

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center – 500 Fir Ave W.
Tuesday, December 14, 2004
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, December 14, 2004, at 9:32 a.m. at the Otter Tail County Government Services Center with Commissioners Bob Block, Vice-Chair; Dennis Mosher, Roger Froemming, and Malcolm Lee present. Chairman Sydney Nelson was absent and Vice-Chair Block assumed the Chair's position.

Approval of Agenda

Motion by Froemming, second by Lee, and unanimously carried to approve the Human Services Board agenda of December 14, 2004, as mailed.

Approval of Minutes

Motion by Mosher, second by Froemming, and unanimously carried to approve the Human Services Board minutes of November 23, 2004, as mailed.

EyeTech Drug Screen

Court Services Director, Chuck Kitzman, demonstrated an EyeTech machine which is used as a screening tool for alcohol and/or drug use by clients on probation.

Human Services Contracts/Agreements

Motion by Lee, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute the following Human Services Contracts:

Provider	Term of the Contract	Service Provided	Funding
Productive Alternatives, Inc.	January 1, 2005 – December 31, 2005	Supported Employment for persons with mental retardation or related conditions	State Waiver Dollars
Productive Alternatives Inc. (Willows)	January 1, 2005 – December 31, 2005	Day Training & Habilitation Services	Waivered Funding
Someplace Safe (Safe Exchange)	January 1, 2005 – December 31, 2005	Supervised Parent/Child Visitations	County of Financial Responsibility
Department of Human Services (MSOCS)	January 1, 2005 – December 31, 2005	Home & community based services	State Waiver Dollars & MA
Lakes Homes and Program Development, Inc.	January 1, 2005 – December 31, 2005	Home & community based services for persons with mental retardation or related conditions	State Waivered Dollars & MA
Homework Center, Inc.	January 1, 2005 – December 31, 2005	Home & community based services for persons with mental retardation or related conditions	State Waiver Dollars & MA
West Central Community Services	January 1, 2005 – December 31, 2005	Home & community based services for persons with mental retardation or related conditions	State Waivered Dollars

The Social Connexion	January 1, 2005 – December 31, 2005	Social club type activities at a site in Clay County for adults with serious and persistent MI	Initiative funding through Becker, Clay, Otter Tail & Wilkin Counties
Mental Health Consumer/Survivor Network of MN	January 1, 2005 – December 31, 2005	Training and educational workshops for consumers and families in the MH Initiative area	Grants through the Four County MH Initiative
Wilkin County Family Services	January 1, 2005 – December 31, 2005	Child Protection Assessment Services	County of financial responsibility
Productive Alternatives, Inc.	January 1, 2005 – December 31, 2005	Sheltered Employment for persons with mental retardation or related conditions	County of responsibility
Homework Center, Inc.	January 1, 2005 – December 31, 2005	Community Support Program and Rehab Options (Semi-independent living services)	County of responsibility & SILS Grant (70% State 30% County)
Kessel Group Home	January 1, 2005 – December 31, 2005	Residential Services/Homes Plus/Adult Foster Care	County of responsibility
Stanley & Karen Synstelién	January 1, 2005 – December 31, 2005	Home & community based services for persons with mental retardation or related conditions	State Waivered Dollars
Midwest Community Residential Resources Services, Inc.	January 1, 2005 – December 31, 2005	Home & community based services for persons with mental retardation or related conditions	State Waivered Dollars & MA
St. Williams	January 1, 2005 – December 31, 2005	Residential Services/Assisted Living to eligible persons	County of responsibility
Lakeland Mental Health Center, Inc.	January 1, 2005 – December 31, 2005	Chemical Dependency Outpatient Program	County of responsibility, Consolidated CD Treatment Fund, & MA
Fergus Falls Regional Treatment Center	January 1, 2005 – March 31, 2005	Chemical Dependency detoxification services	County of Financial Responsibility

Approval of Human Services Bills & Claims
Chairman Nelson Presiding

Motion by Lee, second by Froemming, and unanimously carried to approve the Human Services bills & claims as presented. At 9:55 a.m., Chairman Nelson was present and assumed the Chair.

FY2005 Grant Agreement

Motion by Lee, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute Amendment #1 to the Minnesota Department of Health Grant Project Agreement for Community Health Boards between the State of Minnesota and the County of Otter Tail. The grant agreement expiration date is December 15, 2005.

