

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**  
Otter Tail County Government Services Center  
Commissioners' Room  
**Tuesday, November 25, 2003**  
9:30 a.m.

**Call to Order**

The Otter Tail County Human Services Board convened Tuesday, November 25, 2003, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Malcolm Lee, Chair; Syd Nelson, Vice-Chair; Dennis Mosher, Roger Froemming, and Bob Block present.

**Approval of Agenda**

Motion by Block, second by Mosher, and unanimously carried to approve the Human Services agenda of November 12, 2003, as mailed.

**Approval of Minutes**

Motion by Mosher, second by Froemming, and unanimously carried to approve the Human Services Board minutes of November 12, 2003, as presented.

**Local Corrections Fees**

Court Services Director, Chuck Kitzman, presented a handout showing which offenses are charged a Local Corrections Fee and the potential to assess \$36,250.00 in fees for 2002 Court Services intakes. He reported that after three months, they have collected 25% of fees assessed. Mr. Kitzman will report to the Board semi-annually regarding the collections of fees in his office.

**Child and Teen Checkups (C&TC)**

Motion by Nelson, second by Block, and carried with Mosher and Lee opposed, to authorize the appropriate County officials' signatures to execute a Contract and Business Associate Agreement between the Minnesota Department of Human Services and the County of Otter Tail to administer the Child & Teen Checkup program. The County's Public Health Agency provides outreach to contact individuals on Medical Assistance to encourage/assist them to schedule appointments for their annual physical exams.

Public Health Director, Diane Thorson, discussed with the Board, a letter received from the Fergus Falls Medical Group dated November 19, 2003. Ms. Thorson explained that, for the last three years, the Child & Teen Checkups have stayed around 54% utilizing the private sector system. She stated that the State will want to see improvement in those figures or may not choose to continue funding for outreach in this area. Chairman Lee directed Ms. Thorson to work with the County Attorney to draft a letter in response to the concerns expressed by the Medical Group so they understand the reason why the County is doing the C & T checkups.

**Meth Lab Ordinance Discussion**

Ms. Thorson discussed the draft Meth Lab Ordinance with the Board. She reported that the Supervisor of the Child Protection Unit has requested to meet with the Medical Group and others to discuss the draft ordinance as it relates to Child Protection. Discussion followed

regarding constituent concerns with the proposed ordinance. Ms. Thorson requested that Commissioners continue to address concerns and propose changes to the draft before a public hearing is scheduled.

### **MCCC Software Contract**

Ms. Thorson reported that the Public Health Agency has used the Champ Software System; however, in the past month there were seven days without access. The Public Health Agency has looked at the MCCC software option and spoke with the MIS Director. To continue on the Champ System, the Public Health Agency would need to convert to a different server and purchase an upgrade. Ms. Thorson recommended switching to the MCCC software. Motion by Mosher, second by Froemming, and carried with Nelson and Lee opposed, to purchase the MCCC software for the Public Health Agency at a cost of \$70,550.00 over a three year period and yearly maintenance fees of \$13,736. The first payment would be \$42,938 from the Capital Expenditure Fund. The remaining dollars would be authorized over a two year period also from the Capital Expenditure Fund.

### **Contract Renewals**

Motion by Lee, second by Froemming, and unanimously carried to authorize the Chair's signature to execute a contract between the State of Minnesota and County of Otter Tail for detoxification services for CY2004 at a rate of \$345.00 per day.

Motion by Mosher, second by Block, and unanimously carried to authorize the Chair's signature to execute a contract between the Kessel Group Home in Fergus Falls and the County of Otter Tail for CY2004 to provide residential services.

Motion by Nelson, second by Mosher, and unanimously carried to authorize the Chair's signature to execute a contract between Northern Safety & Security in Bemidji, MN, and the County of Otter Tail for CY2004 to provide supplies and equipment based on the Client Service Plan.

Motion by Lee, second by Nelson, and unanimously carried to authorize the Chair's signature to execute a contract between the Crystal Lake Inn in Pelican Rapids, MN, and the County of Otter Tail for the period of April 1, 2003, through March 30, 2004. Services provided are assisted living services.

### **Budget Information**

Human Services Director, John Dinsmore, presented the Human Services Budget Reduction Plan Addendum for CY2004. The handout outlined three options to reduce the use of fund balance by the Human Services Department from \$800,000 to \$400,000. Mr. Dinsmore recommended implementation of "Option 1".

