

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Otter Tail County Courthouse  
Commissioners' Room, Floor 1-B  
Tuesday, January 7, 2003  
9:30 a.m.**

**Statutory Meeting – Call to Order**

Pursuant to Minnesota Statute, the Otter Tail County Board of Commissioners convened Tuesday, January 7, 2003, at 9:30 a.m. at the Otter Tail County Courthouse with Commissioners Syd Nelson, Malcolm Lee, Dennis Mosher, Roger Froemming, and Bob Block present.

**Year 2003 Otter Tail County Board Chair Selected**

County Board Clerk, Larry Krohn, requested nominations for the CY2003 Otter Tail County Board Chair. Motion by Froemming, second by Nelson, to elect Commissioner Malcolm Lee as the Otter Tail County Board Chair for CY2003. Motion carried.

**Year 2003 Otter Tail County Board Vice-Chair Selected**

Chairman Malcolm Lee assumed the chair and requested nominations for the CY2003 Otter Tail County Board Vice-Chair. Motion by Mosher, second by Froemming, to elect Commissioner Sydney Nelson as the Otter Tail County Board Vice-Chair for CY2003. Motion carried.

**Approval of Agenda**

Motion by Block, second by Mosher, and unanimously carried to approve the County Board agenda of January 7, 2003, with the following addition:  
AMC Policy Discussion

**Approval of Minutes**

Motion by Mosher, second by Block, and unanimously carried to approve the County Board minutes of December 31, 2002, as presented January 7, 2003.

**Approval of Bills**

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

**GIS Department Presentation**

GIS Coordinators, Brian Armstrong & Sherry Leabo, as well as staff members presented background information on areas that the department is currently working with including parceling, E-911, county web page, soils data, and watershed information/data. They briefed the Board on anticipated future projects. Mr. Armstrong expressed a need to spend more time on parceling and, in addition, provided a current graph of specific project time and time spent assisting other departments.

**CY2003 Solid Waste Haulers' Applications**

Motion by Nelson, second by Mosher, and unanimously carried to approve the following Solid Waste Haulers' licenses for CY2003:

Ballard Sanitation  
30 2<sup>nd</sup> Ave NW  
Pelican Rapids, MN 56572

C & J's Lake Service  
10909 SW Townline Rd.  
Pelican Rapids, MN 56572

City Dray Sanitation  
16407 USHY 71  
Wadena, MN 56482

Fuch Sanitation  
PO Box 204  
Glyndon, MN 56547

Ken's Garbage Service  
104 North Oak St.  
Clitherall, MN 56524

Meyers Garbage Service  
51047 Co. Hwy. 8  
Perham, MN 56573

Minn-Kota Recycling  
Hwy 59 North  
D.L. MN 56501

Waste Management Inc  
811 8<sup>th</sup> St. SE  
Detroit Lakes, MN 56501

Denzels' Region Waste  
27766 Josten Lake Rd.  
Dalton, MN 56324

Severence Enterprise  
Rt. 2, Box 109  
Herman, MN 56248

Steve's Sanitation  
240 6<sup>th</sup> Ave. NE  
Perham, MN 56573

Toutges Sanitation  
49601 Branborg Creek Rd.  
Henning, MN 56551

The Peltz Group, Inc.  
4600 N. Port Washington Rd.  
Milwaukee WI 53212

Corrie's Sanitation  
4966 River Place NE  
Carlos, MN 56319

Motion by Froemming, second by Nelson, and unanimously carried to approve the following non-county Solid Waste Haulers' licenses:

Wilkin County Environmental Services  
515 South 8<sup>th</sup> St  
Breckenridge, MN 56520

Metro Disposal  
PO Box 947  
Fargo, ND 58107

Ellsworth Engebretson  
237840 470<sup>th</sup> Ave  
Morris, MN 56267

### **Extension Agriculture Update**

Extension Educator, Vince Crary, discussed with the Board, problems with low milk prices in Minnesota and the increasing loss of dairy farms. Otter Tail County has less than 400 dairy farms. He provided brochures for Dairy Days scheduled for January 8<sup>th</sup> at the VFW. Commissioner Nelson requested a report on the attendance of that event. Discussion continued regarding the dairy industry and the role of the federal government in preserving milk production in the United States.

