

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, February 6, 2001
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, February 6, 2001 at 9:30 a.m. at the Otter Tail County Courthouse with Roger Froemming, Chair; Dennis Mosher, Vice-Chair; Syd Nelson, Malcolm Lee, and Bob Block present.

Approval of Agenda

Motion by Mosher, second by Block, to approve the County Board agenda of February 6, 2001, with the following changes:

- 10:15 a.m - U.S. Fish & Wildlife Service, Don Kleven - canceled
- 10:15 a.m. - Budget Committee Meeting
- Highway Engineer, Rick West - add award of seasonal supplies

Motion carried.

Approval of Minutes

Motion by Lee, second by Nelson, to approve the County Board minutes of January 23, 2001, as mailed. Motion carried.

County Veterans Service Office Update

CVSO, Jourdan Sullivan, reported that, two weeks ago, a request was made for additional funding for a full time employee in the Veterans Service Office because of the increased workload. The total annual expense would be approximately \$26,000. He requested permission to proceed with a job description for this proposed position. Motion by Mosher, second by Nelson, to authorize the Veterans Service Officer to proceed with creating a new job description for a receptionist/secretary position and to send that job description to DMG for a salary grade. Motion carried.

Mr. Sullivan briefed the Board and provided handouts regarding the increased number of clients served, the number of clients served that live outside of Otter Tail County, and 1999 and year 2000 production reports.

Mercury Reduction Discussion

Marie Tysdal, Solid Waste Public Information and Education Officer, provided handouts regarding Mercury Facts and pending legislation H.F. No. 274 and S.F. No. 70. A plan for reducing mercury has been drafted through a partnership with Otter Tail Power Co. and the City of Fergus Falls and sent to the Minnesota Pollution Control Agency. The City of Fergus Falls passed an ordinance prohibiting the retail sale of fever or basal thermometers containing mercury last December. Discussion followed regarding action to pass an ordinance on the county level or to support the proposed state legislation which will be effective January 1, 2002, if passed.

Mercury Use Restriction

Otter Tail County Resolution No. 2001 - 06

Commissioner Lee offered the following and moved its adoption:

WHEREAS, Minnesota Statutes Chapter 400 allows that County's plan for the proper management of municipal solid waste generated within its jurisdiction, and

WHEREAS, Minnesota Statutes Chapter 115 A gives preference to waste reduction, recycling, and municipal waste incineration prior to the landfilling of mixed municipal solid waste, and

WHEREAS, the Otter Tail County Board of Commissioners, through its Solid Waste Management Plan and through recent County Board actions has affirmed its preference toward waste reduction, recycling, and resource recovery through municipal waste incineration over landfilling of unprocessed municipal solid waste, and

WHEREAS, mercury is a common element found naturally in a free state or mixed in ores, and

WHEREAS, mercury is commonly used in items such as thermometers, thermostats, and switches, and

WHEREAS, tests have shown that mercury released to the environment can have a detrimental effect on our air, land, and water resources, and

WHEREAS, tests have further shown that mercury can be released to the environment through the air emissions of municipal waste resource recovery incinerators, and

WHEREAS, the Otter Tail County Board of Commissioners supports steps to reduce the release of mercury and other contaminants to the environment, and

WHEREAS, the City of Fergus Falls and other Minnesota communities have adopted ordinances restricting the sale and use of mercury in an attempt to limit the potential for release to the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners supports actions which restrict the sale and use of mercury and mercury containing devices so as to lessen the likelihood that mercury may end up in the municipal solid waste stream.

BE IT FURTHER RESOLVED, that the Otter Tail County Board of Commissioners supports actions which restrict the sale and use of mercury and mercury containing devices on a statewide basis so as to make the importance of such restrictions more universally understood and accepted.

BE IT FINALLY RESOLVED, that the Otter Tail County Board of Commissioners supports the efforts of Representative Dorman, Kelliher, Ruth, Eastland, and Erickson (H.F. 274) and Senators Marty, Ring, and Krentz (S.F. 70).

