

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**  
Government Services Center, 500 Fir Ave. W.  
Commissioners' Room  
Tuesday, December 21, 2004  
9:30 a.m.

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, December 21, 2004, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Bob Block, Vice-Chair; Roger Froemming, Dennis Mosher, and Malcolm Lee present.

**Approval of Agenda**

Motion by Mosher, second by Lee, and unanimously carried to approve the County Board agenda of December 21, 2004, with the following changes:

- 10:00 a.m. – Viking Valley Hunt Club - canceled
- 10:00 a.m. - Personnel Committee Meeting with John Dinsmore
- 11:55 a.m. – Closed Session for Labor Negotiations

**Approval of Minutes**

Motion by Froemming, second by Block, and unanimously carried to approve the County Board minutes of December 14, 2004, as mailed.

**Approval to Pay Bills**

Motion by Lee, second by Mosher, and unanimously carried to approve payment of the County Board bills per Attachment A of the official minutes, which includes the following lodging payment:

LivInn Suites	Corrections Officer, Brent Floden
LivInn Suites	Corrections Officer, Sally Pehrson

**Payable 2005 Otter Tail County Gross and Net Property Tax Levy Resolution  
Otter Tail County Resolution No. 2004 - 60**

The following resolution was offered by Commissioner Lee, who moved for the adoption of Otter Tail County's payable 2005 Gross and Net Property Tax Levies:

WHEREAS, the Otter Tail County Board of Commissioner held the required public hearing on Thursday, December 2, 2004 at 5:15 p.m. in the Otter Tail County Commissioners' Room for the purpose of considering, reviewing, discussing, and receiving public input regarding the proposed payable 2004 Gross and Net Property Tax Levy, which had been previously adopted on Monday, September 14, 2004, and

WHEREAS, public discussion and comment regarding the proposed payable 2005 Gross and Net Property Tax Levy was requested and accepted prior to and on Tuesday, December 2, 2004, and

WHEREAS, all interested individuals in attendance were encouraged and provided an opportunity to address the Otter Tail County Board of Commissioners with their concerns, comments, and suggestions, and

WHEREAS, the Otter Tail County Board of Commissioners, after having received public discussion and input from all interested individuals in attendance, declared the public hearing adjourned and stated for the record that final action by the Board of Commissioners to adopt the Payable 2005 Gross and Net Property Tax Levy would take place on Tuesday, December 21, 2004 at 9:30 a.m. in the Otter Tail County Commissioners' Room located in the Otter Tail County Government Services Center, Fergus Falls, MN, and

WHEREAS, the Otter Tail County Board of Commissioners recognizes the requirement to adopt Otter Tail County's final payable 2005 Gross and Net Property Tax Levy no later than Monday, December 27, 2004, and the Otter Tail County Board of Commissioners is required to certify Otter Tail County's final payable 2005 Gross and Net Property Tax Levy to the County Auditor's office on or before Tuesday, December 28, 2004.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners hereby levies for the payable year 2005, upon the taxable net tax capacity of the property of Otter Tail County, the following amounts as detailed below:

**Fund Breakdown  
 Net Tax Capacity Based Levies**

	<b>Gross Levy</b>	<b>CPA</b>	<b>Net Levy</b>
<b>General Revenue</b>	12,063,739	(1,450,090)	10,613,649
<b>Debt Service -</b>			
<b>Government Services Bldg Bonds</b>	934,422	0	934,422
<b>Capital Improvement Bonds</b>	0	0	0
<b>Veteran Nursing Home Bonds</b>	144,656	0	144,656
<b>Human Services -</b>			
<b>Social Services</b>	4,630,172	(556,558)	4,073,614
<b>Administration</b>	1,275,599	(153,330)	1,122,269
<b>Public Health</b>	409,005	(49,163)	359,842
<b>Court Services</b>	421,093	(50,616)	370,477
<b>Road and Bridge</b>	1,321,600	(158,859)	1,162,741
<b>Capital Improvement</b>	1,761,581	(211,747)	1,549,834
<b>Total County - Excluding Regional Library</b>	22,961,867	(2,630,363)	20,331,504
<b>Regional Library System</b>	371,992	0	371,992
<b>Total County - Including Regional Library</b>	23,333,859	(2,630,363)	20,703,496
<b>Lake Improvement Districts -</b>			
<b>Pelican Group of Lakes</b>	86,000	0	86,000
<b>Pine Lakes</b>	8,500	0	8,500
<b>McDonald, Kerbs &amp; Paul</b>	8,640	0	8,640
<b>Total County - Including Lake Improvement Districts</b>	23,436,999	(2,630,363)	20,806,636