### **Recess & Reconvene**

At 10:39 a.m., Chairman Lee recessed the meeting of the Otter Tail County Board of Commissioners for a short break. The meeting was reconvened at 10:47 a.m.

### **Ditch No. 53**

Certified Ditch Viewers, Howard Goese, Richard Carlund, and Elder Kugler, presented a Ditch Viewers Report for Ditch #53. Randy Wasvick, County Ditch Inspector, stated that the report includes land that was not previously in the assessed ditch system. If the report is approved, the

data is forwarded to the Auditor to add assessments, then a public hearing is required. Motion by Nelson, second by Froemming, and unanimously carried to accept the Ditch Viewers Report on Ditch No. 53 as presented and directed the Ditch Inspector to forward this report to the County Auditor.

**County Ditch No. 12**

Mr. Wasvick stated that the townships (Lida & Pelican) have cleaned out road ditches, approximately 300-400 ft., to the west to the swampy area where a beaver dam was also removed on County Ditch No. 12. The townships requested that the ditch be cleaned out from the culvert to the swampy area. Mr. Wasvick has an estimate for the clean out; however, the landowners have not been identified. Commissioners requested further research on this ditch and referred Mr. Wasvick to the GIS Department to identify landowners on the ditch system and to the County Auditor for his input.

**Investments Resolution**

**Otter Tail County Resolution No. 2003 - 01**

Commissioner Nelson offered the following and moved its adoption:

RESOLVED by the Board of County Commissioners of Otter Tail County, Minnesota, that

WHEREAS, Otter Tail County Treasurer, Steve Andrews, be and is hereby given authority to invest County funds as available.

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

Adopted at Fergus Falls, Minnesota, this 7<sup>th</sup> day of January, 2003.

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

By: \_\_\_\_\_  
Malcolm K. Lee, County Board Chair

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

**Depository Resolution**

**Otter Tail County Resolution No. 2003 - 02**

Commissioner Mosher offered the following and moved its adoption:

RESOLVED by the Board of County Commissioners of Otter Tail County, Minnesota, that

WHEREAS, all financial institutions in Otter Tail County, including state and federal banks be and are hereby designated as depositories of County funds.

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

Adopted at Fergus Falls, Minnesota, this 7<sup>th</sup> day of January, 2003.

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

By: \_\_\_\_\_  
 Malcolm K. Lee, County Board Chair

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

**County Board & Human Services Meeting Dates Set for CY2003**

Motion by Mosher, second by Block, and unanimously carried to establish the following Otter Tail County Human Services and County Board meeting dates for CY2003:

	Full Day County Board <u>9:30 a.m.</u>	Human Services Board Followed by County Board <u>9:30 a.m.</u>
January	7 & 21	14 & 28
February	4 & 18	11 & 25
March	4 & 18	11 & 25
April	1 & 15	8 & 22
May	6 & 20	13 & 27
June	3 & 17	10 & 24
July	1 & 15	8 & 22
August	5 & 19	12 & 26
September	2 & 16	9 & 23
October	7 & 21	14 & 28
November	4 & 18	12* & 25
December	2 & 16	N/A** & 23

Generally, Commissioners will meet on the first four Tuesdays of each month; however, there are exceptions as follows:

\*The week of November 10, 2003, the Human Services Board and County Board will meet on Wednesday, November 12, 2003, instead of Tuesday, November 11<sup>th</sup> because of the Veterans Day holiday.

\*\*There will be no Human Services and County Board meeting the second week of December, 2003, in order to allow the Commissioners to attend the Annual Association of Minnesota Counties' meeting.