WCAAA Contracts

Motion by Block, second by Lee, and unanimously carried to authorize the Chairman's signature on the following West Central Area Agency on Aging Contracts:

Contract No. 304-75	Aging Coordinator Position	\$24,500.00
Contract No. 304-96	Falls Prevention Grant	\$18,500.00

Public Health Priorities

Housing Issues & Safe Housing Standards

Public Health Director, Diane Thorson, presented a handout, developed by her staff, identifying public health priorities for 2005. Ms. Thorson requested the Board's input and will request input from the Labor Management Committee in January. Priorities will be finalized and sent to the State of Minnesota Department of Health. Ms. Thorson also briefed the County Board regarding increased complaints relative to safe housing.

Adjournment

At 10:37 a.m., Chairman Nelson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, December 28, 2004.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____
 Sydney Nelson, Human Services Board Chair

Attest: _____
 Larry Krohn, Clerk

Call to Order – County Board

The Otter Tail County Board of Commissioners convened Tuesday, December 14, 2004, at 11:05 a.m. at the Otter Tail County Government Services Center with Commissioners Sydney Nelson, Chair; Dennis Mosher, and Roger Froemming present. Vice-Chair, Bob Block, and Commissioner, Malcolm Lee, were absent due to attendance at a Building Committee meeting and returned to the County Board meeting at 11:15 a.m.

Approval of Agenda

Motion by Froemming, second by Mosher, and unanimously carried to approve the County Board agenda of December 14, 2004, with the following additions:

- 11:05 a.m. – Land & Resource Director – Final Plat
- 1:35 p.m. – Personnel Board

Approval of Minutes

Motion by Mosher, second by Froemming, and unanimously carried to approve the County Board minutes of November 30, 2004, as mailed.

Approval to Pay Bills

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

West Lost Lake Addition

Developer, Ken Langaard, requested approval to post a bond in lieu of completion of stabilization for the road that services the proposed development known as West Lost Lake

Addition. Motion by Mosher, second by Froemming, and unanimously carried to authorize Ken Langaard, developer for West Lost Lake Addition, to post a bond with Otter Tail County, in the amount of \$5,000, in lieu of completion of the road to service this plat.

Final Plat

Motion by Mosher, second by Lee, and unanimously carried to approve the Final Plat of Ronald & Joanne Wilner known as "Wilmont Estates" located in Section 31 & 32, Twp 133N, R42W, Aurdal Township.

Probate Estates

Motion by Lee, second by Froemming, and unanimously carried to approve the sale of property when a bidding process for sale of the property has occurred and the bids received are less than market value, the sale may be authorized based on bids received.

Sale of Property – Gravel Pit No. 76

After previously advertising for bids, Auditor, Wayne Stein, opened the following bid for Parcel No. 61-000-28-0135-002, Gravel Pit No. 76 as follows:
John Walkup - \$1,000

Motion by Mosher, second by Block, and unanimously carried to award the sale of the following described property to John Walkup, in the amount of \$1,000.00 plus the amounts necessary for the recording fee, the deed tax and any other applicable fees as stated in the sale notice:

Parcel No. 61-000-28-0135-002 - Gravel Pit No. 76

Beginning at a point 700' West and 33' South of the Northeast Corner of the Northwest Quarter of said Section 28 Township 131 Range 44; thence West 150', thence South 45 degrees West 141.4', thence South 268.5', thence East 250', thence North 268.5' to the point of beginning, containing two (2) acres, more or less.

License Applications

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

Battle Lake Cenex Battle Lake, MN 56515	Tobacco
Bluffton Liquor, Inc. Bluffton, MN 56518	Tobacco
Bluffton Oil Co Bluffton, MN 56518	Tobacco
Bonnie & Clyde's Clitherall, MN 56524	Tobacco
Carr's Lake Country Supermarket DBA Carr Enterprises, Inc. Otertail, MN 56571	Tobacco
Collins Landing Dent, MN 56528	Tobacco

