

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Otter Tail County Courthouse  
Commissioners' Room, Floor 1-B  
Tuesday, December 24, 2002  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, December 24, 2002, at 9:30 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 Lee, and unanimously carried to approve the County Board agenda of December 24, 2002, with the following changes:

9:30 a.m. – Rick Sytsma for Contract Approval

10:20 a.m. – Bricker Johnson – canceled

10:20 a.m. – Bill Kalar for Final Plat & Brian Schlueter for Dept. Discussion

**Approval of Minutes**

Motion by Lee, second by Nelson, and unanimously carried to approve the County Board minutes of December 17, 2002, as presented.

**Approval to Pay Bills**

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

**Telecommunication Engineering Services**

Physical Plant Manager, Rick Sytsma, requested approval of an agreement with Ulteig Engineer, Inc. for telecommunication engineering services for fiber optic cable installation from the Courthouse to the Recycling Center and the Government Services Building. Ulteig Engineers would provide bid specifications for the work to be completed April, 2003. After discussion, motion by Lee, second by Froemming, and unanimously carried to authorize the Chair's signature to execute an agreement between the County of Otter Tail and Ulteig Engineers, Inc, in the amount of \$31,662.00, for telecommunication engineering services for fiber optic cable to link County buildings.

**Truth In Taxation Hearing Minutes**

Motion by Lee, second by Block, and unanimously carried, to approve the Truth In Taxation Public Hearing minutes of Thursday, December 5, 2002 as presented.

**Payable 2003 Tax Levy Resolution  
Otter Tail County Resolution No. 2002 - 66**

The following resolution was offered by Commissioner Nelson, who moved for the adoption of the payable 2003 Gross and Net Property Tax Levies:

WHEREAS, the Otter Tail County Board of Commissioner held the required public hearing on Thursday, December 5, 2002 at 7:00 p.m. in the Otter Tail County Commissioners' Room for the purpose of considering, reviewing, discussing, and receiving public input regarding the

proposed payable 2003 Gross and Net Property Tax Levy, which had been previously adopted on Tuesday, September 10, 2002, and

WHEREAS, public discussion and comment regarding the proposed payable 2003 Gross and Net Property Tax Levy was requested on December 5, 2002, and

WHEREAS, all interested individuals in attendance were encouraged and provided an opportunity to address the Otter Tail County Board of Commissioners with their concerns, comments, and suggestions, and

WHEREAS, the Otter Tail County Board of Commissioners, after having received public discussion and input from all interested individuals in attendance, declared the public hearing adjourned and stated for the record that final action by the Board of Commissioners to adopt the Payable 2003 Gross and Net Property Tax Levy would take place on Tuesday, December 24, 2002 at 9:30 a.m. in the Otter Tail County Commissioners' Room located in the Otter Tail County Courthouse, Fergus Falls, MN, and

WHEREAS, the Otter Tail County Board of Commissioners recognizes the requirement to adopt Otter Tail County's final payable 2003 Gross and Net Property Tax Levy no later than Saturday, December 28, 2002, and the Otter Tail County Board of Commissioners is required to certify Otter Tail County's final payable 2003 Gross and Net Property Tax Levy to the County Auditor's office on or before Monday, December 30, 2002.

NOW, THEREFORE, BE IT RESOLVED, That the Otter Tail County Board of Commissioners levies for the payable year 2003, upon the taxable net tax capacity of the property of Otter Tail County, the following amounts as detailed below:

**Fund Breakdown  
 Net Tax Capacity Based Levies**

	<b>Fund Number</b>	<b>Gross Levy</b>	<b>HACA</b>	<b>Net Levy</b>
<b>Revenue -</b>				
<b>General</b>	01	9,189,382	(1,388,198)	7,801,184
<b>Lake Improvement District</b>	20	50,000	0	50,000
<b>Regional Library System</b>	09	300,415	(45,154)	255,261
<b>Debt Service</b>	07	654,504	0	654,504
<b>Human Services -</b>				
<b>Social Services</b>	03	4,480,173	(676,799)	3,803,374
<b>Administration</b>	04	1,204,282	(181,925)	1,022,357
<b>Public Health</b>	05	391,679	(59,169)	332,510
<b>Court Services</b>	06	182,515	(27,572)	154,943
<b>Road and Bridge</b>	02	1,255,000	(189,587)	1,065,413
<b>Capital Improvement</b>	08	<u>1,721,819</u>	<u>(260,107)</u>	<u>1,461,712</u>
<b>Total</b>		<u>19,429,769</u>	<u>(2,828,511)</u>	<u>16,601,258</u>