County Board of Equalization: Monday, June 16, 2003 at 9:00 a.m. and Friday, June 27, 2003

**CY2003 County Board Committee Appointments**

Chairman Malcolm Lee made the following CY2003 committee appointments:

AMC Delegates	Five Seated Commissioners County Coordinator/County Attorney/Hwy Engineer

<b>Natural Resources Committees:</b>	
International Coalition	Lee
Judicial Ditches	Mosher Lee
Noxious Weed Appeal (statutory)	Mosher - West Froemming - East
Pomme de Terre Joint Powers Board	Mosher
Soil & Water Conservation District (EOT)	Nelson
Soil & Water Conservation District (WOT)	Mosher
Water Plan Committee	Mosher
<b>Financial Committees:</b>	
Budget/Audit Committee	Nelson Lee
Capital Improvement Committee	Mosher Froemming
Investment Committee	Lee Mosher
<b>Facilities:</b>	
Building Committee (statutory)	Nelson Lee
Government Services Center Building Committee	Lee Block
<b>Personnel Related Committees:</b>	
Personnel Committee	Mosher Lee
Labor Management Committee	Nelson Lee
Public Health Labor Management Committee	Block
Human Services Labor Management Committee	Froemming
<b>Departmental Policy Committees:</b>	
Computer Steering Committee	Block
Courtroom Security Committee	Mosher
Employee Safety Committee	Froemming
Extension Committee (statutory)	Froemming Mosher
GIS/E911 Committee	Block Lee
Highway Committee	Mosher Nelson
Land & Resource Committee	Mosher Lee

Solid Waste Committee	Froemming Lee
<b>Board Appointments to other Organizations:</b>	
Agriculture Advisory Representative	Nelson
County Solid Waste Coordinating Committee	Froemming
Family Services Collaborative Executive Committee	Block Nelson
Lake Region Community Partners	Block Mosher
Lakeland Mental Health Center	Block
Law Library (statutory)	Froemming
Long Range Planning Task Force	Mosher
Minnesota Rural Counties Caucus (MRCC)	Delegate - Nelson Alternate - Froemming
RTC Re-use Task Force	Block Mosher
Transportation Advisory Committee (TAC) (Regional MnDOT)	Lee
Wadena Community Action Council	Nelson
West Central Area Agency on Aging (WCAAA)	Block
West Central MN EDD (economic development)	Lee
WCR Juvenile Center Advisory Board	Nelson

**Reappointment – Lakeland Mental Health Center Board**

Motion by Froemming, second by Block, and unanimously carried to appoint Ellen Palmer to the Lakeland Mental Health Center Board effective January 1, 2003, for a three year term.

**Public Meeting – Mitchell Farms**

At 11:15 a.m, Chairman Lee opened a Public Meeting for the pending issuance of a Minnesota Pollution Control Agency Interim Permit for Mitchell Farms located in Section 19 of Hobart Township in Otter Tail County. No one from the public was present. No action required.

**Payment Approvals**

Motion by Nelson, second by Block, and unanimously carried to authorize payment of the following CY2003 annual appropriations:

West Central MN Initiative Fund	\$15,212
West Otter Tail Fair Association	\$12,000
East Otter Tail Fair Association	\$12,000
Otter Tail Country Tourism Association	\$ 7,000
Rural Life Outreach	\$ 1,000

### Approval of Tobacco Licenses

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

Dalton City 104 Sunset Dr. Dalton, MN 56234	Tobacco
Jerry's Village Inn PO Box 27 Ottertail, MN 56571	Tobacco
Rocky's Resort 31370 State Highway 108 Dent, MN 56528	Tobacco

### Publishing & Printing Bids

After previously advertising for bids, the County Auditor opened the following bids:

#### Legal Notices, Publications, and Commissioners' Minutes:

Daily Journal \$10.66 per S.A.U.

#### Annual Financial Statement

Perham Enterprise Bulletin	First Publication	\$10.66 per S.A.U.
Henning Advocate	Second Publication	\$10.66 per S.A.U.

#### Delinquent Tax List

New York Mills Herald	First Publication	\$10.66 per S.A.U.
New York Mills Herald	Second Publication	\$ 6.47 per S.A.U.

After consideration, motion was made by Mosher, seconded by Block, and unanimously carried to award bids for publishing and printing for CY2003 as follows:

#### Legal Notices, Publications, and Commissioners' Minutes:

Daily Journal \$10.66 per S.A.U.

#### Annual Financial Statement

Perham Enterprise Bulletin	First Publication	\$10.66 per S.A.U.
Henning Advocate	Second Publication	\$10.66 per S.A.U.

#### Delinquent Tax List

New York Mills Herald	First Publication	\$10.66 per S.A.U.
New York Mills Herald	Second Publication	\$ 6.47 per S.A.U.

