

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Otter Tail County Government Services Center  
Commissioners' Room  
Tuesday, December 16, 2003  
9:30 a.m.**

**Call to Order**

The Otter Tail County Human Services Board convened Tuesday, December 16, 2003, at 9:35 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 Nelson, and unanimously carried to approve the Human Services agenda of December 16, 2003, as mailed.

**Approval of Minutes**

Motion by Froemming, second by Mosher, and unanimously carried to approve the Human Services Board minutes of November 25, 2003, as presented.

**Contract Approvals – Public Health Department**

Motion by Block, second by Froemming, and unanimously carried to authorize the appropriate County officials' signatures to execute a Professional Services Agreement between Otter Tail County Public Health and Affiliated Computer Services (ACS), Government Services, for software purchase, training, and maintenance for the Public Health Department until December 31, 2004.

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Public Health Director's signature to execute two grant applications for the West Central Area Agency on Aging for the Coordinator on Aging, in the amount of \$21,296.00, and for falls prevention education, in the amount of \$20,000.00.

**Contract Approvals – Human Services Department**

Motion by Nelson, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute the following Purchase of Service Agreements between Otter Tail County Human Services and the following contractors:

Ghost Runner Errand Service  
Golden Manor  
Homework Center  
Lakes Homes & Program Development, Inc.  
McCornell Court Asst. Living  
(St. Williams Annex)  
Midwest Community Residential Resources  
New Horizons  
Nutrition Services, Inc.  
Prairie Community Services, Arlington House  
Prairie Community Waivered Services  
Productive Alternatives, Inc. (Willows)

Home Health Care/Nutrition Related Services  
Residential Services/Assisted Living  
Home & Community Based Services  
Home & Community Based Services  
Residential Services/Assisted Living  
  
Home & Community Based Services  
Home & Community Based Services  
Home Health Care/Nutrition Related  
Residential Services  
Home & Community Based Services  
Day Training & Habilitations Services

Spectrum Support Services, Inc.  
East Vernon Home (Stanley & Karen  
Synstelien)  
Telcare-Lifeline  
West Central Community Services  
Wilkin Co. Family Service Agency

Lakeland Mental Health Center

In-Home Services  
Home & Community Based Services

Health Related Services  
Home & Community Based Services  
OTC Human Services provides Child Protection  
Assessment Services to Wilkin County Family  
Services  
Mental Health Services

### **Child Care Assistance Plan**

Human Services Supervisor, Jodi Wentland, presented the plan for the Otter Tail County Child Care Assistance Program, which provides funds for the child care sliding fee scale for low income people and Minnesota Families Investment Program (MFIP) clients. Motion by Froemming, second by Block, and unanimously carried to approve the Otter Tail County Plan, Administration of the Child Care Assistance Program, for calendar years 2004-2005. The plan will be submitted to the Minnesota Department of Human Services.

### **Contract Approvals – Human Services Department**

Motion by Block, second by Nelson, and unanimously carried to authorize the appropriate County officials' signatures to execute a Purchase of Service Agreement between West Central Area Agency on Aging (WCAAA) and Otter Tail County Human Services to provide transportation services for medical appointments for Otter Tail County residents 60 years of age or older. The WCAAA grant provides \$16,995 of funding which is matched with County funds. The approval is subject to the approval of the County Attorney.

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute a Purchase of Service Agreement between the Otter Tail County Department of Human Services and the Homework Center, Inc. to provide independent living skills for disabled individuals on the CADI or TBI waiver for the period of January 1, 2004 through December 31, 2004.

Motion by Nelson, second by Block, and unanimously carried to approve an Addendum modifying the 2003-2004 school year contract between Otter Tail County Human Service and Lakeland Mental Health Center pertaining to revenue recapture by LMHC for children's' day treatment.

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute a Purchase of Service Agreement between Otter Tail County Department of Human Services and Lakeland Mental Health Center, Inc. for adult mental health case management services for the period of January 1, 2004 through December 31, 2004.