The resolution was seconded by Commissioner Froemming and carried, with the members of the Otter Tail County Board of Commissioners voting as follows:

<u>Commissioner</u>	<u>For</u>	<u>Against</u>
<b>Sydney Nelson</b>	X	
<b>Malcolm Lee</b>	X	
<b>Dennis Mosher</b>	X	
<b>Roger Froemming</b>	X	
<b>Robert Block</b>	X	

Adopted at Fergus Falls, Minnesota this 24<sup>th</sup> day of December 2002.

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

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

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

**Resolution Adopting the Final Calendar Year 2003 Budget  
Otter Tail County Resolution No. 2002 - 67**

The following resolution was offered by Commissioner Lee, who moved for the adoption of the calendar year 2003 budget for the General Fund, for the Budgeted Special Revenue Funds, and for the Debt Service Fund.

WHEREAS, the Otter Tail County Board of Commissioner held the required public hearing on Thursday, December 5, 2002 at 7:00 p.m. in the Otter Tail County Commissioners' Room for the purpose of considering, reviewing, discussing, and receiving public input regarding the proposed calendar year 2003 budget for the General Fund, for the Budgeted Special Revenue Funds and for the Debt Service Fund, which had been previously adopted on Tuesday, September 10, 2002, and

WHEREAS, public discussion and comment regarding the proposed calendar year 2003 budget for the General Fund, for the Budgeted Special Revenue Funds, and for the Debt Service Fund was requested on December 5, 2002, and

WHEREAS, all interested individuals in attendance were encouraged and provided an opportunity to address the Otter Tail County Board of Commissioners with their concerns, comments, and suggestions, and

WHEREAS, the Otter Tail County Board of Commissioners, after having received public discussion and input from all interested individuals in attendance, declared the public hearing adjourned and stated for the record that final action by the Board of Commissioners to adopt the calendar year 2003 budget for the General Fund, for the Budgeted Special Revenue Funds, and for the Debt Service Fund would take place on Tuesday, December 24, 2002 at 9:30 a.m. in the Otter Tail County Commissioners' Room located in the Otter Tail County Courthouse, Fergus Falls, MN, and

WHEREAS, the Otter Tail County Board of Commissioners recognizes the requirement to adopt Otter Tail County's final calendar year 2003 budget for the General Fund, for the Budgeted Special Revenue Funds, and for the Debt Service Fund no later than Saturday, December 28, 2002 and also recognizes the requirement to adopt the final calendar year 2003 budget after the adoption of the final payable 2003 Gross and Net Property Tax Levy.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners adopts the amount of \$62,334,862 as the County's calendar year 2003 budget for the General Fund, for the Budgeted Special Revenue Funds, and for the Debt Service Fund, as summarized in Attachment A and as detailed in Attachment B.

The above resolution was seconded by Commissioner Block and carried with the members of the Otter Tail County Board of Commissioners voting as follows:

<u>Commissioner</u>	<u>For</u>	<u>Against</u>
<b>Sydney Nelson</b>	X	
<b>Malcolm Lee</b>	X	
<b>Dennis Mosher</b>	X	
<b>Roger Froemming</b>	X	
<b>Robert Block</b>	X	

Adopted at Fergus Falls, Minnesota this 24<sup>th</sup> day of December 2002.

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

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

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

#### **Appointment to WesMin RC & D**

Motion by Mosher, second by Lee, and unanimously carried to appoint Norman Fjestad of Fergus Falls to serve as Otter Tail County's representative as a member of the WesMin Council for CY2003.

