

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, August 27, 2002
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, August 27, 2002, at 9:30 a.m. at the Otter Tail County Courthouse with Commissioners Malcolm Lee, Chair; Syd Nelson, Vice-Chair; Dennis Mosher, Roger Froemming, and Bob Block present.

Approval of Agenda

Motion by Mosher, second by Block, and unanimously carried to approve the Human Services agenda of August 27, 2002, as mailed

Approval of Minutes

Motion by Froemming, second by Block, and unanimously carried to approve the Human Services Board minutes of August 13, 2002, as mailed.

Dog Bite Hearing

Chair Malcolm Lee convened a dog bite hearing with the dog's owners Tracy and Daniel Hanson, and Public Health Nurse, Phyllis Knutson, present. Ms. Knutson stated that the dog is an Ihasa apso and that the Hansons admit that there have been two dog bites. Ms. Hanson stated that they have four children and that the dog, Snickers, is very good when they are home. Ms. Hanson reported that the first incident happened in September of 2000, when a friend of their daughter's walked up to the house to visit, no one was home, and the dog ran off the porch and bit the girl in both legs. The victim's father called the police. The second incident happened on July 19, 2002. Snickers had followed one of the owner's children to Main Street Gas and Goods store. An 11-year-old male was bitten when the boy nudged the dog aside to enter the front door. Ms. Hanson stated that the dog is very gentle and loving, and that the dog might have felt threatened. Ms. Hanson reported that the dog now stays indoors and that she and her family are moving to Ashby where they will put up a fence. Ms. Knutson requested that the dog remain in the house at all times and to go outside with an adult present. Ms. Knutson stated that an underground fence would keep the dog in the yard but would not keep children away. Commissioner Mosher stated that this is a large family with a lot of activity and there have been no problems with other children visiting the home. Michelle Eldien, Assistant County Attorney, stated that there are exceptions to the Dog Bite Ordinance if a dog has been provoked. The County Attorney's office will prepare findings of the hearing and return to the next regularly scheduled Human Services Board meeting.

Petty Cash Account Authorization

Public Health Director, Diane Thorson, stated that her department has maintained petty cash accounts for a number of years. This year the State Auditors noted that official board action was not on file in the Auditor's Office for the New York Mills office. Ms. Thorson stated that this account was started over twelve years ago. Petty cash accounts are needed to make change for persons coming to the office, immunization clinics, express mail postage, etc. She requested authorization of the petty cash accounts in the proposed amounts of \$100.00 for each account. Motion by Mosher, second by Froemming, and unanimously carried to approve two petty cash accounts for the Public Health offices as follows (one in NYM and one in Fergus Falls) in the amount of \$100.00 each.

Authorization of Positions

Ms. Thorson reported that she had met with the Personnel Committee regarding vacant positions in her department. She requested formal authorization to replace two part-time (24 hour per week) positions with one full-time (40 hour per week) position. She reported an annual savings of \$5,700. Motion by Block, second by Mosher, and unanimously carried, to authorize the Public Health Director to replace two part-time (24 hour per week) positions with one full-time (40 hour per week) position as recommended by the Public Health Director.

Tri-College University Contract Approval

Ms. Thorson requested approval for a contract between Otter Tail County Public Health and Tri-College University Nursing Consortium for a program for qualified students preparing for careers in health care professions. Motion by Mosher, second by Block, and unanimously carried to authorize the appropriate county officials' signatures to execute a contract between Otter Tail County Public Health and the Tri-College University Nursing Consortium for a program that will provide facilities and services for student instruction, subject to the approval of the County Attorney.

WCRJC Advisory Meeting

Chuck Kitzman, Court Services Director, reported that the West Central Regional Juvenile Center Advisory Board will be held at 10:00 a.m. on Thursday, August 29, 2002. Both Mr. Kitzman and Commissioner Nelson plan to attend.

Northwest Juvenile Training Center

Mr. Kitzman reported that there will be a tour of the NWJTC on September 19, 2002, in Bemidji. Commissioner Froemming and Commissioner Mosher will be attending the tour, in addition to several Court Services Advisory Board members.

