

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Tuesday, February 25, 2003
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, February 25, 2003, 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 Froemming, and unanimously carried to approve the Human Services agenda of February 25, 2003, as mailed.

Approval of Minutes

Motion by Froemming, second by Nelson, and unanimously carried to approve the Human Services Board minutes of February 11, 2003, as mailed.

Governor's Budget Proposal

Court Services Director, Chuck Kitzman, provided an overview of how the Governor's FY2004-2005 Budget proposal impacts the Court Services Department. The Department of Corrections has divided services into core and non-core services. The Governor's proposal reduces funding for core services while some non-core services are subject to elimination.

Unallotment Budget Plans

Public Health Department Budget

Community Health Service Committee Appointments

Diane Thorson, Public Health Director, reported that State WIC funding, in the amount of \$27,709.00, and State Community Health Services funding, in the amount of \$36,703.00, have been unallotted by the Governor. The Public Health Labor Management Committee has met and discussed ways to meet these budget shortfalls. Expense reduction will include 480 hours of support staff time and 911 hours of nurse time due to several leaves of absence as well as not filling a current vacant PHN position. Additionally, unanticipated revenues have been made available from federal grants and the Public Health Department is negotiating additional revenue from Human Services for long term care consultation services.

Ms. Thorson explained that last year, the Public Health Department ended the year with a negative cash balance of \$31,360.33; \$26,000 negative carry over from CY2001 and \$5,193 from CY2002. Motion by Nelson, second by Froemming, and unanimously carried to transfer \$31,360.33 from Human Services Fund Reserves to the Public Health Operating Budget to balance the fund.

Motion by Nelson, second by Block, and unanimously carried to approve the following appointments to the CHS Advisory Committee for the term of January 1, 2003 through December 31, 2005:

Reappointments:

Kay Kratowill, Lake Region HealthCare
Connie Stigen, Fergus Falls Medical Group

New Appointment: Brad Wurgler, Perham Memorial Hospital & Homes
Cindy Hermanson, Henning Medical
Paul Baer, St. Williams Nursing Home
Kristy Karels, Parent/Children Representative

Human Services Annual Report

Human Services Director, John Dinsmore, presented the 2002 Annual Report for the Otter Tail County Human Services Department.

Commissioner Mosher was absent at 10:20 a.m.

Purchase of Service Agreement Renewal

Motion by Nelson, second by Froemming, and unanimously carried to authorize the Chair's signature to renew a Purchase of Service Agreement between Otter Tail County Human Services and Tran\$Em for supported employment transition services for persons age 16 to 23, subject to the approval of the County Attorney. The amount of the agreement is \$50,000.00 for CY2003 and federally funded.

Bills & Claims

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

Closed to the Public

Adjournment of Human Services Meeting

At 10:30 a.m., Chair Lee declared the meeting of the Otter Tail County Board of Commissioners closed to the public for the purpose of evaluating the performance of Human Services Director, John Dinsmore, pursuant to M.S. Chapter 13D.05 Subd. 3(a). Commissioners Nelson, Lee, Froemming, and Block were present. A summary of performance conclusions will be provided at the next regular County Board meeting.

At 11:03 a.m., upon conclusion of the performance evaluation, Chairman Lee declared the meeting of the Otter Tail County Human Services Board adjourned until Tuesday, March 11, 2003.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____
Malcolm K. Lee, Human Services Chair

Attest: _____
Larry Krohn, Clerk

Call to Order – County Board

The Otter Tail County Board of Commissioners convened Tuesday, February 25, 2003, at 11:04 a.m. at the Otter Tail County Courthouse with 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 County Board agenda of February 25, 2003, as mailed.

Approval of Minutes

Motion by Nelson, second by Froemming, and unanimously carried to approve the County Board minutes of February 18, 2003, as mailed.

Approval to Pay Bills

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

Shoreland Management Ordinance Discussion

Land & Resource Director, Bill Kalar, provided minutes from the Planning Commission meeting regarding proposed SMO revision items. Mr. Kalar indicated that the last page of the minutes includes a list of 17 proposed revisions that have been discussed over the course of the past year. Page 2 & 3 of the minutes includes a list of proposed revision items recommended by the Planning Commission. Mr. Kalar and the Commissioners discussed the proposed revisions from the list on Page 2 & 3 of the Planning Commission minutes dated February 19, 2003.

Water Plan Update

Mr. Kalar reported that funding the County would have received from the Board of Water and Soil Resources in March, 2003, has been unallocated. Motion by Nelson, second by Froemming, and carried with Lee opposed, to provide the County Share (\$14,744.00) already committed to the Soil & Water Conservation District for updating the water plan subject to the fact that state funding will not be available and the SWCD must plan accordingly.

Recess & Reconvene

At 11:51 a.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:00 p.m.