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

Adopted at Fergus Falls, MN this 6th day of February, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, County Board Chair

Attest: _____
Larry Krohn, Clerk

Recess & Reconvene

At 10:16 a.m., Chair Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for a Budget Committee meeting. The County Board meeting was reconvened at 10:37 a.m.

Satellite Office Agreement for the Uniform Commercial Code Department

Motion by Lee, second by Mosher, to authorize the Chair's signature to execute an agreement between the State of Minnesota and the County of Otter Tail to designate the Recorder's office as a satellite office to provide Uniform Commercial Code filing and retrieval services. Motion carried.

Pine Lakes Improvement District Challenge Grant

Dan Boedigheimer, Chair of the Otter Tail County Pine Lakes Improvement District, reported that the LID intends to apply to the Board of Water and Soil Resources (BWSR) for a challenge grant to be used for creating a Sustainable Lake Management Plan for the District. Because of the requirements of the grant process, the LID cannot directly apply for the grant; however, the County could be the applicant and the fiscal agent, with the LID managing the project. If funded, Colleen Winter would be hired as Project Director. Ms. Winter explained that a Lakes Management Plan is part of the LID's obligation to fulfill once the LID was established. The total grant applied for will be \$50,000 which includes some mapping project costs. Discussion continued. Motion by Nelson, second by Lee, to authorize Otter Tail County to act as the applicant and fiscal host (sponsor) for the Pine Lakes Improvement District for applying for a Challenge Grant, in the amount of \$50,000, from the BWSR with the understanding that the PLID will undertake all duties required to manage the grant plan. Further, the PLID agrees to work with the County Departments, specifically the Geographic Information Systems Department, to assure that the design and maintenance of their parcel mapping will coincide with Otter Tail County's GIS parcel mapping parameters. The motion further authorizes Land & Resource Director, Bill Kalar, to sign the grant application on behalf of the County. Motion carried.

Bid Award - S.A.P. 56-671-04 & Etc.

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids at 1:00 p.m. on Wednesday, January 31, 2001 for CSAH No. 71 and Co. Hwy 141 overlay project:

Mark Sand & Gravel Acquisition Co. Fergus Falls, MN	\$449,031.00
Central Specialties, Inc. Alexandria, MN	\$483,456.50
Tri-City Paving, Inc. Little Falls, MN	\$488,512.25

Motion by Block, second by Mosher, to award S.A.P. 56-671-04 & Etc. to Mark Sand & Gravel Acquisition Co., the low bidder, in the amount of \$449,031.00 as recommended by the Highway Engineer. Motion carried.

Agreement with Interstate Engineering for Bridge Inspection Services

Motion by Nelson, second by Mosher, to authorize the Chair's signature to execute an agreement between the County of Otter Tail and Interstate Engineering, Inc. for bridge safety inspection services at an estimated cost of \$12,500.00 as recommended by the Highway Engineer. Motion carried.

Bid Award - 2001 Seasonal Supplies

After advertising for bids, Highway Engineer, Rick West, opened the following bids for purchase of seasonal supplies on January 24, 2001 as follows:

Seasonal Supply of Bituminous Material:

Koch Materials Company \$0.8960 per Gallon
St. Paul, MN

Murphy Oil USA, Inc. \$0.9787 per Gallon
Superior, WI

Seasonal Supply of Hot Mix Bituminous (EOT)

Wadena Asphalt, Inc. \$25.35 per Ton
Wadena, MN

Seasonal Supply of Hot Mix Bituminous (WOT)

Mark Sand & Gravel Acq. Co. \$25.60 per Ton
Fergus Falls, MN

Seasonal Supply of Hot Mix Bituminous (NOT)

Sherbrooke Asphalt, Inc. \$25.30 per Ton
Detroit Lakes, MN

Mark Sand & Gravel Acq. Co. \$25.60 per Ton
Fergus Falls, MN

Seasonal Supply of Culverts

Contech Const. Products, Inc. \$28,390.46
Shakpoe, MN

Johnston Fargo Culvert, Inc. \$31,356.74
Fargo, ND

Metal Culverts, Inc. \$40,023.82
Jefferson City, MO

Seasonal Supply of Herbicides (Terra Strike III)

Perham Co-op Creamery \$18.95 per 30 gallon drum
Perham, MN

Kurt Mortenson, Attorney's Office
Timothy Brand, Management Information Systems

Michelle Eldien, Attorney's Office

Motion carried with Lee opposed.