Developmental Disabilities Services Program Report

Tom Jensen, Human Services Supervisor, and his staff provided a report on the services available for people with developmental disabilities. Currently there is a need to develop a home for individuals with Traumatic Brain Injuries. At the present time there are 14 individuals in the Fergus Falls area with TBI.

Contract Updates

Motion by Nelson, second by Froemming, and unanimously carried to authorize the appropriate county officials signatures to execute a contract between the Otter Tail County Department of Social Services and Perham Memorial Home Care for the assisted living program from July 1, 2002 through June 30, 2003, and to add the rate sheet to the contract when it has been finalized.

Motion by Block, second by Nelson, and unanimously carried to authorize the appropriate county officials' signatures to execute a contract between Otter Tail County Department of Human Services and Pelican Valley Health Center for adult day care services June 1, 2002 to June 30, 2003, subject to the approval of the County Attorney.

Approval of Bills and Claims

Motion by Mosher, second by Nelson, and unanimously carried to approve the Human Services bills and claims as presented.

Adjournment

At 10:40 a.m., Chairman Lee declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, September 10, 2002.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

Attest: _____ By: _____
Larry Krohn, Clerk Malcolm Lee, Human Services Chair

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, August 27, 2002, at 11:00 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 Lee, second by Nelson, and unanimously carried to approve the County Board agenda of August 27, 2002, with the following addition:

Lacey Erickson – Request to represent Otter Tail County in the Miss Teen USA Pageant

Approval of Minutes

Motion by Froemming, second by Lee, and unanimously carried to approve the County Board minutes of August 20, 2002.

Approval to Pay Bills

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

Request for Approval of Resolution for Remodeling Plan

Rick Sytsma, Physical Plant Manager, requested approval of a Facility Master Plan Resolution to announce the County's intentions for the Regional Treatment Center site.

**Facility Master Plan Resolution
Otter Tail County Resolution No. 2002 – 51**

Commissioner Lee offered the following and moved its adoption:

WHEREAS, the County Board has directed long range planning for facilities, and

WHEREAS, the Facilities Study has identified current and future space needs, necessary building improvements, parking, accessibility, and security improvements, and has outlined a plan for addressing those needs efficiently both in Fergus Falls, and in New York Mills, through the adaptive reuse of existing institutional quality structures, and

WHEREAS, our State Legislators have been instrumental in gifting to the County a sound but under-utilized building and grounds on the Regional Treatment Center site, and

WHEREAS, efficient public access to County services is a County Board priority, and
WHEREAS, public safety is a high priority, especially in facilities housing Courts and Law Enforcement, and

WHEREAS, the Financial Planning Consultant has identified a sound financing plan, with favorable market rate conditions, and

WHEREAS, the County Long Range Planning Task Force has endorsed this project,

THEREFORE, BE IT RESOLVED, the County Board directs the implementation of the Facility Master Plan, including the adaptive reuse of the building on the Regional Treatment Center site, the remodeling of the New York Mills facility, the subsequent remodeling of the Courthouse and 505 Court Street facilities, and proceeding with design, financing and construction in a phased manner, with all work to be completed as soon as efficiently possible.

Commissioner Block seconded the motion and upon being put to vote, the resolution was adopted.

Adopted at Fergus Falls, Minnesota, this 27th day of August 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: _____ By: _____
Larry Krohn, Clerk Dennis R. Mosher, County Board Chair

Financial Committee

Larry Krohn, County Coordinator, suggested that a financial committee be formed to assist with the Facility Master Plan. Motion by Block, second by Froemming, and unanimously carried to appoint Wayne Stein, Auditor; Steve Andrews, Treasurer; Dennis Mosher & Syd Nelson, Commissioners; Larry Krohn, Coordinator; and Rick Sytsma, Physical Plant Manager; to the Financial Committee, effective immediately.

