WARRANTS APPROVED ON 7/27/2010 FOR PAYMENT 7/27/2010

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	12.00
ALEXANDRIA TECHNICAL COLLEGE	600.00
ASSOCIATION OF MN COUNTIES	50.00
BCA ST OF MN	805.00
BEAR GRAPHICS INC	3,524.84
TERRY BENNETT	9.17
BETTY'S PANTRY	248.48
HEATHER BRANDBORG	95.00
BRANDON COMMUNICATIONS INC	28.50
CARR'S LAKE COUNTRY SUPERMARKE	21.44
CDW GOVERNMENT INC	2,092.63
CITIZENS ADVOCATE	76.50
CODE 4 SERVICES LLC	1,211.66
COLLEGE WAY AUTO INC	320.14
COMMISSIONER OF TRANSPORTATION	5,569.66
CONCEPT FINANCIAL GROUP INC	80.01
COOPERS TECHNOLOGY GROUP	154.83
DAKOTA PRINTERS LLC	21,400.00
DEANS COUNTRY MARKET	30.18
JOHN DEMUTH	5.04
DS SOLUTIONS INC	1,503.45
E & J PRESS	64.12
ELLINGSON BRENDEN POST 376	200.00
CITY FERGUS FALLS	11,611.48
FERGUS POWER PUMP INC	300.00
FIRE FIGHTER & DETECT ALARM	98.34
ISSUETRAK INC	600.00
J.P.COOKE CO	42.65
KETTLE CREEK CORPORATION	1,729.76
LAKE REGION HEALTHCARE CORP	1,210.00
LAKES COUNTRY SERVICE CO OP	29.50
LARRY OTT INC TRUCK SERVICE	1,825.00
M.G.K.WELDING	48.87
MANNY'S - ROCKY'S BAIT	976.12
MATTHEW BENDER & COMPANY INC	1,764.55
JAMES MCMAHON	4.90
METRO SALES INC	319.00
MFSRC FALL CONFERENCE	95.00
MIDWESTERN MAT RENTAL & SUPPLY	164.47
MN ATTORNEY GENERAL'S OFFICE	390.89
MN DEPT OF HUMAN SERVICES	95.30
MN DEPT OF TRANSPORTATION	125.00
MN POLLUTION CONTROL AGENCY	1,125.00
MN STATE BAR ASSOCIATION	328.64
NORTHLAND REBUILDING	295.00
OFFICEMAX INCORPORATED	174.73
OLSON OIL CO INC	44.74
OTTER TAIL CO TREASURER	395.35
OTTER TAIL FAMILY SERVICES COL	300.00
OTTERTAIL TRUCKING INC	17,706.00
PETE'S BODY SHOP & TOWING	1,296.02
PITNEY BOWES	2,893.00
PRODUCTIVE ALTERNATIVES INC	68.97
RDO TRUST #80-6130	36.13
RINGDAHL AMBULANCE SERVICE	420.00
ROYAL TIRE INC	1,182.05
SERVICE FOOD SUPER VALU	14.17

SEWER SERVICE	240.00
RICK SHEILS	20.31
TRANQUILITY BUILDING SERVICES	454.22
TREFOIL CULTURAL AND ENVIRONME	1,720.00
UCOWF	260.00
UNIFORMS UNLIMITED	141.05
VICTOR LUNDEEN COMPANY	1,489.14
WEST PAYMENT CENTER	4,943.11
WESTERN NATIONAL MUTUAL INSURA	14,884.00
<u>**** FINAL TOTAL.....</u>	<u>\$109,965.11****</u>

approved minutes