Liquor License Applications

Motion by Nelson, second by Mosher, and unanimously carried to approve the following applications for license:

Marilyn Ann Heit
Wee Villa Lodge
Fergus Falls, MN

Consumption and Display Permit

Perham Jaycees
Perham, MN 56573

On-Sale 3.2 Malt Liquor License
(Temporary) - February 3, 2001

Indirect cost Allocation Plan Contract

Motion by Lee, second by Mosher, to approve, subject to review by the County Attorney, the 2000-2001 Agreement to Provide Professional Consulting Services Between Minnesota Counties Research Foundation and Otter Tail County, Minnesota for the preparation of the Indirect Cost Allocation Plan for the fiscal years ending December 31, 2000 and December 31, 2001, at a cost of \$11,000 per plan year, and to authorize, subject to the approval of the County Attorney, the signing of said agreement by the County Board Chair. Motion carried.

Premise Permit

Otter Tail County Resolution No. 2001 - 07

Commissioner Nelson 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 Perham Athletic Association, Perham, MN, has made an application to the Gambling Control Board for a premise permit to conduct lawful gambling at the Sparetime Bar and Grill, in Perham Township of Otter Tail County; and

WHEREAS, Minnesota Statute 349.213 provides that the Gambling Control Board may not issue a 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 Perham Athletic Association, Perham, MN, at the Sparetime Bar and Grill, in Perham 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 Perham Athletic Association, Perham, MN, at the Sparetime Bar and Grill, in Perham 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 Perham by sending them a copy of this resolution.

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

Adopted at Fergus Falls, MN this 6th day of February, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, County Board Chair

Attest: _____
Larry Krohn, Clerk

Solid Waste Haulers' License Applications

Motion by Lee, second by Block, and unanimously carried to approve the following applications for solid waste hauler's license for year 2001:

- | | |
|--------------------|---------------------|
| Ballard Sanitation | Minn-Kota Recycling |
| PO Box 368 | Hwy. 59 North |
| Pelican Rapids, MN | Detroit Lakes, MN |

Adoption of New Personnel Rules

County Coordinator, Larry Krohn, presented a final draft (dated 01/31/01) of the proposed personnel rules. He stated that these rules were developed under statutory authority because the County has adopted the County Personnel Act. This proposed policy will replace the personnel policy dated 1988 and applies to regular employees not represented by a Collective Bargaining Agreement with a few exceptions. If the County Board adopts the rules, the Board will need to appoint a three member Board of Appeals. The Board of Appeals would act to resolve grievances in some situations. Motion by Lee, second by Block, to approve the Otter Tail County Personnel Rules dated 01/31/01. Motion carried. Discussion continued regarding the rules. Two minor changes were recommended as follows: Section 5.10 C - delete the words "three or more casualties" and Section 9.10 A (last paragraph) change twenty-four (24) days to "192 hours". Motion by Lee, second by Block, to amend the previous motion to include the two recommended changes in Section 5.10 C and 9.10 A of the new personnel rules as presented. Motion carried.

Payment Approval for Employees' Committee Program

Motion by Lee, second by Block, to approve payment to the Employees' Committee from the Commissioners' Contingency Fund, in the amount of \$1,138.46, for the "Employee of the Month" program which includes jackets, film, and years of service certificates and frames. Motion carried.

Approval to Pay Bills

Motion by Block, second by Lee, to approve payment of bills per Attachment A of these minutes. Motion carried.

Public Broadcasting Radio Station

Motion by Lee, second by Block, to request the County Attorney to write a letter on behalf of the County Board in support of a new tower for the Public Broadcasting Radio Station to better service the Fergus Falls area. Motion carried.

Adjournment

At 12:00 p.m., a motion was offered by Lee, seconded by Mosher, to declare the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, February 13, 2001. Motion carried.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, County Board Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

Enc.

