

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**
Government Services Center, 500 Fir Ave. W.
Commissioners' Room
Tuesday, March 8, 2005
9:30 a.m.

Call to Order

The Otter Tail County Human Services Board convened Tuesday, March 8, 2005, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Roger Froemming; Vice-Chair, Dennis Mosher, Malcolm Lee, and Syd Nelson present. Chairman Bob Block was absent.

Approval of Agenda

Motion by Nelson, second by Mosher, and unanimously carried to approve the Human Services Board agenda of March 8, 2005, as mailed.

Approval of Minutes

Motion by Froemming, second by Mosher, and unanimously carried to approve the Human Services Board minutes of February 22, 2005, as mailed.

Court Services Legislative Update

Court Services Director, Chuck Kitzman, reported that the Minnesota Association of County Probation Officers (MACPO) is working on three items at the state legislative level:

- 1) Consistent payment of secure detention bills when a juvenile commits an offense outside of their resident county,
- 2) Promote passage of the nickel-a-drink tax proposal to offset the County's share of consolidated funds and to fund some DWI offender programs, and
- 3) County Probation Officer reimbursement at 50%.

Public Health Update

Public Health Director, Diane Thorson, briefed the Board on staffing, Meth training, and program and budget recommendations for the Family Service Collaborative.

Detox and Holds Contract

Human Services Supervisor, Brad Vold, stated that the Detox Contract with the State of Minnesota ends on March 31, 2005, and requested an extension of that contract until the end of July, 2005. Discussion followed. Motion by Nelson, second by Mosher, and unanimously carried to authorize the Vice-Chairman's signature to extend the Host County Detox and Holds Contract between the County of Otter Tail and the State of Minnesota Department of Human Services until August 31, 2005, at a cost of \$511.00 per day.

Human Service Handouts

Human Services Director, John Dinsmore, provided a list of the MACSSA Human Services Legislative Bill log and a copy of a letter in response to proposed SF617/HF648.

Bill & Claims

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

Adjournment

At 10:26 a.m., Vice-Chairman Froemming declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, March 22, 2005.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____
Robert Block, Human Services Board Chair

Attest: _____
Larry Krohn, Clerk

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, March 8, 2005, at 11:00 a.m. at the Otter Tail County Government Services Center with Commissioners Roger Froemming; Vice-Chair, Dennis Mosher, Malcolm Lee, and Syd Nelson present. Chairman Bob Block was absent.

Approval of Agenda

Motion by Mosher, second by Lee, and unanimously carried to approve the County Board agenda of March 8, 2005, with additions as follows:

11:45 a.m. – Human Resources Professional Services Contract

Approval of Minutes

Motion by Lee, second by Nelson, and unanimously carried to approve the County Board minutes of March 1, 2005, as mailed.

Approval to Pay Bills

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

Grand View Lodge

Veterans Service Department:

Jourdan Sullivan, Tom Figluizzi, Bernie Gamber & Syd MacLean

Amendment to ICWC Contract

Motion by Nelson, second by Mosher, and unanimously carried to approve Amendment No 2, for the County's current contract for the housing of Institution Community Work Crew (ICWC) members. The ICWC members work on the House Building Program. The amendment provides additional funding of \$10,500.00 for the period of July 1, 2003 through June 30, 2005.

Viking Valley Hunt Club CUP Request

Viking Valley Hunt Club Owners, Les & Bette Bensch, met with the County Board on Tuesday, March 1, 2005, and requested removal of Condition No. 4 on their existing Conditional Use Permit. Further research was requested and an additional meeting was scheduled on the March 8, 2005, agenda for further consideration. County Attorney, David Hauser, reported on the research completed regarding other commercial businesses in the area that have not obtained a CUP. He reported on case law relative to the situation and stated that generally, a Conditional Use Permit stays with the land, not specific with individual owner(s). Mr. Hauser spoke to the importance of following notification procedures.

Vice-Chairman Roger Froemming, read a letter, for the record from Chairman Bob Block. Chairman Block's letter was in favor of removing Condition No. 4 from the Viking Valley Hunt Club CUP. Motion by Froemming, second by Mosher, to eliminate Condition No. 4 on Viking Valley Hunt Club Conditional Use Permit #6092, because consensus of the County Board was that the condition was applied by mistake. Motion carried unanimously.

Human Resources Consulting Services Agreement

Motion by Mosher, second by Lee, and unanimously carried to authorize the Vice-Chairman's signature to execute an Agreement to provide professional consulting services between the County of Otter Tail and Minnesota Counties Research Foundation.

Motion by Mosher, second by Lee, and carried with Nelson opposed, to withdraw the freeze on re-evaluation of job descriptions for employees.

Liquor License Applications

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

Peak Supper Club Clitherall, MN 56524	Consumption and Display Permit
The Lark Inn Henning, MN 56551	Consumption and Display Permit On-Sale Wine On/Off-Sale 3.2 Malt Liquor
Ye Olde Schoolhouse Erhard, MN 56534	Consumption and Display Permit

Payment Approved

Motion by Nelson, second by Mosher, and unanimously carried to approve payment to the Office of Administrative Hearings, in the amount of \$98.79, for the processing of an election complainant file in School District 2155.

