

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Otter Tail County Courthouse  
Commissioners' Room, Floor 1-B  
Tuesday, December 3, 2002  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, December 3, 2002, at 9:34 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 Block, and unanimously carried to approve the County Board agenda of December 3, 2002, with the following changes:

- 1:30 p.m. - Joint Meeting canceled
- 1:10 p.m. – Add Bill Kalar for a Filing Extension Request

**Approval of Minutes**

Motion by Nelson, second by Lee, and unanimously carried to approve the County Board minutes of November 26, 2002, as presented.

**Approval to Pay Bills**

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

**Approval of Best Contract**

Detention Facility Administrator, Richard Akerman, requested approval of the Food Service Contract with Best, Inc. at a 1% increase over the previous contract. Motion by Nelson, second by Lee, and unanimously carried to authorize the Chair's signature to execute an agreement (amendment number six) between the County of Otter Tail and Best, Inc. for the period of July 1, 2002 through June 30, 2003, at a 1% over the previous year's rate. Best, Inc. provides food services for the detention facility.

**Agreement with Grant County**

Motion by Mosher, second by Nelson, and unanimously carried to authorize the Chair's signature to execute an agreement between the County of Otter Tail and Grant County, which authorizes Otter Tail County to maintain 4.2 miles of the Central Lakes Trail for Grant County through July 1, 2005. The agreement provides for routine maintenance with Grant County reimbursing Otter Tail County for the work until July of 2005, at which time, the Central Lakes Trail becomes a state trail.

**MnDOT Partnership Agreement**

Motion by Nelson, second by Froemming, and unanimously carried to authorize the Chair's signature to execute a State of Minnesota Partnership Contract between the State of Minnesota Commissioner of Transportation and the County of Otter Tail as recommended by the Highway Engineer.

### **Consultant Agreement – CSAH 88**

Motion by Lee, second by Block, and unanimously carried to authorize the Highway Department to enter into an agreement between the County of Otter Tail and Braun Intertec Corporation for soil borings on CSAH 88 running north and west to CSAH 10. The contract amount is \$7,200.

### **Recess & Reconvene**

At 10:10 a.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for Personnel Committee Meetings. The County Board meeting was reconvened at 11:05 a.m.

### **Public Meeting per MS §116.07 Subd. 7**

At 11:06 a.m., Chairman Mosher opened the Public Meeting for the pending issuance of a Minnesota Pollution Control Agency Interim Permit for WB Stone, Inc. Feedlot, located in Section 10 of Elmo Township in Otter Tail County. No one from the public was in attendance; therefore, no comment regarding the permit was offered. The Public Meeting was closed at 11:08 a.m.

### **Veterans Service Officer Position**

VSO, Jourdan Sullivan, requested authorization to proceed with hiring a new County Veterans Service Officer to serve the east portion of the County. Mr. Sullivan stated that he previously met with the Budget and Personnel Committees. Motion by Lee, second by Mosher, and unanimously carried to authorize the Veterans Service Officer Director to proceed with the hiring process for an additional County Veterans Service Officer.

### **Smallpox Power Point Presentation**

Assistant Public Health Director, Sue Ewy, showed a power point presentation to keep the Board informed on the issues relating to smallpox. The State of Minnesota has submitted a plan for pre-event smallpox. The post-event smallpox plan should be submitted to the Center for Disease Control by December 9, 2002.

## **RESOLUTION AUTHORIZING ACCEPTANCE OF A TRAFFIC SAFETY AWARD Otter Tail County Resolution No. 2002 - 61**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, the Otter Tail County Sheriff's Office desires to protect the health of its citizens by improving traffic safety and participation in the Safe & Sober Challenge; and

WHEREAS, under the provision of the Highway Safety Act (P.L. 89-563), the Minnesota Department of Public Safety has federal funding to promote traffic safety; and

WHEREAS, the Minnesota Department of Public Safety had judged the Otter Tail County Sheriff's Office's efforts to decrease impaired driving and increase seat belt use to be exceptional, and wants to reward those efforts by providing additional funding for the department;

THEREFORE, be it resolved that the Otter Tail County Sheriff's Office enter into an agreement with the Minnesota Department of Public Safety, Office of Traffic Safety, for the period from December 1, 2002 to June 30, 2003.

