

**MINUTES OF THE
 OTTER TAIL COUNTY BOARD OF COMMISSIONERS
 Otter Tail County Courthouse
 Commissioners' Room, Floor 1-B
 Tuesday, August 12, 2003
 9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, August 12, 2003, at 9:31 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 12, 2003, as mailed.

Approval of Minutes

Motion by Nelson, second by Froemming, and unanimously carried to approve the Human Services Board minutes of July 22, 2003, as presented.

Court Services Grants

The Court Services Director presented, for the record, an executed copy of the grant agreement between the County of Otter Tail and the Minnesota Department of Corrections related to Caseload/Workload Reduction grant and Remote Electronic Alcohol Monitoring (REAM) grant.

West Central Regional Juvenile Center

Chuck Kitzman, Court Services Director, provided copies of the Cooperative Agreement signed in 1996 with Clay County for operation of the secure juvenile detention and treatment facility, a letter summarizing the facility's budget shortfall, and the cost sharing proposal. Discussion followed regarding the agreement and ownership of the detention facility. The County Auditor discussed GASB 34 regulations as it relates to reporting of depreciation. Commissioners expressed concern with the shortfall and stated that Otter Tail County is not responsible for Clay County's budget deficit; however, loss of the use of the facility and transportation services would impact the County. Motion by Nelson, second by Froemming, to authorize payment of \$41,709, in five installments over the next five years, to Clay County for the WCR Juvenile Center budget deficit. The first installment of \$8,341.80 is to be paid by September 1, 2003, from the Otter Tail County Secure Detention Fund. Chairman Lee called for a roll call vote:

Commission District 3	Mosher	Nay
Commission District 5	Block	Yea
Commission District 4	Froemming	Yea
Commission District 1	Nelson	Yea
Commission District 2	Lee	Nay

Motion carried 3-2.

Bills & Claims

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

Dog Bite Hearing

At approximately 10:00 a.m., County Attorney, David Hauser, opened a dog bite hearing under the Otter Tail County Animal Control Ordinance. He stated that the City of Fergus Falls has a Dangerous Animal Ordinance and the dog named Lo-Key has been banished from the City, which leaves the County with jurisdiction. The dog is owned by an individual residing in the City of Ottertail. The owner of the dog was notified by certified mail regarding this hearing. The owner was not present. After being duly sworn in by the County Attorney, Public Health Nurse Jodi Misegades, gave testimony regarding two dog bite incidents on July 23, 2003, at Broadway Park. The first bite was not witnessed by anyone. The second bite was witnessed by Doreen Beck. A police report had been received as well as a two page medical report outlining each dog bite incident. The dog was placed in quarantine after the incidents. Ms. Misegades provided photographs of the injuries as part of the record. After being duly sworn in by the County Attorney, Public Health Director Diane Thorson, briefed Commissioners on a phone conversation she had with Scott Burris, the owner of the dog. Mr. Burris was instructed to appear at the hearing and provide documentation and proof of a plan to follow to prevent further bites/injuries. Motion by Block, second by Froemming, and unanimously carried to find that two bite incidents occurred on July 23, 2003, at Broadway Park, one to Ryan Beck and the other to Elyse Holzworth, which caused substantial bodily harm; therefore, the dog named Lo-Key is found to be a danger to public safety. Motion by Block, second by Froemming, and unanimously carried to find that the dog named Lo-Key be euthanized to ensure public safety and to direct that proof of the euthanization be provided. The County Attorney will draft Findings and Order for this hearing.

Position Change

Ms. Thorson stated that due to workload reassignments that have resulted in less work hours needed in the support staff area and employee choice, she presented a recommendation that a Secretary/Receptionist position be reduced from 40 hours per week to 30 hours per week effective September 1, 2003. Motion by Mosher, second by Block, and unanimously carried to reduce a Secretary/Receptionist position in the Public Health Department from 40 hours per week to 30 hours per week as requested.

Bill of Sale to Transfer Equipment

Motion by Nelson, second by Froemming, and unanimously carried to authorize the Chair's signature to execute a Bill of Sale to convey dental equipment valued at \$66,749 to the Minnesota Department of Human Services to use the equipment for a dental program in Otter Tail County.

Community Health Services Commentary

Ms. Thorson provided the Spring CHS Commentary, an education pamphlet from the Minnesota Department of Health.

Adjournment

At 10:30 a.m., Chairman Lee declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, August 26, 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, August 12, 2003, at 10:35 a.m. at the Otter Tail County Courthouse with Malcolm Lee, Chair; Syd Nelson, Vice-Chair; Roger Froemming, Dennis Mosher, and Bob Block present.