Sheriff's Department Contract Approvals

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Chair's signature to execute the following agreements to extend two state programs from July 1, 2003, through June 30, 2005:

Sentence to Service Program Joint Powers Agreement between the State of Minnesota Commissioner of Corrections and Otter Tail County

Institution Community Work Crew House Building Program (ICWC) Joint Powers Agreement between the State of Minnesota Commissioner of Corrections and Otter Tail County, with the State reimbursing the County \$52 per day for housing inmates

Performance Evaluation Summaries

Motion by Mosher, second by Block, and unanimously carried to approve satisfactory performance evaluations for the Land & Resource Management and Solid Waste Directors and to request that the performance evaluation summaries be placed in their personnel files.

Perham Resource Recovery Facility Amendment

Solid Waste Director, Mike Hanan, briefed the Board regarding a recent meeting of the Perham Recovery Facility Coordinating Committee. He stated that the City of Perham intends to sell bonds for an additional 1.75 million dollars, the proposed tipping fee will raise to \$56 per ton, and the bonding company is requiring that the Operating Reserve Fund be

replenished to \$250,000. Motion by Froemming, second by Block, and unanimously carried to authorize the Chair's signature to execute an amendment to the Agreement between the City of Perham and Otter Tail County for waste deliveries to the Perham Solid Waste Facility dated February 20, 2003.

Motion by Froemming, second by Nelson, and unanimously carried to authorize payment, from the Solid Waste Enterprise Fund, of Otter Tail County's share (\$92,500) to replenish the Perham Recovery Facility Reserve Fund and to increase the tipping fee at the Perham Solid Waste Facility to \$56.00 per ton effective May 1, 2003.

**Resolution in Support of
Solid Waste as a Renewable Energy
Otter Tail County Resolution No. 2003 - 13**

Commissioner Nelson offered the following and moved its adoption:

WHEREAS, Otter Tail County is a member county delivering municipal waste to both the Perham Resource Recovery Incinerator and the Fergus Falls Resource Recovery Incinerator; and

WHEREAS, Solid Waste is both sustainable and indigenous – two criteria necessary for establishing the definition of a renewable energy resource; and

WHEREAS, Recently adopted Federal air emission standards represent the strongest and most effective actions ever taken to control emissions from waste combustion resulting in a clean source of energy; and

WHEREAS, Designating the facilities as a renewable energy source will help to lower the cost that local governments encounter when delivering waste to waste to energy facilities; and

WHEREAS, Otter Tail County has implemented an integrated Solid Waste Management Program that includes public education, waste reduction, recycling, and household hazardous waste management as well as waste to energy; and

WHEREAS, Waste to energy facilities are defined by State Rules as “an energy recovery facility used to capture the heat value of solid waste or RDF”; and

WHEREAS, Waste to energy/resource recovery is preferable to landfilling when implementing the waste management hierarchy and State of Minnesota policy; and

WHEREAS, renewable designation for waste to energy facilities has no impact on the State's budget and would provide parity with landfill gas which is already designated as renewable;

BE IT NOW THEREFORE RESOLVED, That Otter Tail County supports new legislation that would amend Minnesota Statute Section 216B.2422 to include the following definition as “renewable”: *an energy recovery facility used to capture the heat value of solid waste or RDF.*

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

Adopted at Fergus Falls, Minnesota this 25th day of February, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
 Malcolm K. Lee, County Board Chair

Attest: _____
 Larry Krohn, Clerk

Solid Waste Fee Schedule

Motion by Mosher, second by Block, and unanimously carried to approve the following Solid Waste Fee Schedule effective May 1, 2003.

Mixed Municipal Waste/Household Waste:	County Fee	State Assessment	Total
Per Ton	\$ 39.32	\$ 6.68	\$ 46.00
Acceptable Industrial/Non-Incinerated (per ton)	70.00	11.90	81.90
Per Container (minimum)	1.71	0.29	2.00
Per container (30 gallons)	1.71	0.29	2.00
Per Container (50 gallons)	3.42	0.58	4.00
Cubic Yard (uncompacted)	5.99	1.01	7.00
Cubic Yard (compacted)	13.33	2.27	15.60
 Demolition Debris:			
Per Yard	\$ 8.00	\$ 0.60	\$ 8.60
Minimum (1/2 Yard)	4.00	0.30	4.30
Dump Truck (10 yards)	80.00	6.00	86.00
 Whitegoods:			
Major Appliances (stove, freezer, etc.)	\$ 8.00	N/C	\$ 8.00
Microwaves	8.00	N/C	8.00
Commercial Appliances (freezers, coolers, etc)	50.00	N/C	50.00
 Batteries:			
Car/Boat/Motorcycle	\$ 1.00	N/C	\$ 1.00
Truck/Tractor	4.00	N/C	4.00
Commercial	10.00	N/C	10.00
 Tires:			
Passenger Car/Pickup	\$ 2.00	N/C	\$ 2.00
Semitruck/Trailer	5.00	N/C	5.00
Tractor (38 or smaller)	15.00	N/C	15.00
Tractor (Larger than 38)	25.00	N/C	25.00
Flotation Tire	50.00	N/C	50.00
 Miscellaneous:			
Stuffed Chair	\$ 5.13	0.87	\$ 6.00
Sofa	10.26	1.74	12.00
Mattresses	10.26	1.74	12.00
Carpeting (per yard)	0.85	0.15	1.00
Computers	8.00	N/C	8.00