Sheriff Gary A Nelson of Otter Tail County is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the Otter Tail County Sheriff's Office.

BE IT RESOLVED that Auditor Wayne Stein of Otter Tail County is hereby authorized to be the fiscal agent and administer the grant on behalf of the Otter Tail County Sheriff's Office.

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

Adopted at Fergus Falls, MN this 3rd day of December, 2002.

Dated: \_\_\_\_\_ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Dennis R. Mosher, County Board Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

### **Surplus Property**

Chief Deputy, Mark Morris, explained that the State mandates training involving pursuit driving for law enforcement personnel. The Sheriff's Department has used the Minnesota Highway Safety Center for this training. He reported that the Sheriff's Department has a 1996 Chevy Caprice and would be willing to donate this vehicle in place of this training. Motion by Lee, second by Block, and unanimously carried to declare vehicle unit no. 463 as surplus property and to donate this surplus property to the Minnesota Highway Safety Center located in St. Cloud, MN.

### **Recess & Reconvene**

At 11:46 a.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:00 p.m.

### **Position Change**

County Coordinator, Larry Krohn, requested authority to replace the two part time switchboard positions with one full time position with benefits. Motion by Lee, second by Block, and unanimously carried to authorize one full time Secretary/Receptionist position to replace two part time Secretary/Receptionist positions in the Coordinator's office.

### **Extension for Filing Final Plat – "Wall Estates"**

Motion by Froemming, second by Nelson, and unanimously carried to authorize an extension for filing the Final Plat known as "Wall Estates" until April 30, 2003.

### **Premise Permit**

#### **Otter Tail County Resolution No. 2002 - 62**

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 Lions Club, Perham, MN, has made an application to the Gambling Control Board for a premise permit to conduct lawful gambling at the Spare Time 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 Lions Club, Perham, MN, at the Spare Time 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 Perham Lions Club, Perham, MN, at the Spare Time Bar and Grill, 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 Froemming seconded the motion, and upon being put to vote, was unanimously carried.

Adopted at Fergus Falls, MN this 3rd day of December, 2002.

Dated: \_\_\_\_\_ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Dennis R. Mosher, County Board Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

**Premise Permit**  
**Otter Tail County Resolution No. 2002 - 63**

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 VFW Post 612, Fergus Falls, MN, has made an application to the Gambling Control Board for a premise permit to conduct lawful gambling at Lenny's Dining and Dancing, in Maine 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 VFW Post 612, Fergus Falls, MN, at Lenny's Dining and Dancing, in Maine 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 VFW Post 612, Fergus Falls, MN, at Lenny's Dining and Dancing, Maine 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 Maine by sending them a copy of this resolution.

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

Adopted at Fergus Falls, MN this 3rd day of December, 2002.

Dated: \_\_\_\_\_ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Dennis R. Mosher, County Board Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

### **Special Meeting Scheduled**

Motion by Nelson, second by Block, and carried with Froemming opposed, to schedule a County Board meeting at 1:30 p.m. on Thursday, December 12, 2002, for the purpose of awarding bonds for the Government Services Building. The Special Meeting will be held in the Commissioners' Room at the Otter Tail County Courthouse in Fergus Falls.

### **Non-Union Employer Contribution for CY2003**

Motion by Lee, second by Mosher, and unanimously carried to establish the non-union employer contribution for benefits for CY2003 at \$575.00.

### **Adjournment**

At 2:10 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until the Special Meeting scheduled at 1:30 p.m. on Thursday, December 12, 2002.

Dated: \_\_\_\_\_ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: \_\_\_\_\_ By: \_\_\_\_\_

Larry Krohn, Clerk

Dennis R. Mosher, County Board Chair

CB/kd