**Special Taxing District Tax -**

<b>Otter Tail County HRA (See Following Resolution)</b>	200,000	0	200,000
 <b>Grand Total – Otter Tail County</b> <b>(Including Special Taxing District)</b>	23,636,999	(2,630,363)	21,006,636

NOW, THEREFORE, BE IT FUTHER RESOLVED, that the Otter Tail County Board of Commissioners hereby certifies the above amount to the County Auditor's office as Otter Tail County Final Gross/Net Property Tax levies for the payable year 2005, and directs the County Auditor's office to spread these levies against the taxable net tax capacity of the property of Otter Tail County.

The resolution was seconded by Commissioner Block and carried, with the members of the Otter Tail County Board of Commissioners voting as follows:

<u>Commissioner</u>	<u>For</u>	<u>Against</u>
Sydney Nelson	X	
Malcolm Lee	X	
Dennis Mosher	X	
Roger Froemming	X	
Robert Block	X	

Adopted at Fergus Falls, Minnesota this 21st day of December 2004.

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

By: \_\_\_\_\_  
Sydney Nelson, County Board Chair

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

**Payable 2005 Otter Tail County Housing and Redevelopment Special Taxing District  
Gross and Net Property Tax Levy Resolution  
Otter Tail County Resolution No. 2004 - 61**

The following resolution was offered by Commissioner Lee, who moved for the authorization of the Otter Tail County Housing and Redevelopment Special Taxing District 2005 Gross and Net Property Tax Levy:

WHEREAS, the Otter Tail County Housing and Redevelopment Authority is a special taxing district under the provisions of Minnesota Statute Chapter 469, and

WHEREAS, on July 27, 2004 the Otter Tail County Housing and Redevelopment Authority, had requested a Payable 2005 Gross and Net Property Tax Levy of \$200,000, and

WHEREAS, the Otter Tail County Board of Commissioners on Tuesday, September 7, 2004, acted to accept the Otter Tail County Housing and Redevelopment Authority's request for a Payable 2005 Gross and Net Property Tax Levy of \$200,000, and

WHEREAS, the Otter Tail County Board of Commissioners recognizes the requirement to adopt a special taxing district's Payable 2005 Gross and Net Property Tax Levy no later than Monday, December 27, 2004, and to certify the special taxing district's final payable 2005 Gross and Net Property Tax Levy to the County Auditor's office on or before Tuesday, December 28, 2004.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners hereby authorizes/adopts, on behalf of the Otter Tail County Housing and Redevelopment Authority, a final Payable 2005 Gross and Net property tax levy of \$200,000 and hereby certifies the same to the County Auditor's office to be spread against the taxable property of the Otter Tail County Housing and Redevelopment Authority.

The resolution was seconded by Commissioner Mosher and carried, with the members of the Otter Tail County Board of Commissioners voting as follows:

<u>Commissioner</u>	<u>For</u>	<u>Against</u>
<b>Sydney Nelson</b>	<b>X</b>	
<b>Malcolm Lee</b>	<b>X</b>	
<b>Dennis Mosher</b>	<b>X</b>	
<b>Roger Froemming</b>	<b>X</b>	
<b>Robert Block</b>	<b>X</b>	

Adopted at Fergus Falls, Minnesota this 21st day of December 2004.