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute a Purchase of Service Agreement between Otter Tail County Department of Human Services and Lakeland Mental Health Center, Inc. for community support and rehabilitation for adults with serious and persistent mental illness for the period of January 1, 2004 through December 31, 2004.

Motion by Block, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute a Purchase of Service Agreement between Otter Tail County Department of Human Services and Lakeland Mental Health Center, Inc. for Mental Health Case Management for children with severe emotional disturbance being served in the Fergus Falls day treatment sites for the period of January 1, 2004 through December 31, 2004.

Motion by Froemming, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute an Addendum to the Purchase of Service Agreement between Otter Tail County Department of Human Services and Lakeland Mental Health Center, Inc. for family community support services for children with severe emotional disturbance for the period of January 1, 2004 through June 30, 2004. The addendum is necessary because the State DHS is changing the Medical Assistance guidelines.

Motion by Mosher, second by Block, and unanimously carried to authorize the Chairman's signature to execute a Purchase of Service Agreement between Otter Tail County Department of Human Services and The Village Family Service Center for prevention services for youth ages 11 – 17 for the period of January 1, 2004 through December 31, 2004.

**Adult Mental Health Initiative**

Human Services Director, John Dinsmore, reported that the State has changed Rule 36 group homes and, as a result, St. Williams has elected not to continue and now will provide foster care. He requested approval to send a letter to the State Department of Human Services to support the closure and to identify the use of the unexpended Rule 36 funds. Motion by Froemming, second by Mosher, and unanimously carried to authorize the Human Services Director to send a letter to the Minnesota DHS supporting the closure of St. Williams, carry over the unexpended funds for CY2003, in the amount of \$11,136.00, and add to the 2004 funds for a total amount of \$127,262.00, to be used in the Adult Mental Health Initiative fund.

**Contract Approvals – Human Services Department**

Director of the Lake Region Halfway Homes, Dean Gilbertson, provided an annual program evaluation for 2003. Motion by Nelson, second by Froemming, and unanimously carried to authorize the Chairman's signature between Otter Tail County Human Services and the Lake Region Halfway Homes, Inc. at a per day rate of \$60.60. The 2004 contract also includes outcome standards.

Motion by Block, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute Purchase of Service Agreements for chemical dependency treatment between Otter Tail County Human Services and the following providers:

- |  |  |
|--|--|
| Lakeland Mental Health Center, Inc.                              | Out-patient Minnesota Rule 35 Chemical Dependency Services         |
| State Operated Services – Fergus Falls Regional Treatment Center | In-patient & Out-patient Rule 35 & 43 Chemical Dependency Services |

**Fee Policy – Detention and Shelter Placements**

Motion by Froemming, second by Nelson, and unanimously carried to approve the Otter Tail County Fee Policy Detention and Shelter Placements as presented.

**Substitute Care Supervision Agreement**

Motion by Froemming, second by Nelson, and unanimously carried to approve an agreement between Otter Tail County Human Services and Court Services departments for the federal reimbursement program for Court Service's out-of-home placements for CY2004.

**Contract Approval – Human Services Department**

Motion by Block, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute an Addendum to a Purchase of Service Agreement between Otter Tail County Department of Human Services and Lutheran Social Services for in-home mental health and family resource services for families with children experiencing family problems, for the period of January 1, 2004 through June 30, 2004. The addendum is necessary to allow for third party reimbursement through Medical Assistance.

**Bills & Claims**

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

**Adjournment**

At 10:53 a.m., Chairman Lee declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, December 30, 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, December 16, 2003, at 11:00 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 Nelson, second by Froemming, and unanimously carried to approve the County Board agenda of December 16, 2003, with the following addition:

1:00 p.m. – Plant Manager – Request for Approval of Change Orders and Final Payments

**State Building Codes**

Land & Resource Director, Bill Kalar, inquired whether or not the County Board was interested in a State Building Code presentation. No interest was expressed at this time.

**Citizen Lake Monitoring**

Mr. Kalar presented the results of a citizen lake monitoring project completed through the Minnesota Pollution Control Agency.