### **Bills & Claims**

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

### **Adjournment**

At 10:42 a.m., Chairman Lee declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, December 23, 2003.

Dated: \_\_\_\_\_ OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: \_\_\_\_\_  
Malcolm K. Lee, Human Services Board Chair

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

### **Call to Order – County Board**

The Otter Tail County Board of Commissioners convened Tuesday, November 25, 2003, at 11:01 a.m. at the Otter Tail County Government Services Center with Malcolm Lee, Chair; Syd Nelson, Vice-Chair; Roger Froemming, Dennis Mosher, and Bob Block present.

### **Approval of Agenda**

Motion by Mosher, second by Block, and unanimously carried to approve the County Board agenda of November 25, 2003, with the following additions:

11:10 a.m. – Les Kellogg – Request for Performance Bond  
1:00 p.m. – Rick Sytsma – Request for Approval of Final Payments

### **Approval of Minutes**

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

### **Approval to Pay Bills**

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

### **Request for Approval of Performance Bonds**

Land & Resource Director, Bill Kalar, stated that the Preliminary Plat, "Oak Ridge Estates Third Addition", was approved, the Conditional Use Permit for the road was issued, and the road was constructed; however, the road has a 300' piece that isn't quite wide enough and it needs more gravel. Developer, Ronald Goodman, requested that he be allowed to post a Performance Bond in lieu of completing the road this fall, have the Final Plat approved, then do necessary road work next spring. Motion by Nelson, second by Froemming, and unanimously carried to authorize a \$5,000 Performance Bond in lieu of completion of the road to service the plat known as "Oak Ridge Estates Third Addition" located in Section 10 of Hobart Township, Wimer Lake. Upon receipt of the Performance Bond, Mr. Kalar will present the Final Plat for approval.

Ronald Goodman's second request is to post a Performance Bond in lieu of completing the road to service the Preliminary Plat known as "Nebraska Beach". The road does not meet width requirements and needs additional gravel. Lengthy discussion took place regarding the circumstances of not acquiring a Conditional Use Permit for the road. Motion by Nelson, second by Mosher, and unanimously carried to authorize a \$1,000 Performance bond in lieu of completion of the road that services the Preliminary Plat of "Nebraska Beach" subject to

the Planning Commission recommendation for approval of the after-the-fact CUP scheduled for December 10, 2003. The road is to be completed next spring.

Motion by Nelson, second by Froemming, and unanimously carried to authorize a \$3,000 Performance Bond in lieu of completing road work, until next spring, for the proposed subdivision of Les Kellogg known as "Kellogg's Paradise Point", located in Section 27 of Hobart Township, Long Lake (56-388).

#### **Military Training**

Motion by Block, second by Mosher, and unanimously carried to approve payment, up to 15 days in December of 2003, for Kyle Westargard, in place of payment for those days of military training in CY2004. Mr. Westergard's Army Reserve Training has been moved from February, 2004 to December 1, 2003.

#### **Approval of Final Plat**

Motion by Froemming, second by Block, and unanimously carried to approve the Final Plat of Sandra K. Stueve known as "Lake Ridge Estates" located in Section 22 of Leaf Lake Township, East Leaf Lake (56-116).

#### **Tobacco Licenses**

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

Carr's Enterprises, Inc. Carr's Lake Country Supermarket PO Box 38 Ottetail, MN 56571 (Atma Carr)	Tobacco
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Dalton Liquor Store 104 Sunset Drive Dalton, MN 56324 (Dennis Mosher)	Tobacco
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*Erhard Village Store Highway 59 Erhard, MN 56534 (David Carter) *Subject to the submission of a complete application	Tobacco
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Ten Mile Lake Resort, Inc. 12303 County Highway 35 Dalton, MN 56324 (Gerald M. Shultz)	Tobacco
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Underwood Municipal Liquor Store 120 Main Street South Underwood, MN 56586 (Deb Klovstad)	Tobacco
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**Payment Approval**

Motion by Nelson, second by Froemming, and unanimously carried to approve payment to Eagle Café, in the amount of \$53.68, for Ditch No. 38 viewer expenses.

