

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**

**Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, March 6, 2001
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, March 6, 2001 at 9:31 a.m. at the Otter Tail County Courthouse with Roger Froemming, Chair; Syd Nelson, Malcolm Lee, and Bob Block present. Vice-Chair Dennis Mosher was absent.

Approval of Agenda

Motion by Nelson, second by Lee, to approve the County Board agenda of March 6, 2001, with the following changes:

2:15 p.m. - Highway Engineer - State Contract Purchasing

2:20 p.m. - Postpone - Personnel Committee Meeting

Add - Investment Committee Discussion

Motion carried.

Approval of Minutes

Motion by Lee, second by Block, to approve the County Board minutes of February 27, 2001, as mailed. Motion carried.

Labor Management Committee Update

Lori Morrell of the Bureau of Mediation Services, briefed the Board regarding the progress of the main Labor Management Committee as well as the two smaller groups in the Public Health and Human Services Departments. Discussion took place regarding the role of the County Commissioners serving on the various Labor Management Committees. Ms. Morrell praised the employees serving on the committees specifically citing the progress of the Public Health Department.

Discussion - Drainage on Jewett Lake near Public Access

Shoreland owner, Duane Schafer, stated that he owns a lot on the west side of the public access on Jewett Lake. He expressed concern regarding two approaches installed near his property without appropriate culverts which causes water to flow to his property resulting in the inability to use a portion of his lot. The County issued a permit for the approaches; however, on grade and fill projects on township roads, the approach is typically subject to the township's requirements. County Attorney, David Hauser, recommended that Mr. Schafer talk to his neighbor about installing a culvert. Land & Resource Director, Bill Kalar, stated that his office is aware that the township has recently indicated that they were in the process of looking at the need to install culverts in this area once the snow cover is gone. Commissioner Lee requested that Mr. Kalar write to the township to confirm their intent to install culverts in this area and to copy Mr. Schafer with that letter.

"Years of Service" Certificate Presentation

Cora Nelson, Employees' Committee Chairperson, introduced other employee committee members. The committee members presented "Years of Service" certificates to employees with five to thirty years of employment with Otter Tail County. Commissioners expressed appreciation for their dedication.

Approval to Pay Bills

Motion by Nelson, second by Froemming, to approve the payment of bills per Attachment A of these minutes. Motion Carried.

Amendment to Outpatient Mental Health Services

Human Services Director, John Dinsmore, recommended that two mental health services, 1) Therapeutic Support of Foster Care and 2) Family-Based Services be included in the Outpatient Mental Health Service Contract with Lakeland Mental Health Center. These two services are funded by medical assistance dollars only. Motion by Nelson, second by Block, to authorize the Chair's signature to execute the March 6, 2001 addendum to the Purchase of Service Agreement for outpatient mental health services to include the two aforementioned services. Motion carried.

Performance Evaluation Summary

Motion by Lee, second by Nelson, to approve the positive performance evaluation of Human Services Director, John Dinsmore. The summary will be placed in his personnel file. Motion carried.

Final Plat Extensions

"Lazy Eighty Acres Estates" & "Maet-Boh Subdivision"

Motion by Nelson, second by Lee, to approve an extension for completion of the final plat of Lazy Eighty Acres Estates until June 1, 2001. Motion carried.

Motion by Lee, second by Nelson, to approve an extension for completion of the final plat of Maet-Boh Subdivision until October 21, 2001. Motion carried.

Planning Commission Ordinance Set Back Ordinance

Land & Resource Director, Bill Kalar, presented a proposed Planning Commission Ordinance considered in 1985. Discussion followed. Motion by Lee, second by Nelson, to direct the County Attorney to update the proposed Planning Commission Ordinance and proceed with a public hearing to enact an ordinance. Motion carried.

Mr. Kalar provided copies of the Otter Tail County Set Back Ordinance for purposes of revising the ordinance. Mr. Kalar cited two areas that may need revision; 1) the definition of a structure and 2) the set back of 40 ft. for roads while the Shoreland Ordinance requires a 20 ft set back. Lengthy discussion took place regarding the appropriate road set back which changes based on the situation. Commissioners requested that a proposed ordinance including a more appropriate definition for a structure, language regarding set back from roads, and variance/appeal language be drafted and brought back to the Board for consideration.