### Application for Exempt Permit

Motion by Lee, second by Mosher, and unanimously carried to approve the LG220 Application for Exempt Permit with no waiting period, as submitted by the Pelican Rapids Jaycees, for an event scheduled for February 1, 2003, on Lake Lida (Corner of County Road 4 and 31).

### **Government Services Center Account**

Motion by Block, second by Mosher, and unanimously carried to authorize Auditor, Wayne Stein, as the alternate representative to the County Coordinator to request reimbursement from U.S. Bank for remodeling expenses relative to the Government Services Center.

### **Approval of Change Orders – GSC Building**

Motion by Block, second by Lee, and unanimously carried to authorize the following change orders for the GSC building project:

Change Order No. CO 9G.01	William Wallace Painting	\$ 1,220.00
Change Order No. CO 15A.1	Manning Mechanical, Inc.	\$19,811.00

### **Discussion – City of Fergus Falls Billing**

Solid Waste Direct, Mike Hanan, briefed the County Board regarding a bill for transportation and disposal of waste the County received from the City of Fergus Falls. After lengthy discussion of the circumstances, commissioners requested that Mr. Hanan send a letter to the City of Fergus Falls stating the County's position.

### **Chief Deputy Compensation**

Motion by Mosher, second by Lee, and unanimously carried to authorize the new Chief Deputy's compensation at Step 5 of the Chief Deputy Compensation Range. The position is not subject to union contract or personnel rules; however, benefits are commensurate with the non-union employees' benefits.

### **AMC Policy Discussion**

County Coordinator, Larry Krohn, reported on the Association of Minnesota Counties' position regarding the expected \$4.5 billion state deficit and the corresponding effort by counties to facilitate government reform. Mr. Krohn requested approval of the concept of a resolution in support of the proposed Minnesota County Restructure Act of 2003. Lengthy discussion followed.

### **A Resolution of Support for the Minnesota County Restructure Act of 2003 Otter Tail County Resolution No. 2003 – 03**

Commissioner Nelson offered the following and moved its adoption:

**WHEREAS**, the state of Minnesota is facing a troubled economic cycle and has a projected \$4.5 billion budget deficit for the next biennium; and

**WHEREAS**, the administration and individual legislators have stated that counties should be a part of the solution to the state's deficit; and

**WHEREAS**, the state legislature will consider cutting and/or eliminating aids to counties, which are used to provide essential services to the citizens of Minnesota and such cuts would result in increased local property taxes; and

**WHEREAS**, the counties will be partners in achieving a budget solution but such a partnership is currently impractical for counties as the majority of county budgets consists of mandates imposed by the state and federal governments over which the counties have no discretion; and

**WHEREAS**, a fundamentally new county/state relationship must be developed in which county governments have the discretion and flexibility with which to cost effectively and efficiently offer services.

**BE IT THEREFORE RESOLVED THAT** the Otter Tail County Board of Commissioners, comprised of the undersigned individuals, support passage of the concept of the proposed Minnesota County Restructure Act of 2003 based on the following three key provisions:

1. Counties may provide those services that contribute to the health, safety, welfare, and economic well being of the county. Counties may provide services unless directly prohibited by the state.
2. All mandates, maintenance of efforts, rules requiring the delivery of services and reporting requirements excluding those rules and mandates that originate or access federal monies are repealed.
3. Counties shall have immunity stemming from all lawsuits for failure to provide non-mandated services.

1<sup>st</sup> District Commissioner

\_\_\_\_\_  
Sydney Nelson

2<sup>nd</sup> District Commissioner

\_\_\_\_\_  
Malcolm K. Lee

3<sup>rd</sup> District Commissioner

\_\_\_\_\_  
Dennis R. Mosher

4<sup>th</sup> District Commissioner

\_\_\_\_\_  
Roger Froemming

5<sup>th</sup> District Commissioner

\_\_\_\_\_  
Bob Block

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

Adopted at Fergus Falls, Minnesota, this 7<sup>th</sup> day of January, 2003.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

Malcolm K. Lee, County Board Chair

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

Larry Krohn, Clerk

**Adjournment**

At 12:05 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, January 14, 2003.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

Malcolm K. Lee, County Board Chair

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

Larry Krohn, Clerk

CB/kd