Pelican Group of the Lakes Improvement District Board

Matt Noah, property owner of Pelican Lake and current PGOLID Board member expressed concerns regarding the recent voting/election process. Issues of concern include residency of board members and guidelines for elections. Mr. Noah expressed concern regarding unclear language that governs Lake Improvement districts and the lack of remedies if practices are unethical. Bob Toussaint, summer resident of Pelican Point Beach on Pelican Lake and Rod Smith, property owner on Broadwater Beach on Pelican Lake both spoke with similar concerns regarding the practices of the PGOLID in addition to budget/financial concerns. Commissioners referred this issue to the County Attorney for further research and legal opinion.

Final Plats

Motion by Nelson, second by Lee, and unanimously carried to approve the Final Plat of Robert and Margaret Pawlowski known as "McDonald Corner" located in Section 9 of Edna Township.

Motion by Lee, second by Froemming, and carried with Commissioner Mosher abstaining, to approve the Final Plat of Barbara Jo and Willard Nelson known as "Clear Lake Landing" located in Section 23 of Tumuli Township.

Motion by Block, second by Nelson, and unanimously carried to approve the Final Plat of Robert and Della Ann Bjornstad known as "Bixby Acres" located in Section 33 of Dead Lake Township.

Motion by Froemming, second by Lee, and unanimously carried to approve the Final Plat of Sheldon and Sigrud Tornquist known as "Eagle View Acres" located in Section 23 of Leaf Lake Township.

Motion by Nelson, second by Froemming, and unanimously carried to approve the Final Plat, as is, of Arthur and Dolores Riestenberg known as "Long Lake Shores Third Addition" in Section 28 of Hobart Township. There are a few minor corrections needed, so a plat correction will need to be filed.

Motion by Lee, second by Nelson, and unanimously carried to approve the Final Plat of Bradley and Patricia Helmeke and Mark and Barbara Lenius known as "Helmeke & Lenius Addition" located in Sections 2 and 3 in Edna Township.

Application for Exempt Permit

Motion by Nelson, second by Block, and unanimously carried to approve, with no waiting period, an application for an exempt permit as submitted by Holy Cross Church for an event which has been scheduled for Thursday, October 24, 2002.

Resolution Board for Election Night

Motion by Froemming, second by Lee and unanimously carried, to appoint the following individuals as Otter Tail County election judges to serve at the September 10, 2002 State Primary Election and at the November 5, 2002 State General Election and to establish their rate of compensation at \$8.00 per hour plus mileage at \$.365 cent per mile,

Absentee Ballot Board:

Richard Anderson – Republican
Sylvia G. Bergerud – Republican
Lucille Harry – Republican
Jake Lillestol – Republican
Marcella Stone – Republican
Elizabeth Townsend – Republican

Ane M. Hanley – Democratic Farmer Labor
Vickie Lee – Democratic Farmer Labor
Arleen Nycklemoe – Democratic Farmer Labor
Joyce E Pfau – Democratic Farmer Labor
Deborah Zachmann – Democratic Farmer Labor

Resolution Board:

Lois Benner – Democratic Farmer Labor
Gary Lee – Democratic Farmer Labor
Arleen Nycklemoe – Democratic Farmer Labor
Richard Anderson – Republican
Elizabeth Townsend – Republican

Ane M. Hanley – Democratic Farmer Labor
Vickie Lee – Democratic Farmer Labor
Deborah Zachmann – Democratic Farmer Labor
John Molter – Republican

Canvassing Board

Motion by Froemming, second by Lee, and unanimously carried, to appoint Commissioner Nelson and Commissioner Block to the Canvassing Board for the Tuesday, September 10, 2002 State Primary Election. The Canvassing Board will meet at 9 a.m. on Thursday, September 12, 2002.

Registered Land Survey No. 11

Motion by Mosher, second by Froemming, and unanimously carried, to approve Registered Land Survey No. 11 as prepared by Ronald W Engelmeyer, Registered Land Surveyor.

Recess & Reconvene

At 12:30 p.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:25 p.m., with all seated Commissioners present.