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

By: \_\_\_\_\_  
Sydney Nelson, County Board Chair

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

**Resolution Adopting the Final Calendar Year 2005 Budget  
Otter Tail County Resolution No. 2004 - 62**

The following resolution was offered by Commissioner Froemming, who moved for the adoption of the calendar year 2005 budget for the General Fund, for the Budgeted Special Revenue Funds, and for the Debt Service Fund.

WHEREAS, the Otter Tail County Board of Commissioner held the required public hearing on Thursday, December 2, 2004 at 5:15 p.m. in the Otter Tail County Commissioners' Room for the purpose of considering, reviewing, discussing, and receiving public input regarding the proposed calendar year 2005 budget for the General Fund, for the Budgeted Special Revenue Funds and for the Debt Service Fund, which had been previously adopted on Tuesday, September 14, 2004, and

WHEREAS, public discussion and comment regarding the proposed calendar year 2005 budget for the General Fund, for the Budgeted Special Revenue Funds, and for the Debt Service Fund was requested and received on December 2, 2004, and

WHEREAS, all interested individuals in attendance were encouraged and provided an opportunity to address the Otter Tail County Board of Commissioners with their concerns, comments, and suggestions, and

WHEREAS, the Otter Tail County Board of Commissioners, after having received public discussion and input from all interested individuals in attendance, declared the public hearing adjourned and stated for the record that final action by the Board of Commissioners to adopt the calendar year 2005 budget for the General Fund, for the Budgeted Special Revenue Funds, and for the Debt Service Fund would take place on Tuesday, December 21, 2004 at 9:30 a.m. in the Otter Tail County Commissioners' Room located in the Otter Tail County Government Services Center, Fergus Falls, MN, and

WHEREAS, the Otter Tail County Board of Commissioners recognizes the requirement to adopt Otter Tail County's final calendar year 2005 budget for the General Fund, for the Budgeted Special Revenue Funds, and for the Debt Service Fund no later than Monday, December 27, 2004 and also recognizes the requirement to adopt the final calendar year 2005 budget after the adoption of the final payable 2005 Gross and Net Property Tax Levy.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners adopts the amount of \$54,833,796 as the County's calendar year 2005 budget for the General Fund, for the Budgeted Special Revenue Funds, and for the Debt Service Fund, as summarized in Attachment C in the official minutes and as detailed in the budget documents filed with the County Auditor's office.

The above resolution was seconded by Commissioner Block and carried with the members of the Otter Tail County Board of Commissioners voting as follows:

<u>Commissioner</u>	<u>For</u>	<u>Against</u>
<b>Sydney Nelson</b>	<b>X</b>	
<b>Malcolm Lee</b>	<b>X</b>	
<b>Dennis Mosher</b>	<b>X</b>	
<b>Roger Froemming</b>	<b>X</b>	
<b>Robert Block</b>	<b>X</b>	

Adopted at Fergus Falls, Minnesota this 21st day of December 2004.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Sydney Nelson, County Board Chair

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

**License Applications**

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

Corner Store, The Battle Lake, MN 56515	Tobacco
Haug Hammer Post 508 Dalton, MN 56324	Tobacco
JC's General Store Dalton, MN 56324	Tobacco
Stockman's Tavern Underwood, MN 56586	Tobacco
The Club of Prairie Lake, Inc. Pelican Rapids, MN 56572	Tobacco
Underwood American Legion George Bergem Post 489 Underwood, MN 56586	Tobacco
Underwood Quik-Stop Underwood, MN 56586	Tobacco
Wagon Wheel Grocery Richville, MN 56576	Tobacco

**Payment Approval**

Motion by Block, second by Lee, and unanimously carried to approve payment to Richard Carlund, in the amount of \$175.00, for the trapping of five beavers from County Ditch No. 38.