Approval of Agenda

Motion by Mosher, second by Nelson, and unanimously carried to approve the County Board agenda of August 12, 2003, as mailed.

Approval of Minutes

Motion by Froemming, second by Nelson, and unanimously carried to approve the County Board minutes of August 5, 2003, as presented.

Approval to Pay Bills

Motion by Block, second by Mosher, and unanimously carried to approve payment of County Board bills per Attachment A of the official minutes, including the following lodging payment:
Recorder, Wendy Metcalf Best Western

Approval of Moving Vendor

Motion by Block, second by Nelson, and unanimously carried to award the moving project (weekend of 8/22-24/2003 & 9/5-7/2003) to Beltmann Group at a cost of \$25.00 per hour.

Open House Dates Set

Motion by Froemming, second by Block, and unanimously carried to set the Open House dates at the new Government Services Center on October 4, 2003, and October 18, 2003, from 10:00 a.m. to 2:00 p.m.

Facilities Operations

Motion by Lee, second by Mosher, and unanimously carried to change the name of the Building Maintenance Department to Facilities Operations.

Mail Operations

County Coordinator, Larry Krohn, briefed the Board regarding mail delivery from both the Courthouse and the GSC building. The Post Office will soon be requiring that a bar code be present on all mail. Our current mail machine stamps ink for the postage and will not be able to provide a bar code on out going mail. Mr. Krohn recommended leasing two new postage machines that contain the technology for the new postal requirements. Motion by Block, second by Mosher, and unanimously carried to lease two postage machines from Pitney Bowes, in the amount of \$1,856 per month. One machine will be located at the GSC building and one at the Courthouse.

Motion by Nelson, second by Mosher, and unanimously carried to approve, with no waiting period the LG220 – Application for Exempt Permit as submitted by the East Otter Tail Ducks Unlimited Chapter for an event scheduled for September 11, 2003, at the Sparetime Bar and Grill.

Bid Award – S.A.P. 56-603-07 & Etc.

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids at 1:00 p.m. on August 6, 2003, for overlay projects on CSAH No. 3 and CSAH No. 24:

Mark Sand & Gravel Co. Fergus Falls, MN	\$501,456.38
Northstar Materials, Inc. Bemidji, MN	\$567,285.88
Central Specialties, Inc. Alexandria, MN	\$576,142.68
Sherbrooke Asphalt, Inc. Detroit Lakes, MN	\$646,175.92

Motion by Lee, second by Mosher, and unanimously carried to award S.A.P. 56-603-07 & Etc. to the low bidder, Mark Sand & Gravel Co., in the amount of \$501,456.38.

2002 County Highway Department Annual Report

Mr. West provided copies of the 2002 Annual Report of the Otter Tail County Highway Department.

Recess & Reconvene

At 12:02 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:12 p.m. with Commissioners Nelson, Lee, Mosher, and Block present.

**Enactment of Proposed River Ordinance
Enactment of Proposed Amendments to the
Setback and Shoreland Management Ordinances**

The County Attorney stated that a public hearing was held to consider a River Ordinance and amendments to the Setback Ordinance and SMO. These changes are proposed to be effective January 1, 2004.

Motion by Nelson, second by Mosher, and unanimously carried to approve the Otter Tail County Setback Ordinance as presented and attached to the official minutes as Attachment B.

Motion by Nelson, second by Block, and unanimously carried to approve the Otter Tail County River (Tubing) Ordinance as presented and attached to the official minutes as Attachment C.

Motion by Mosher, second by Block, and unanimously carried to approve the amendments to the Shoreland Management Ordinance as presented and attached to the official minutes as Attachment D.

Dog Bite Order

Motion by Lee, second by Mosher, and unanimously carried to approve the Findings and Order for the dog bite hearing relative to the dog, Lo-Key, owned by Scott Burris.

Performance Evaluation Summary

Motion by Mosher, second by Block, and unanimously carried to approve the favorable evaluation summary of the GIS Data Base Coordinator, Sherry Leabo, as presented. The summary will be placed in her personnel file.

Collections Assistant Position

Motion by Lee, second by Nelson, and unanimously carried to authorize the County Attorney to advertise and fill the position of Collections Assistant.

Adjournment

At 1:35 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, August 19, 2003.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Malcolm K. Lee, County Board Chair

Attest: _____
Larry Krohn, Clerk