Land & Resource Committee Closed to the Public

At 10:50 a.m., Chair Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for a Land & Resource Committee meeting. Chair Froemming served on the committee on behalf of Commissioner Mosher. At 11:22 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 Land & Resource Director, Bill Kalar, pursuant to M.S. §471.705 Subd. 1d(d). At 12:05 p.m., the meeting was recessed for lunch break. After lunch break, the meeting was reconvened in closed session for the purpose of evaluating the performance of Solid

Waste Director, Mike Hanan, pursuant to M.S. §471.705 Subd. 1d(d). Commissioners Nelson, Lee, Froemming, and Block were present. A summary of performance conclusions will be provided at the next regular County Board meeting. Upon conclusion of the performance evaluations, Chair Froemming opened the meeting to the public for the remainder of the agenda items.

Approval of License Applications

Motion by Lee, second by Nelson, to approve the following applications for Exempt Permit:

Pelican Rapids Ducks Unlimited Approved with no waiting period.	04/06/2001	Blue Water Sports Bar
Pelican Rapids Ladyslippers Ducks Unlimited Waiver not necessary as event is more than 30 day out.	06/11/2001	Blue Water Sports Bar
Maidens of the Prairie to Lakes Ducks Unlimited Waiver not necessary as events is more than 30 day out. Motion carried.	04/24/2001	The Peak Supper Club

Premise Permit

Otter Tail County Resolution No. 2001 – 10

Commissioner Froemming 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 Underwood Lions Club, MN, has made an application to the Gambling Control Board for a premise permit to conduct lawful gambling at the Riverfront Lounge, in Sverdrup 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 Underwood Lions Club, Underwood, MN, at the Riverfront Lounge, in Sverdrup 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 Underwood Lions Club, Underwood, MN, at the Riverfront Lounge, in Sverdrup 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 Sverdrup by sending them a copy of this resolution.

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

Adopted this 6th day of March, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, County Board Chair

Attest: _____
Larry Krohn, Clerk

Purchasing Request

Highway Engineer, Rick West, reported that the County has received a request from a governmental agency to purchase from the state contract using the County's state contract number. Mr. West stated that the County has not allowed this in the past. The County may give other government agencies information regarding which vendors hold the state contract. The agency could contact that vendor directly. Commissioners requested that Mr. West contact the individual who made the request and explain the situation.

Amendment to Dental Contract

Motion by Lee, second by Block, to authorize the Chair's signature to execute an amendment to the dental contract between the County of Otter Tail and Delta Dental. The amendment approves open enrollment every two years. Motion carried.

PERA Coordinated Plan Deficiency Otter Tail County Resolution No. 2001 - 11

Commissioner Lee offered the following and moved its adoption:

WHEREAS, the Public Employees Retirement Association (PERA) Coordinated Plan faces a deficiency of over \$1.2 billion; and

WHEREAS, the majority of employees of counties and cities, and a portion of school district employees are members of the plan; and

WHEREAS, the Legislature, not the local governments, set the benefit levels, membership eligibility, and contribution rates; and

WHEREAS, PERA employers already pay the highest contribution rate (5.18%) of the three major public pension plans (TRA - 5% & MSRS 4%); and

WHEREAS, if contribution rates are increased substantially PERA active employees will pay a significantly higher percentage of their salary for the same benefits as members in the other two major plans; and

WHEREAS, in 1984 PERA, with a sufficiency in funding, helped to bail out the Teachers Retirement Association when it was facing a deficiency; and

WHEREAS, the PERA fund and its employers were never paid back for this assistance; and

WHEREAS, making PERA employers and active employees shoulder the entire burden of the deficiency would lead to higher property taxes; and

THEREFORE; the Otter Tail County Board of Commissioners supports a comprehensive solution to the PERA funding deficiency including:

- a. state funding of .75% of payroll (\$27 million) through a direct state general fund appropriation or assistance from the other major state pension plans.
- b. employer and employee contribution rate increases of not more than .375% beginning on January 2, 2002; and
- c. extending the amortization period from 2020 to 2031; and
- d. changing vesting period from 3 years to 5 years
- e. reducing the post-age 55 interest on deferred retirement benefits; and
- f. allowing enhanced refunds for employees who quit employment prior to retirement; and
- g. prorating service credit for certain part-time employees.

Furthermore, the Otter Tail County Board of Commissioners firmly believes any solution must include a state appropriation and cannot solely burden PERA active employees and local government employers.

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

Adopted this 6th day of March, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, County Board Chair

Attest: _____
Larry Krohn, Clerk

Adjournment

At 2:35 p.m., a motion was offered by Froemming and seconded by Nelson, to declare the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, March 13, 2001. Motion carried.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, County Board Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

Enc.