**Premise Permit**

**Otter Tail County Resolution No. 2003 – 69**

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 Dent Lions Club, Dent, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at the Cozy Cove Resort, in Dead Lake 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 Dent Lions Club, Dent, MN, at the Cozy Cove Resort, in Dead Lake 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 the Dent Lions Club, Dent, MN, at Cozy Cove Resort, in Dead Lake 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 Dead Lake by sending them a copy of this resolution.

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

Adopted and signed this 25<sup>th</sup> day of November, 2003.

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

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

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

**Premise Permit  
Otter Tail County Resolution No. 2003 - 70**

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 Dent Lions Club, Dent, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at Huckleberrys, in Dora 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 Dent Lions Club, Frazee, MN, at Huckleberrys, in Dora 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 the Dent Lions Club, Frazee, MN, at Huckleberrys, in Dora 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 Dora by sending them a copy of this resolution.

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

Adopted and signed this 25<sup>th</sup> day of November, 2003.

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

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

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

**County Board Meeting Scheduled**

Motion by Froemming, second by Nelson, and unanimously carried to schedule an additional County Board meeting on Tuesday, December 30, 2003, at 9:30 a.m. in the Commissioners' Room, Government Services Center.

**Perham Resource Recovery Facility**

Solid Waste Director, Mike Hanan, reported that staff met in St. Cloud and reviewed the Perham Project. They have asked HDR to prepare a budget on assumptions that are

included in HDR's study. A meeting was also held with staff and policy makers from each county except Todd County. At that meeting, counties were presented with a bill from the City of Perham for the remainder of the Facility's deficit for 2003. Otter Tail County's portion is over \$100,000. Mr. Hanan presented a proposed resolution regarding the continuing operation of the Perham Resource Recovery Facility and reviewed the resolution with the Board. Several options were discussed regarding the negotiations with proposed steam sales to Bongards. Mr. Hanan and Commissioner Froemming will present Otter Tail County's position at the next Coordinating Committee meeting.

### **Recessed & Reconvene**

At 12:16 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners' meeting recessed for lunch break. The meeting was reconvened at 1:02 p.m.

### **Request for Approval of Final Payments & Change Orders**

Motion by Mosher, second by Lee, and unanimously carried to authorize the following final payments for the remodeling project at the Government Services Center:

Advance Elevator Company, Inc. Fargo, ND	\$9,350.00
Customs Expressions, Inc. Burnsville, MN	\$4,072.26
Cooper's Office Supply, Inc. Fergus Falls, MN	\$33,521.11

Motion by Nelson, second by Block, and unanimously carried to authorize payment of Change Order No. CO 2A.02, in the amount of \$99,176.62, payable to Mark Sand & Gravel Company, Fergus Falls, MN, for additional roadwork at the GSC Building.

Motion by Mosher, second by Froemming, and unanimously carried to authorize payment of Change Order No. CO 16A.03, in the amount of \$15,576.25, payable to Underground Contracting Services of Wahpeton, ND.

### **Budget Discussion**

County Coordinator, Larry Krohn, opened discussion regarding the County's 2004 budget. He stated that the County will be working on a current projection of where we are going to close out 2003 in terms of expenditures, revenues, and use of fund reserves. Looking at the budget, he identified three main issues to address 1) HACA cuts (\$641,000 reduction that impacted all departments and not all departments could make that cut), 2) State reductions for Human Services programs of \$600,000 and additional reductions in Public Health and Court Services, and 3) use of fund balance. He felt that use of fund balance needs to be reduced and may take some time; however, state aid cuts are permanent reductions. It appears that in 2005, the County Program Aid will be \$400,000 greater than received for the 2004 budget, but less than the County received in 2003. Many department heads were present and lengthy discussion followed regarding possible solutions to balance the 2004 budget. Additional budget information will be presented at the next County Board meeting.

**Recess  
Reconvene in Closed Session  
Adjournment**

At 2:45 p.m., Chairman Lee recessed the meeting of the Otter Tail County Board of Commissioners for a short break. At 2:55 p.m., the Chairman reconvened the County Board of Commissioners' meeting and closed the meeting to the public for purposes of discussing labor negotiation strategies relative to the County's Sheriffs Department Collective Bargaining Units. Present during this session were all five seated Commissioners, the Chief Deputy, Assistant County Attorney, Barb Hanson, County Coordinator, and Board Secretary. Upon completion of the closed session, at 3:42 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, December 2, 2003.

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

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

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