### **Planning Commission Recommendations**

#### **Preliminary Plat & Conditional Use Permit – “Long Lake Maple View”/Don Houge, George & Elizabeth Townsend and Douglas & Nancy Hansen:**

Mr. Kalar stated that the Planning Commission recommended denial of the proposed plat of Long Lake Maple View located on the south side of Long Lake. Tom Gedde, attorney for the applicants, requested approval of the plat because the lots meet the standards of the Shoreland Ordinance and have buildable areas. Discussion continued. Motion by Mosher, second by Lee, and unanimously carried to approve the Preliminary Plat known as “Long Lake Maple View” consisting of 8 single family residential lots and a Conditional Use Permit to construct a road to service the plat as presented. The property is described as Pt GL 4 (47.42 AC), Section 13 & Pt of S½ NE¼ & Lots 1, 8, & 9 ex 2.07 AC (140.66 AC) Section 14 of Elizabeth Township; Long Lake (56-784).

#### **Conditional Use Permit – Ronald E. Goodman/“Nebraska Beach”:**

Motion by Nelson, second by Froemming, and unanimously carried to approve an after-the-fact Conditional Use Permit to build a road to service the Nebraska Beach Second Addition development with conditions as recommended by the Planning Commission. The property is described as S½ SW¼, GL 3, ex tr, GL 4 & 5 ex platted & Lot 2, SE¼ SE¼ NE¼ & NW¼ ex platted & ex trs (185.97 AC) Section 10 of Hobart Township; Wimer Lake (56-355).

#### **Preliminary Plat – “Greens Isle View Addition”/Robert W. Green & Susan J. Cordes Green:**

Motion by Lee, second by Nelson, and unanimously carried to approve the Preliminary Plat known as “Greens Isle View Addition” consisting of 2 single family residential lots with conditions as recommended by the Planning Commission. The property is described as Lot 1 South Lida Shores & Pt of GL 4, Section 9 of Maplewood Township, Lake Lida (56-747).

#### **Conditional Use Permit – Olson Properties:**

Motion by Mosher, second by Nelson, and unanimously carried to uphold the Planning Commission recommendation to deny a Conditional Use Permit to add fill to this property (approximately 1,200 cubic yards). The property is described as Lot 19 Blk 1, Canterbury Sands, Section 28 of Everts Township ; Silver Lake (56-302).

#### **Conditional Use Permit – Gary & Barb Knutson:**

Motion by Lee, second by Froemming, and unanimously carried to approve an after-the-fact Conditional use Permit to allow additional fill material based on conditions recommended by the Planning Commission. The property is described as Broadwater Beach all Lot 6 & N 12.5' of Lot 5, Section 7 of Dunn Township; Pelican Lake (56-786).

#### **Sensitive Area Identification:**

Mr. Kalar discussed the concept of the creation of sensitive area identification which could assist the Planning Commission members in dealing with continuing development. The Planning Commission recommended that County personnel study the feasibility of sensitive area identification within Shoreland areas. No action was taken by the County Board.

### **Final Plats**

Motion by Froemming, second by Block, and unanimously carried to approve the Final Plat known as “Riverpointe” located in Section 28 of Maine Township, Otter Tail River (56-OTR).

Motion by Nelson, second by Mosher, and unanimously carried to approve the Final Plat of Gene Ormberg known as "Ormberg Addition" located in Section 2 of Dead Lake Township, Marion Lake (56-243).

Mr. Kalar presented the Final Plat of Gary & Sylvia Holthusen known as "LeMar" located in Section 26 of Lida Township, Lake Lida (56-747). Attorney, Robert Bigwood, spoke on behalf of the owner and developer and requested approval of the plat. He stated that there have been no objections to the plat itself and that the plat is adequately served by a public road. County Attorney, David Hauser, stated that there were questions about the road at the Planning Commission meeting. Attorney, Bob Russell, spoke on behalf of Lida Township and questioned the appropriateness of approving the plat without a dedicated road. He stressed his opinion that this is not a public road and that common law dedication is for the court to decide. On behalf of Lida Township, he requested that the County Board not approve the Final Plat and allow the developers to go to the Lida Town Board and request a cartway and receive an additional 33' for the road or apply for a variance. Dick Sha spoke on behalf of Lida Town Board in opposition of approval without public road dedication. Motion by Lee, second by Froemming, to refer the Final Plat of "LeMar" back to Lida Township to make this road a cartway, which would then make it a public road. Discussion continued. Chairman Lee called for a roll call vote:

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

Motion carried 3-2.