EMJO, LLC dba Silver Dollar Saloon Elizabeth, MN 56533	Tobacco
Erhard Village Store Erhard, MN 56534	Tobacco
Interstate Fuel & Food Inc Fergus Falls, MN 56537	Tobacco
Lakeland General Store, Inc. Pelican Rapids, MN 56572	Tobacco
Lakeside Market and Mini Golf Battle Lake, MN 56515	Tobacco Off-Sale 3.2 Malt Liquor
Lenny's Dining and Dancing Underwood, MN 56586	Tobacco
Olson Tire & Oil, Inc. Ottertail, MN 56571	Tobacco
Otter Supper Club Ottertail, MN 56571	Tobacco
Peak Supper Club Clitherall, MN 56524	Tobacco
Perham Cooperative Creamery Ass'n Perham Oasis Perham, MN 56573	Tobacco
Super H, Inc. Elizabeth, MN 56533	Tobacco
Tank N' Yummies Ottertail, MN	Tobacco
Under Mart Underwood, MN 56586	Tobacco
Underwood Municipal Liquor Store Underwood, MN 56586	Tobacco

Payment Approvals

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

Raymond Lee Sand, Gravel and Excavating	12 yards class 5 gravel	\$200.00
Otter Tail County Highway Department	Culvert & delivery of culvert	\$344.05

Motion by Froemming, second by Mosher, and unanimously carried to approve the following payments for services completed on three tax forfeited parcels in Clitherall City:

Christensen Construction	\$5,940.00	
All-State Well Drilling & Lawn Irrigation, Inc.	300.00	seal four wells on tax forfeited property

Motion by Block, second by Mosher, and unanimously carried to approve payment to Faegre & Benson, LLP, in the amount of \$2,544.25, for services related to the issuance of Otter Tail County's \$465,000 Capital Note issue.

Motion by Lee, second by Mosher, and unanimously carried to approve payment to Ehlers & Associates, Inc., in the amount of \$1,279.60, for the preparation and filing of the Annual Financial Information Report which the County is required to file for bonds issues which are subject to annual continuing disclosure requirements.

Signature Approval

Motion by Lee, second by Froemming, and unanimously carried to authorize the Chair and County Auditor's signature on the Agreement Relating to Paying Agency, Registrar and Transfer Agency for Otter tail County's \$1,050,000 General Obligation Veterans Home Refunding Bonds, Series 2004B.

Approval of Minutes

Motion by Block, second by Froemming, and unanimously carried to accept the December 2, 2004, Tax Levy and Budget Hearing Minutes as presented.

Performance Evaluation

Motion by Lee, second by Block, and unanimously carried to approve the positive Performance Evaluation Summary of VSO, Jourdan Sullivan, as presented, and to direct that the summary be placed in his personnel file.

Recess & Reconvene

At 11:59 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:00 p.m.

Dead Lake Township Request

Dead Lake Town Board Supervisor, John Kimple, provided copies of the Dead Lake Township Interim Ordinance adopted May 17, 2004. Mr. Kimple requested that the County Board consider a joint powers agreement between Dead Lake Township and Otter Tail County, so that the County could enforce the current zoning restrictions and additionally, Dead Lake Township restrictions. Currently, Otter Tail County does not recognize the Interim Ordinance. Mr. Kimple stated that the township lacks the expertise to enforce all of the restrictions and the only restriction, during this interim period, that is more restrictive than the county's is a minimum lot size of 5 acres. Lengthy discussion followed. Commissioners expressed concern that other townships may wish to adopt ordinances and enforcing many different ordinances, with potentially different restrictions in each township, could be prohibitive. Commissioners also expressed concern that this may not be the right time to enter into an agreement because a committee is currently studying cluster developments and other countywide zoning issues and there may be court decisions that affect ordinance requirements. Chairman Nelson stated that the request would need further consideration and the issue would be brought back to the County Board in January.

**Transportation Enhancement Funds
Bike/Pedestrian Path in the City of Vergas
To the City Park on Long Lake
Otter Tail County Resolution No. 2004 - 58**

Upon a motion by Lee, seconded by Mosher, and unanimously carried, the following resolution was adopted:

WHEREAS: The Minnesota Department of Transportation District 4 Area Transportation Partnership is currently soliciting proposed projects for funding in 2008 with Transportation Enhancement Funds available through Transportation Equity Act of the 21st Century (TEA 21).