**Reappointments – Board of Adjustment**

Motion by Lee, second by Mosher, and unanimously carried to reappoint the following members to the Otter Tail County Board of Adjustment for CY2005:

Cecil B. Femling Pelican Rapids, MN	Paul R. Larson Henning, MN
Randall L. Mann Fergus Falls, MN	R. Stephen Schierer Fergus Falls, MN
Michael C. Conlon New York Mills, MN	One Planning Commission Member

**Cost of Living Adjustments**

Motion by Mosher, second by Lee, and unanimously carried to approve a 3% COLA for Otter Tail County non-union employees and an increase in the employer contribution for County benefits of \$50 per month effective January 1, 2005.

Motion by Mosher to increase the County Commissioners' salary by approximately 1.5% to \$25,560 annually effective January 1, 2005. Motion failed for lack of a second.

Motion by Nelson, second by Lee, and carried, with Froemming and Mosher opposed, to increase the County Commissioners' salary by 3% to \$25,956 annually and to increase the employer contribution for benefits by \$50 per month effective January 1, 2005.

#### **Per Diem & Mileage Set for CY2005**

Motion by Mosher, second by Lee, and unanimously carried to establish the Otter Tail County per diem at \$47.50 for Calendar Year 2005.

Motion by Mosher, second by Froemming, and unanimously carried to establish the Otter Tail County mileage rate at the Internal Revenue Service (IRS) rate of \$0.405 per mile effective January 1, 2005.

#### **Recess & Reconvene**

At 10:05 a.m. Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for committee meetings. The meeting was reconvened at 10:32 a.m.

#### **Facilities Discussion**

Physical Plant Manager, Rick Sytsma, and Solid Waste Director, Mike Hanan, briefed the County Board regarding plans to relocate the Solid Waste Administrative offices to the Recycling Center. Motion by Lee, second by Block, and unanimously carried to authorize the Physical Plant Manager to proceed with Request for Proposals (RFP) for bids to add-on to the Recycling Center on the Northwest side of the facility. Cost of the addition would be paid out of the Solid Waste Department Capital Improvement Fund and proposed construction is during the 2005 construction season.

#### **Shredded Paper**

Commissioner Mosher stated that he has received information from Extension Educator, Vince Crary, that there is a demand, on the market, for shredded paper (confetti type). The Solid Waste Director will research this opportunity and report back to the County Board.

#### **Final Plat "Squires Acres"**

Motion by Froemming, second by Nelson, and unanimously carried to approve the Final Plat of Clark A. Squires & Toni Squires and John Squires known as "Squires Acres" located in Section 13, Township 135, Range 39, Rush Lake Township, Rush Lake (56-141).

#### **Planning Commission Recommendations**

##### **Preliminary Plat – North Shore Addition/Terry & Mary Karkala/KW Properties:**

Motion by Nelson, second by Lee, and unanimously carried to approve the Preliminary Plat of "North Shore Addition" consisting of 2 single family residential lots and 1 non-residential lot, as shown on the map dated 11/22/04. The property is described as GL 1 ELY of Hwy #51 ex platted ex trs ex road (16.39 AC), Section 35 of Gorman Township; Little Pine Lake (56-142).

##### **Conditional Use Permit – Rodney Anderson & Genevieve Austin:**

Motion by Lee, second by Block, and carried, with Nelson opposed, to approve a Conditional Use Permit to complete some topographic rearrangement with conditions as recommended

by the Planning Commission. The property is described as Scenic Riverview Acres Lot 3, Section 29 of Friberg Township; West Red River Lake (56-711).

Conditional Use Permit – Hovey's on Star/Douglas & Nancy Hovey:

Motion by Lee, second by Froemming, and unanimously carried to approve a Conditional Use Permit to replace an existing trailer with an up-graded trailer, replace an existing storage shed, and install a deck with conditions as recommended by the Planning Commission. The property is described as Pt GL 2..., Section 3 of Star Lake Township & Pt SW ¼ SW ¼ & Pt GL 5..., Section 34 of Dora Township; Star Lake (56-385)

Conditional Use Permit – Glenn Freeland & Richard Weum:

Motion by Mosher, second by Block, and unanimously carried to approve a Conditional Use Permit to create a storm water runoff pond pursuant to Minnesota Pollution Control Agency (MPCA) rules as presented. The property is described as NE ¼ ex S.L.A & ex tr N 4 ½ rods of S.L. 1,2,3 & of NE ¼ NE ¼ SE ¼ ..., Section 17 of Fergus Falls Township; Pelican River (56-PR).