#### **Ditch # 38 Viewers Report**

Ditch Viewers Elder Kugler and Richard Bergquist presented the Ditch Viewers Report dated December 16, 2003, for the redetermination of County Ditch System 38. Motion by Froemming, second by Nelson, and unanimously carried to accept the completed Ditch Viewers Report for Ditch #38 as presented.

#### **Ditch #19 Maintenance Request**

Motion by Froemming, second by Nelson, and unanimously carried to approve a request for Richard Bergquist and Rodney Peterson to clean out a portion of Ditch No. 19. The cost is estimated at \$500 - \$700. Landowners agreed to pay one-half of the cost of the cleaning and the other one-half of the cost will be paid from the ditch system fund. Ditch #19 is located in Section 1 of Parkers Prairie Township.

#### **Recess & Reconvene**

At 12:16 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:05 p.m.

#### **Perham Resource Recovery Facility**

Solid Waste Director, Mike Hanan, presented the proposed 2004 budget for the Perham Resource Recovery Facility submitted by Barlow Projects, Inc., operators of the facility. He provided and reviewed his response to the proposal dated December 15, 2003, which was addressed to the Facility Coordinating Committee. The County Board expressed an unwillingness to approve a contract for steam sales with Bongards without conditions,

including removal of the 180 day escape clause in the proposed contract and additional liability taken by both Barlow Projects, Inc. and the City of Perham.

### **Request for Approval of Performance Bond**

Gerald Balgaard of Balgaard Family Enterprises requested permission to post a bond with Otter Tail County in lieu of completion of the road that services the plat of Bluegill Bay Estates. Motion by Mosher, second by Froemming, and unanimously carried to authorize a \$10,000 Performance Bond in lieu of completion of the road to service the plat known as "Bluegill Bay Estates" located in Section 23 of St. Olaf Township, Sewell Lake (56-408). The road must be completed by July 1, 2004.

### **"Friends of 4-H Award" Presentation**

Extension Educator, Donna Geiser, honored the Board of Commissioners with a "Friends of 4-H Award". She stressed that continued support for 4-H in Otter Tail County is very much appreciated. The 4-H Coordinators discussed their after school programs with the Board.

### **License Approvals**

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

Big Chief, Inc. 22518 Big Chief Road Fergus Falls, MN 56537	Tobacco
Bluffton Liquors, Inc. 106 Center St./38642 County Highway 19 Bluffton, MN 56518	Tobacco
Bluffton Oil Co. 101 Prospect St. PO Box 43 Bluffton, MN 56518	Tobacco
Bonnie and Clyde's 105 E Main Ave PO Box 35 Clitherall, MN 56524	Tobacco
Conoco Quik- Stop Underwood Oil, Inc. 29346 State Highway 210 Underwood, MN 56586	Tobacco
Erhard City US Highway 59 and County Road 24 Erhard, MN 56534	Tobacco
Galaxy Resort 39578 County Highway 41 Dent, MN 56528	Tobacco

Heisler's Country Store, Inc. 32021 County Highway 4 Vergas, MN 56587	Tobacco
Interstate Fuel and Food, Inc 25947 County Highway 88 Fergus Falls, MN	Tobacco
Koep's Clitherall Corner 21136 County Highway 5 Clitherall, MN 56524	Tobacco
Stockman's Tavern 107 Maine St. Underwood, MN 56586	Tobacco
Pelican Hills Park, Inc. 20098 S Pelican Dr Pelican Rapids, MN 56572	Tobacco
Thumper Pond Inc. PO Box 132 Ottertail, MN 56571	Tobacco
Underwood American Legion 112 Main St. PO Box 61 Underwood, MN 56586	Tobacco
Wagon Wheel 101 Main St. S. PO Box 75 Richville, MN 56576	Tobacco
Zorbaz on Pelican Lake 51709 County Highway 9 Pelican Rapids, MN 56572	Tobacco

**WesMin RC&D Appointment**

Motion by Mosher, second by Lee, and unanimously carried to reappoint Norman Fjestad as Otter Tail County's representative on the WesMin Resource Conservation and Development Council for 2004.

