

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, April 2, 2002
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, April 2, 2002, at 9:31 a.m. at the Otter Tail County Courthouse with Dennis Mosher, Chair; Malcolm Lee, Vice-Chair; Syd Nelson, Roger Froemming, and Bob Block present.

Approval of Agenda

Motion by Froemming, second by Nelson, and unanimously carried to approve the County Board agenda of April 2, 2002, with the following changes:

10:25 a.m. - Dave Moenedick canceled

10:25 a.m. - Add a Capital Improvement Request

Approval of Minutes

Motion by Lee, second by Block, and unanimously carried to approve the County Board minutes of March 26, 2002, as mailed.

Approval to Pay Bills

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

Veterans Service Department Update

Veterans Service Officer, Jourdan Sullivan, briefed the Board on activities of the Veterans Service office. The workload continues to increase because of the high cost of health insurance and medications that increases the number of aging veterans seeking health care through the VA. He reported that the hospital van used to transport veterans for medical appointments has 112,000 miles. Mr. Sullivan requested funds from the Vedeon Trust to replace the van and recently, he was informed that the request was approved. He continues to receive requests for volunteers to work with the Veterans Service Office.

Fraud Prevention and Collections Update

Fraud Prevention Specialist, Sandy Holo, presented a written Fraud Prevention Investigation (FPI) report for CY2001. She reported total FPI savings and overpayments for 2001 at \$63,279, which includes 24 Administrative Disqualification Hearings during the year. Fraud Investigator, Al Anderson, reviewed the 2001 welfare fraud statistics with total investigation and prosecution costs of \$56,515.43 and federal and state reimbursement of \$28,257.72. Collections Specialist, Sue Ulschmid, reported total collections for CY2001 at \$423,453.12, which is fairly consistent with last year's statistics. County Attorney, David Hauser, clarified that the money being identified through this Fraud Prevention program is money that the recipients were not entitled to and the County wants the benefits to go to those who qualify; thereby, preserving the integrity of the system.

Solid Waste Disposal Contract with City of Fergus Falls

Solid Waste Director, Mike Hanan, reviewed previous discussion regarding the proposed Solid Waste Contract between the City of Fergus Falls and Otter Tail County concerning the Fergus

Falls incinerator. Mr. Hanan stated that the attorney for Tri-County Waste has been in contact with the City's attorney regarding proposed language changes. Traverse and Grant counties have signed contracts with the City of Fergus Falls. The remaining entities that have not signed a contract are Wilkin, Stevens, Otter Tail, and Tri-County Waste. Don Eisenhuth, representing the City of Fergus Falls, discussed the problem of not being able to negotiate for additional garbage until the City has signed contracts from all participating counties. Mr. Hanan and Mr. Hauser suggested that any language change recommended by the Tri-County Attorney be incorporated into the proposed contract between Otter Tail County and the City of Fergus Falls in an effort to keep contracts for the incinerator as consistent as possible. Motion by Block, second by Nelson, to direct the County Attorney to draft a letter of intent to enter into a contract with the City of Fergus Falls regarding the Fergus Falls Incinerator, contingent upon contractual language modifications proposed by Tri-County Waste. Chair Mosher called for a vote. Motion carried 3-2 with Lee and Mosher opposed.

Solid Waste Hauler Application

Motion by Froemming, second by Block, and unanimously carried to approve a Solid Waste Hauler's Application for Corrie's Sanitation, Carlos, MN.

Household Hazardous Waste Contracts

Motion by Lee, second by Froemming, and unanimously carried to authorize the Chair's signature to execute the following Household Hazardous Waste Management contracts for hazardous waste collection:

Contract between Otter Tail County and Traverse County for the Operation of a Regional/Local Household Hazardous Waste Management Program

Contract between Otter Tail County and Wilkin County for the Operation of a Regional/Local Household Hazardous Waste Management Program

Contract between Otter Tail County and Grant County for the Operation of a Regional/Local Household Hazardous Waste Management Program

Resolution Authorizing Sponsorship of Trails Operated by Otter Trail Riders Otter Tail County Resolution No. 2002 - 20

Commissioner Nelson offered the following and moved its adoption:

BE IT RESOLVED that Otter Tail County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for grooming of snowmobile trails managed by Otter Trail Riders.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the Otter Trail Riders may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED that Land & Resource Director, Bill Kalar, is authorized to sign such an agreement with the Department of Natural Resources.

BE IT FURTHER RESOLVED that Otter Tail County is hereby authorized to serve as the fiscal agent for the above referenced project.

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

Adopted at Fergus Falls, Minnesota, this 2nd day of April, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

Grant Application for Emergency Management Performance

Emergency Management Director, Tiny Holm, informed the Board of a grant available through the Minnesota Department of Public Safety for local emergency management programs, in the amount of \$9,243. Mr. Holm reviewed the requirements to apply for the grant and reported that his salary would provide the 50% match requirement for the grant.