#### **Land Surveyor's Certificate of Correction to Plat**

A motion was offered by Lee, seconded by Block, and carried with Commissioner Nelson absent during this time, to approve the attached Land Surveyor's Certificate of Correction to the Plat of Grand View Heights Kapler's Second Addition.

#### **Association of Minnesota Counties Annual Dues**

Motion by Lee, second by Nelson, and unanimously carried to authorize payment of the AMC annual dues for Calendar Year 2003, in the amount of \$15,204.

#### **Property/Casualty & Workers' Compensation Insurance**

Motion by Lee, second by Froemming, and unanimously carried, to approve payment to the Minnesota Counties Insurance Trust, in the amount of \$527,992 for calendar year 2003 Property/Casualty Insurance and for calendar year 2003 Workers' Compensation Insurance.

### Continuing Disclosure Requirements

Motion by Lee, second by Froemming, and unanimously carried to approve Option 1 of the Contract for Continuing Disclosure Services with Ehlers & Associates and to authorize the Chair's signature on the above referenced contract.

### Tobacco Licenses

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

American Legion – Underwood George Bergem Post 489 112 Main St. Underwood, MN 56586	Tobacco
Big Chief Inc. 22518 Big Chief RD Fergus Falls, MN 56537 (Raymond Rogers)	Tobacco
Bluffton Liquors, Inc. 38642 County Highway 19 Bluffton, MN 56518	Tobacco
Carr Enterprises, Inc. dba Carr's Lake Country Supermarket 320 MN Highway #78 North Ottertail, MN 56571 (Alma Carr)	Tobacco
Corner Store, The 28027 County Highway 145 Battle Lake, MN 56515 (Gregory J. Stich)	Tobacco
Elizabeth Municipal Liquor Store 101 Washington and Highway 59 Elizabeth, MN 56533 (Diane Pederson, Manager)	Tobacco
Erhard Municipal Liquor Store US Highway 59 and County Road 24 Erhard, MN 56534 (Patricia Quren)	Tobacco
Hamburger Hollow 43077 County Highway 53 New York Mills, MN 56567 (Sherrie Putnam)	On/Off-Sale 3.2 Malt Liquor License On Sale Wine
Lakeland General Store, Inc. 22438 Old 59 Road Pelican Rapids, MN 56572 (Robin D. Johnson)	Tobacco

Stockman's Tavern  
PO Box 77  
Underwood, MN 56586  
(Marie Priebnow) Tobacco

The Peak Supper Club  
43517 County Highway 38  
Clitherall, MN 56524  
(Thomas M Lorine) Tobacco

Perham Coop Creamery  
Perham Oasis  
43937 425<sup>th</sup> St  
PO Box 247  
Perham, MN 56573 Tobacco

Underwood Municipal Liquor Store  
120 Main St. S  
PO Box 106  
Underwood, MN 56586  
(Deb Klovstad) Tobacco

### **Credit Card Approval**

Motion by Block, second by Lee, and unanimously carried to approve the following requests for an Otter Tail County credit card:

Heather Ann Pollard	Human Services	\$500.00
Michelle Neuleib	Human Services	\$500.00

### **Temporary Snowmobile Trail Easement**

Motion by Lee, second by Block, and unanimously carried to approve the granting of a Temporary Snowmobile Trail Easement located as follows:

The East Half of the Southwest Quarter Except the West 10 Rods of the North 16 Rods, all in Section 34 of Township 136 Range 40 – (79 Acres).

### **Regional Household Hazardous Waste Contract**

Solid Waste Director, Mike Hanan, and HHW Manager, Dave Stadum, requested approval of a contract between the State of Minnesota and the County of Otter Tail for the Regional Household Hazardous Waste Program, which includes Otter Tail, Wilken, Traverse, and Stevens counties. The contract provides for a portion of the cost to operate the regional facility with the difference split between the participating counties. Mr. Hanan stated that there is no guarantee of continued funding; however, the contract requires notification to terminate. Motion by Nelson, second by Froemming, and unanimously carried to authorize the appropriate County officials' signature(s) to execute a five-year contract between the State of Minnesota and County of Otter Tail for the HHW Program subject to continued funding from the Minnesota Pollution Control Agency.