**Certificate of Correction to Plat of Maet-Boh Development**

Motion by Mosher, second by Lee, and unanimously carried to approve the attached Land Surveyor's Certificate of Correction to the Plat of Maet-Boh Development (Attachment B of official minutes) as prepared by Terry Lee Anderson, Minnesota Registration Number 14676.

**Temporary Snowmobile Easement**

Motion by Froemming, second by Nelson, and unanimously carried to approve the attached (Attachment C of official minutes) Temporary Snowmobile Easement.

**Financial Policies**

Motion by Nelson, second by Mosher, and unanimously carried to approve the following accounting policies as attached (Attachment D of official minutes).

**Payment Approval**

Motion by Mosher, second by Lee, and unanimously carried to approve the following ditch invoices:

Eagles Café	County Ditch No. 38	\$ 27.21
Delzer Construction	County Ditch No. 56	4,597.50
Delzer Construction	Judicial Ditch No. 2	*5,182.50

(\*A bill has been sent to Wilkin County for their share of this invoice. The amount due from Wilkin County is \$2,744.13.)

**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.

**Budget Discussion**

Accountant, Mitzi Pederson, reported anticipated use of reserve funds in the 2004 budget as \$400,000 for Human Services, \$115,000 for Public Health, and \$400,000 for General Revenue, with Court Services using \$250,000 of additional levy dollars. Discussion followed regarding solutions to reduce use of fund balance that could include reductions in some areas.

**Employer Contribution for 2004 – Non-Union Employees**

Motion by Mosher, second by Froemming, and unanimously carried to increase the employer contribution for the benefit package from \$575.00 to \$600.00 per month effective January 1, 2004, for all non-union employees.

**Mileage Reimbursement**

Motion by Mosher to reimburse County employees \$.32 per mile for transportation costs effective January 1, 2004. Motion died for lack of a second.

**Approval of Change Orders & Final Payments for the GSC Building**

Motion by Mosher, second by Lee, and unanimously carried to approve the following change orders for the Government Services Center (GSC) construction project:

Comstock Construction Fergus Falls, MN 56538	CO 6B.04	\$36,781.80
Underground Contracting Services Wahpeton, ND 58074	CO 16A.04	\$27,519.98
Manning Mechanical, Inc. Fargo, ND 58107	CO 15A.04	\$14,353.00

Motion by Nelson, second by Froemming, and unanimously carried to approve the following final payment requests for remodeling work at the GSC building:

Hannaheer's Inc. Fargo, ND	OTTOO2-2, Interior Furniture	\$23,994.96
Moorhead Electric	Fiber Work	\$2,250.00

**Furniture – US Bank Building**

Motion by Block, second by Froemming, and unanimously carried to authorize the Physical Plant Manager to sell furniture to the University of Minnesota Regional Extension Office to be located in the US Bank Building, in the amount of \$14,990.00.

**Recess & Reconvene**

At 3:05 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 3:10 p.m.

**Approval of Minutes**

Motion by Nelson, second by Block, and unanimously carried to approve the County Board minutes of December 2, 2003, as mailed.

**Closed Session**

At 3:14 p.m., Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies relative to the County's three Sheriff Department Collective Bargaining Units and the Nursing Unit. All seated Commissioners were present along with the County Coordinator, County Attorney, Chief Deputy, Public Health Director, and Board Secretary.

**Adjournment**

At 4:27 p.m., upon conclusion of the closed session, Chairman Lee declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, December 23, 2003.

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

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

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