2001 - 2006 Highway Improvement Plan

Highway Engineer, Rick West, presented the 2001-2006 Highway Improvement Plan and explained that the only change in the plan, because of proposed reduction in federal aid funding, is that the CSAH 82 improvement will be completed in 2006 and the CSAH 67 project will be moved to CY2005. Motion by Lee, second by Block, and unanimously carried to approve the 2001-2006 Highway Improvement Plan as presented with the above stated revisions.

Bid Award - S.A.P. 56-610-10

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids at 1:00 p.m. on March 6, 2002, for bridge replacement, grading, aggregate base & surfacing, shoulders, storm sewer and curb & gutter:

Robert R. Schroeder Construction Glenwood, MN	\$694,551.66
Mark Sand & Gravel Acquisition Co. Fergus Falls, MN	\$709,572.16
Central Specialties, Inc. Alexandria, MN	\$720,666.76
Industrial Builders, Inc. Fargo, ND	\$757,231.37

Mr. West recommended the bid be awarded to the low bidder, Robert R. Schroeder Construction in the amount of \$694,551.66. He indicated that with the bid submitted by Robert R. Schroeder Construction, one of the forms in the proposal that indicates subcontractors and material suppliers to be used for the project was not completed. The information was later requested and obtained. County Attorney, David Hauser, indicated that the information omitted in this case does not change the substantive items of the bid and would not be cause to not accept the low bidder. The County reserves the right to waive informalities and that is what the County would be doing in accepting the bid from the lowest responsible bidder. Jeff Stabnow, representing Mark Sand & Gravel Acquisition Co. requested that a letter from Mark Sand & Gravel be read for the record.

Mr. Hauser read the letter for the record. The letter contested the apparent low bid because the low bid proposal was not complete. Discussion followed. Motion by Lee, second by Block, and carried, with Mosher and Nelson opposed, to award S.A.P. 56-610-10 to the low bidder, Robert R. Schroeder Construction of Glenwood, at the bid price of \$694,551.66 as recommended by the Highway Engineer.

Approval of Final Payments

Motion by Nelson, second by Mosher, and unanimously carried to approve final payment, in the amount of \$90,808.64 (estimate no. 9) to Mark Sand & Gravel Acquisition Co. as final payment for completion of S.A.P. 56-643-05 & Etc.

Motion by Froemming, second by Lee, and unanimously carried to approve final payment, in the amount of \$19,259.27 (estimate no. 4) to Mark Sand & Gravel Acquisition Co. as final payment for completion of S.A.P. 56-671-04 & Etc.

Motion by Froemming, second by Lee, and unanimously carried to approve final payment, in the amount of \$12,022.88 (estimate no. 3) to Landwehr Construction, Inc. as final payment for completion of S.A.P. 56-652-11.

Contract Approval - Seasonal Supply of Hot Mix Bituminous Material

Motion by Lee, second by Block, and unanimously carried to authorize the Chair's signature to execute a contract between Otter Tail County and Mark Sand & Gravel Acquisition Co. of Fergus Falls, MN, in the amount of \$51,201.20, for the West Otter Tail seasonal supply of bituminous material.

Fergus Falls Regional Treatment Center Community Committee Proposal

Attorney Kent Mattson, and Lake Region Healthcare Corporation Director, Ed Mehl, presented the FFRTC Community Committee proposal concerning the Fergus Falls Regional Treatment Center facilities. Mr. Mattson stressed that the proposal is a community effort to maintain services in Fergus Falls that have been provided by the FFRTC. He requested the County Board's support of the RTC facilities proposal which was sent to the Minnesota Department of Human Services April 1, 2002. Motion by Block, second by Lee, and unanimously carried to support and endorse the proposed FFRTC Community Committee Proposal as presented.

Fund Transfer

Motion by Lee, second by Froemming, and unanimously carried to authorize the transfer of \$8,500 from the Capital Improvement GIS Budget to the General Fund GIS Operating Budget.

License Applications

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

Balmoral Golf Course Inc.
Balmoral Golf Course
Battle Lake, MN 56515

Renewal of Consumption and Display Permit

Janice Moen
Lenny's Dining and Dancing, Inc.
Underwood, MN 56586

Tobacco License

Payment Approval

Motion by Lee, second by Froemming, and unanimously carried to approve payment, to the Association of Minnesota Counties, in the amount of \$11,000.00, for the preparation, by Maximus, of the County Cost Allocation Plan for Fiscal Year 2002.

Motion by Nelson, second by Lee, and unanimously carried to approve payment to Karla Wynn, in the Amount of \$250.00, for services provided under the provisions of Minnesota Statute 609.35.

**Closed to the Public
Adjournment**

At 11:55 a.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies relative to the County's Human Services collective bargaining units (Support Specialist and Professional units). Commissioners Nelson, Lee, Mosher, Froemming, and Block were present along with the County Attorney, County Coordinator, Public Health Director, and Recording Secretary. At 12:47 p.m., upon conclusion of the closed session, Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, April 9, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