### **Perham Resource Recovery Facility**

Mr. Hanan briefed the County Board on a recent meeting regarding the Perham Resource Recovery Facility. He reported that Stearns County has not signed a contract with the facility because they will not have their haulers under contract until 2003. Stearns County hired an engineering firm to look at the waste facility, specifically the turbine problems, to determine

whether or not they should sign a contract with the facility. The Perham Resource Recovery Facility group decided to implement all recommendations in the Stearn's County independent study and because the study benefits all counties in the group, requested that each County pay their proportionate share of the cost of the study. After discussion, a motion was offered by Block, seconded by Froemming, and unanimously carried to authorize payment, in the amount of \$5,600, to Stearns County to be used for the Stearns County Independent Engineering Review of Perham Waste-to-Energy Facility dated December, 2002. The total cost of the study is \$15,400.

**Supplemental Agreement #1 to Agreement #80364  
Pine Lake Township Road Improvement  
Otter Tail County Resolution No. 2002 - 68**

Commissioner Nelson offered the following and moved its adoption:

BE IT RESOLVED, that the County of Otter Tail enter into a supplemental agreement with the Township of Pine Lake, The Burlington Northern and Santa Fe Railway, and the Commissioner of Transportation for clarification of the eligible project costs and identifying the County of Otter Tail as the recipient of Federal Funds for the construction of roadway improvements in Pine Lake Township, and appointing the Commissioner of Transportation agent for the Township to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.36. The County of Otter Tail will receive Federal Funds for this project. The County's share of the project's cost shall be zero percent.

BE IT FURTHER RESOLVED, that the Chair of the Board be and is hereby authorized to execute said agreement for and on behalf of the County.

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

Adopted at Fergus Falls, Minnesota, this 24<sup>th</sup> day of December, 2002.

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

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

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

**Relocation of a Portion of a Snowmobile Trail**

Motion by Froemming, second by Block, and unanimously carried to authorize an amendment to an agreement between the County of Otter Tail and the Henning Snow Cruisers Snowmobile Club Trail to relocate a small portion of trail in Oak Valley Township because of easement issues. (Mr. West provided a map with the relocated portion of the trail indicated in red).

**Bridge over Otter Tail River on CSAH No. 83**

Mr. West reported that the County is required by State Statute to inspect bridges annually. His staff reported that the bridge over the Otter Tail River on CSAH No. 83 is beginning to fail. Mr. West provided pictures and reviewed preliminary inspection results. The bridge has

been posted with a limited weight capacity of 3 tons and traffic is crossing over one lane on the East side of the bridge. After further evaluation, Mr. West will return to the Board with a recommendation and estimated cost of repair and/or replacement.

**Final Plat – “West Silent Lake Retreat”**

Motion by Lee, second by Block, and carried with Nelson and Froemming opposed, to approve the Final Plat of Lyle Kackelmeyer known as “West Silent Lake Retreat” in Section 31 of Dora Township, West Silent Lake (56-519).

**Compensation - Sheriff-Elect & Chief Deputy**

County Coordinator, Larry Krohn, briefed the Board regarding the Sheriff-Elect’s current sergeant compensation including holiday pay and shift differential. Mr. Krohn and the Personnel Committee recommended current compensation plus a promotion and cost of living adjustment for CY2003. Motion by Lee, second by Mosher, and unanimously carried to authorize the salary for the newly elected Sheriff, effective January 7, 2003, at a Range 29, Step 5 of the 2003 non-union compensation scale.

Based on the recommendation of Sheriff-Elect, the County Board discussed the compensation and benefits (terms & conditions of employment) for the proposed Chief Deputy.

**Post Retirement Health Plan/Nurses Union**

Motion by Block, second by Froemming, and unanimously carried to authorize the Chair's signature to execute a Memorandum of Understanding between Otter Tail County and Minnesota Teamsters Public and Law Enforcement Employees’ Union, Local No. 320 (Public Health Nurses Bargaining Unit). This Memo of Understanding authorizes the Post Retirement Health Insurance Plan through the Minnesota State Retirement System.

**Adjournment**

At 11:04 a.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, December 31, 2002.

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

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

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