**Planning Commission Reappointments**

Motion by Froemming, second by Mosher, and unanimously carried to reappoint the following Otter Tail County Planning Commission members effective January 1, 2005, for a three year term:

Bert Olson (District 3)  
Robert Schwartz (District 4)  
Rick Wilson (District 5)  
Rod Boyer (District 1)

**Sewer System Inspections**

Land & Resource Director, Bill Kalar, presented a letter from the Pelican Group of Lakes Improvement District (PGOLID) requesting sewer system inspections on the Pelican chain of lakes. Mr. Kalar reported that inspections of other lakes that have not had sewer system inspections are scheduled through the summer of 2006. The PGOLID chain of lakes will be completed again after that schedule is complete. These lakes were inspected in the mid-1980's.

**Purchase of Patrol Vehicles**

Motion by Lee, second by Block, and unanimously carried to authorize the purchase of seven (7) Ford Crown Victoria patrol vehicles, at a cost of \$20,058 each, and one (1) Ford Explorer Utility vehicle, at a cost of \$23,217, to be paid from the Sheriff's Department Capital Improvements Expenditure Fund.

**Civil Process Fees**

Motion by Lee, second by Froemming, and unanimously carried to approve the Otter Tail County Sheriff's Office Civil Process Fee-for-Service Schedule submitted by Chief Deputy, Stacy Paulseth. The schedule (attached to the official minutes as Attachment B) includes an increase to \$50.00 for filing of redemption documents.

**Sheriff's Department Staffing**

Sheriff, Brian Schlueter, and Chief Deputy, Stacy Paulseth, briefed the County Board regarding the upcoming loss of many years of experience in the Sheriff's Department due to

impending retirements. They presented a Hiring Plan Summary with a process to replace the positions with current deputy staff, and then, to replace the vacated patrol positions.

Motion by Lee, second by Mosher, and unanimously carried to authorize the following:

Approval to fill a new Deputy position in January, 2005, from the hiring list, which is included in the 2005 budget.

Approval to fill a new clerical position in January, 2005, by regular hiring process, which is included in the 2005 budget.

Approval to fill a new Deputy position in June, 2005, which is included in the 2005 budget.

Motion by Froemming, second by Block, and unanimously carried to fill a Sergeant position by promotion and then to fill the vacated Deputy position from the hiring list by February 2, 2005.

Motion by Block, second by Mosher, and unanimously carried to fill a Dispatch Supervisor position by promotion in March, 2005, which is included in the 2005 budget.

Motion by Mosher, second by Block, and unanimously carried to fill two Sergeant positions and one Lieutenant position due to retirements, by a promotion process, and then, fill the vacated Deputy positions as follows:

Promote to Sergeant April 7, 2005 and fill vacated deputy position from the hiring list on March 15, 2005.

Promote to Sergeant position April 30, 2005, and fill vacated deputy position April 15, 2005.

Promote to Lieutenant position April 15, 2005 and replace vacated Deputy position April 30, 2005.

#### **Payment Approval**

Motion by Block, second by Mosher, and unanimously carried to approve payment for the "Employee of the Month" program for 2004, in the amount of \$1,175.85, from the Commissioners' Contingency Fund.

#### **Closed to the Public**

At 11:35 a.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, Sheriff Department Representatives, and Board Secretary.

**Adjournment**

Upon conclusion of the closed session, at 12:37 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, December 28, 2004.

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

By: \_\_\_\_\_  
Sydney Nelson, County Board Chair

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

CB/kd