Change Order Approval for Government Services Center

Motion by Nelson, second by Mosher, and unanimously carried to authorize Change Order No. CO 4A.01, in the amount of \$1,760.00, payable to Johnson-Nelson Masonry of Ashby, MN, for reinforcing steel not included in the original bid package at the GSC.

Bridge Repair over the Otter Tail River

Motion by Froemming, second by Mosher, and unanimously carried to approve the quotation of Robert R. Schroeder Const., Inc., in the amount of \$13,250, for replacing the supports to the sidewalk and adding two additional pile on the bridge on Otter Tail Co. No. 45 over the Otter Tail River.

Highway Department Policy for Approach Permits

The County Board reviewed a proposed Approach Request Requirements Policy, which will become effective May 1, 2003. The County Board suggested changing the completion date for approaches from 60 calendar days to 45 calendar days and that the list of contractors provided is not all inclusive and applicants are not required to use a contractor on that list.

Highway Project Retainage Reduction Requests

Motion by Mosher, second by Lee, and unanimously carried to authorize retainage reduction on Otter Tail County S.P. No. 56-624-10, west of Erhard on CSAH No. 24, from 5% to 1% as requested by Mark Sand & Gravel Co. provided this project is completed early during the summer of 2003.

Motion by Mosher, second by Nelson, and unanimously carried to authorize retainage reduction to 1% for S.P. 56-090-04, 26-090-02, Central Lakes Trail Project, as requested by Central Specialties, Inc. and to deny a reduction in retainage to Central Specialties, Inc. for S.A.P. 56-612-11 (CSAH No. 12 Project).

Motion by Nelson, second by Froemming, and unanimously carried to authorize retainage reduction for Central Specialties, Inc. to 2% for S.A.P. No. 56-667-28, CSAH No. 67 project.

Commissioner Nelson was absent at 2:40 p.m.

Application for Exempt Permit

Motion by Lee, second by Nelson, and unanimously carried, to approve with no waiting period the LG220 Application for Exempt Permit, as submitted by the Pelican Rapids Ducks Unlimited Chapter for an event scheduled for April 11, 2003 at the Blue Water Restaurant and Sports Bar.

Payment Approvals

Motion by Nelson, second by Froemming, and unanimously carried, to approve the following payments for services provided to County Drainage System No. 38:

Otter Tail County GIS Department	\$2,690.00
Otter Tail County Highway Department	97.96

Applications for License

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

Battle Lake Cenex
Perham Cooperative Creamery Ass'n
Highway 201 West
Battle Lake, MN 56515

Tobacco License

Collins Landing
31334 State Coach Dr.
Dent, MN 56528

Tobacco License

Wee Villa Resort
31126 county Highway 27
Fergus Falls, MN 56537

Tobacco License
Renewal of Consumption and Display Permit

Detroit Lakes Reg. Chamber of Commerce
700 Washington Ave
Detroit Lakes, MN 56501

Temporary On-Sale Liquor License
Fair Hills Resort
April 29, 2003

Recess & Reconvene

At 3:00 p.m., Chair Lee declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 3:05 p.m.

Veterans Service Officer Reappointment

Motion by Lee, second by Mosher, and unanimously carried to reappoint Jourdan Sullivan as Director of the Otter Tail County Veterans Service Office effective March 1, 2003, for a four-year appointment.

Budget Discussion

County Coordinator, Larry Krohn, led a discussion regarding the Governor's proposal to cut \$600,000 to Otter Tail County in state aid for 2003 and 1.2 million dollars next year. He suggested reductions in County budgets for approximately 1/2 of the Governor's proposal at this time. Mr. Krohn requested direction from the Board regarding the process to determine budget cuts. The County Board requested that Mr. Krohn send a letter to Department Heads requesting a list of all functions their department is performing that are not currently mandated by law, and other ideas Department Heads have for reducing their budget. The AMC is addressing unfunded mandates and mandates that are expensive but do not service the general public. Budget discussions will be placed on the County Board agenda during the upcoming months.

Adjournment

At 3:36 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, March 4, 2003.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Malcolm K. Lee, County Board Chair

Attest: _____

Larry Krohn, Clerk