Request to Represent Otter Tail County in Miss Teen USA Pageant

Lacey Erickson of Pelican Rapids, stated that she gave up her crown as Miss Vergas on August 10, 2002. Ms. Erickson enjoys singing and would like to be a role model for children. She will be competing in the Miss Teen USA Pageant in November and requested to use Otter Tail County on her banner. Motion by Lee, second by Block, and unanimously carried to allow Ms. Erickson to use Miss Otter Tail County USA on her banner for the Miss Teen USA Pageant.

Project Update

Highway Engineer, Rick West, submitted a written Project Update and reviewed all current construction and design projects in progress by the Highway Department.

Request for Approval of Final Payment

Motion by Lee, second by Block, and unanimously carried to approve final payment in the amount of \$7,586.00, payable to Wahpeton Electric for OTC Highway Garage No. 1, Mechanical and Electrical Improvements.

Bid Award – Dane Prairie Township Bridge

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids at 1:00 p.m., August 19, 2002, for Dane Prairie Township Bridge (L9095) Ridgewood Circle:

| | |
|---|------------|
| Anderson Land Surveying, Inc. Fergus Falls, MN | \$3,200.00 |
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|---|------------|
| Lake Region Surveying Pelican Rapids, MN | \$3,850.00 |
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Motion by Mosher, second by Froemming, and unanimously carried to award the Dane Prairie Township Bridge project to the low bidder, Anderson Land Surveying, Inc. of Fergus Falls, in the amount of \$3,200.00.

Bid Award – Aurdal Township Bridges

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids at 1:00 p.m., August 19, 2002, for Aurdal Township Bridges (L0888 & L5936) Diversion Drive & 245th Street:

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|---|------------|
| Lake Region Surveying Pelican Rapids, MN | \$4,730.00 |
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|---|------------|
| Anderson Land Surveying, Inc. Fergus Falls, MN | \$7,400.00 |
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Motion by Nelson, second by Lee, and unanimously carried to award the Aurdal Township Bridges project to the low bidder, Lake Region Surveying of Pelican Rapids, in the amount of \$4,730.00.

Bid Award – Used Motor Grader

After previously advertising for bids, Highway Engineer, Rick West, opened the following bid at 1:00 p.m. on July 10, 2002, for a Motor Grader:

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|----------------------------------|-------------|
| Zeigler, Inc. Minneapolis, MN | \$99,577.50 |
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Motion by Lee, second by Froemming, and unanimously carried to award the low bidder, Zeigler, Inc. of Minneapolis, MN, in the amount of \$99,577.50, for a used Caterpillar 140G Motor Grader.

Bid Review – S.A.P. 56-650-06 & Etc.

After previously advertising for bids, the Highway Engineer opened the following bids at 1:00 p.m., on August 21, 2002, for S.A.P. 56-650-06 & Etc., bridge replacements on CSAH 50 (Willow Creek), Gorman Township (Otter Tail River), Hobart Township (Otter Tail River), and Bluffton Township (Bluff Creek):

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|--|--------------|
| Riley Bros. Construction, Inc. Morris, MN | \$645,278.80 |
| Landwehr Construction, Inc. St. Cloud, MN | \$717,708.74 |
| Midwest Contracting, LLC Marshall, MN | \$720,468.35 |
| Central Specialties, Inc. Alexandria, MN | \$744,449.60 |

Motion by Nelson, second by Froemming, and unanimously carried to award S.A.P. 56-650-06 & Etc., to the low bidder, Riley Bros. Construction, Inc. of Morris, MN in the amount of \$645,278.80.

Highway Maintenance Areas

Mr. West reported that he met with the Highway Committee last week to discuss a change in Highway Maintenance areas. In the past, there were six maintenance areas; then it was changed to five areas. Mr. West also met with the union business agent, and the agent stated that this is a management decision. Because of recent retirements, Mr. West is proposing to change to four maintenance areas on a one-year trial basis. No board action was needed.

Adjournment

At 2:28 p.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, September 3, 2002.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: _____ By: _____
Larry Krohn, Clerk Dennis R. Mosher, County Board Chair