WHEREAS: Projects selected under this program may be funded with up to 80% Enhancement Funds with the remainder to be funded locally, AND

WHEREAS: There is a local effort by the City of Vergas to construct a bike/pedestrian path adjacent to TH 228 from the Canadian Pacific Railway Corridor to the City Park on Long Lake approximately 2,700 feet in length, AND

WHEREAS: Application for these Transportation Enhancement Funds is to be made by a governmental agency representing a population of 5,000 or greater.

NOW, THEREFORE, BE IT RESOLVED, by the Otter Tail County Board of Commissioners, that Otter Tail County hereby agrees to become the sponsor and will make application for Transportation Enhancement Funds for the construction of a bike/pedestrian path adjacent to TH 228 from the Canadian Pacific Railway Corridor to the City Park on Long Lake.

BE IT FURTHER RESOLVED, that agreement to sponsor this project does not include a commitment to provide county funds as part of the local share funding for construction and future maintenance.

Dated at Fergus Falls, Minnesota, this 14th day of December, 2004.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Sydney Nelson, County Board Chair

Attest: _____
Larry Krohn, Clerk

**"State of Minnesota Professional and Technical Services Master Contract"
Otter Tail County Resolution No. 2004 - 59**

Upon a motion by Lee, seconded by Froemming, and unanimously carried, the following resolution was adopted:

WHEREAS: The Minnesota Department of Transportation (Mn/DOT) wishes to cooperate closely with local units of government to coordinate the delivery to transportation services and maximize the efficient delivery of such services at all levels of governments; and

WHEREAS: Occasionally opportunities arise for local governments to provide service to Mn/DOT; and

WHEREAS: The parties wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that Mn/DOT having the ability to write work orders against a master contract would provide the greatest flexibility.

NOW, THEREFORE, BE IT RESOLVED:

1. That the County of Otter Tail enter into the "State of Minnesota Professional and Technical Services Master Contract" with the Minnesota Department of Transportation.
2. That the proper County officers are authorized to execute such contract and any amendments thereto.
3. That the County Engineer is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts, will provide for payment for the County by Mn/DOT, and that the County Engineer may execute such work order contracts on behalf of the County without further approval by this Board.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Sydney Nelson, County Board Chair

Attest: _____
Larry Krohn, Clerk

Highway Contract

Motion by Mosher, second by Block, and unanimously carried to authorize the Chairman's signature to execute the Salvaged Bituminous Mix Material Crushing Contract between the County of Otter Tail and Mark Sand & Gravel Co. subject to the approval of the County Attorney.

Highway Department Final Payment

Motion by Mosher, second by Lee, and unanimously carried to approve Final Payment to Central Specialties, in the amount of \$40,886.18 (Estimate No. 14), for completion of S.A.P. 56-612-11, Etc.

Purchase – State Contract

Motion by Lee, second by Block, and unanimously carried to authorize the Pelican Rapids School District to purchase a rotary broom for snow removal through Otter Tail County from the state contract.

Personnel Board Discussion

Rick West, Chairman of the Personnel Board, briefed the County Board regarding disparities in salary and other benefits between union groups of employees and the non-union employees. The Personnel Board met December 9, 2004, and briefly discussed issues brought to the Committee by Human Services Director, John Dinsmore. Mr. West stated that the discussion is very preliminary and the Personnel Board would like to proceed with a more detailed study.

Purchase of Service Agreement

Motion by Block, second by Lee, and unanimously carried to authorize the Chair's signature to execute a Purchase of Service Agreement between the County of Otter Tail and Lakeland Mental Health Center, Inc. for the period from January 1, 2005 to December 31, 2005. Lakeland Mental Health Center will provide Court evaluation services with an increased cost of approximately 3%.

Recess

Closed to the Public

At 2:07 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break.

At 2:12 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies relative to six Collective Bargaining Units, the Public Health Nursing Unit, Human Services Units, and Sheriff Department Units. Present were all five seated Commissioners, the County Attorney, County Coordinator, Public Health Director, Public Health Financial Manager, and the Board Secretary.

Adjournment

Upon conclusion of the closed session, at 3:44 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, December 21, 2004.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Sydney Nelson, County Board Chair

Attest: _____
Larry Krohn, Clerk