Application for Exempt Permit

Motion by Nelson, second by Mosher, and unanimously carried to approve the LG220 Application for Exempt Permit as submitted by the St. Lawrence Church for an event scheduled for Sunday, August 7, 2005, at the St. Lawrence Church.

**Classification of Tax Forfeited Land and Request for DNR Approval
Otter Tail County Board Resolution No. 2005 – 15**

Upon a motion by Lee, second by Nelson, and unanimously carried, the Otter Tail County Board of Commissioners adopts the following resolution:

WHEREAS, The County Board of Commissioners of the County of Otter Tail, State of Minnesota, desires to convey to the City of Pelican Rapids the following described parcels of land that have forfeited to the State of Minnesota for non-payment of taxes:

- Parcel 76-000-27-0056-000
- Parcel 76-000-27-0057-000
- Parcel 76-000-27-0058-000

Section 27, Township 136, Range 43
Sub Lot K Except the South 50', Sub Lot L of the Northeast
Quarter of the Southwest Quarter and Sub Lot M of the Northeast
Quarter of the Southwest Quarter
Tax Forfeited July 2, 2002

WHEREAS, said parcels of land have been considered and viewed by the County Board of Commissioners and has been classified as non-conservation lands as provided for in Minnesota Statutes 282.01, and

WHEREAS, the City of Pelican Rapids would like to acquire this property for use as storm water retention area, and

NOW, THEREFORE, BE IT RESOLVED, That the Otter Tail County Board of Commissioners hereby certifies that the above referenced parcels of land have been considered, visually viewed on a map, and complies with the provisions of Minnesota Statutes 85.012, 92.461, 282.01 Subd. 8 and 282.018 and other statutes that require the withholding of tax-forfeited lands from sale.

BE FURTHER RESOLVED, That the Otter Tail County Board of Commissioners hereby request approval from the Minnesota Department of Natural Resources for the conveyance to the City of Pelican Rapids for the above described property.

The question was on the adoption of the resolution, and there were YEAS and NAYS as follow:

County of Otter Tail Board of Commissioners	<u>YEA</u>	<u>NAY</u>	<u>Other</u>
Syd Nelson	X		
Malcolm Lee	X		
Dennis Mosher	X		
Roger Froemming	X		
Bob Block			Absent

Adopted at Fergus Falls, MN, this 8th day of March, 2005.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Robert Block, County Board Chair

Attest: _____
Larry Krohn, Clerk

Payment Approved

Motion by Nelson, second by Mosher, and unanimously carried to approve payment, in the amount of \$7,662.27, to Pemberton Sorlie Rufer & Kershner Law Firm for legal services rendered in the matter of Dead Lake Association vs Otter Tail County.

Recess & Reconvene

At 12:01 p.m., Vice-Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. At 1:04 p.m., the Vice-Chair reconvened the meeting.

Years of Service Awards

Employees' Committee President, Scott Backstrom, and other committee members presented Years of Service Awards to employees and congratulated them for their length of service with Otter Tail County.

Recess & Reconvene

At 1:20 p.m., Board members took a short recess to congratulate employees and returned to open session at 1:30 p.m.

Staffing Request

Motion by Nelson, second by Mosher, and unanimously carried to authorize Assessor, Bob Moe, to proceed with the hiring process to replace an Appraiser position.

Shoreland Rules Revision Committee

Motion by Froemming, second by Mosher, and unanimously carried to approve the attendance of Commissioners Nelson and Lee on the Shoreland Rules Revision Committee.

Bid Award – Seasonal Materials

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids for 2005 Seasonal Highway Supplies at 1:00 p.m., March 2, 2005:

<u>Supplies</u>	<u>Vendor</u>	<u>Bid Amount</u>
Bituminous Material	Murphy Oil USA, Inc. Superior, WI	\$1.044/gal.
	Koch Materials Company West Fargo, ND	\$1.0852/gal.
	Northland Asphalt, LLC Fargo, ND	\$1.105/gal.
EOT Hot Mix Bituminous	Central Specialties, Inc. Alexandria, MN	\$57,000.00
	Mark Sand & Gravel Co. Fergus Falls, MN	\$54,400.00
	Quality Asphalt Co., Inc. Deer Creek, MN	\$53,240.00
	Wadena Asphalt, Inc. Wadena, MN	\$53,240.00
	Central Specialties Alexandria, MN	\$57,000.00
WOT Hot Mix Bituminous	Mark Sand & Gravel Co. Fergus Falls, MN	\$54,400.00
	Central Specialties Alexandria, MN	\$57,000.00
NOT Hot Mix Bituminous	Mark Sand & Gravel Co. Fergus Falls, MN	\$54,400.00

Signing Materials	Lyle Signs, Inc. Eden Prairie, MN	\$101,600.68
	Newman Signs, Inc. Jamestown, ND	\$106,414.46
	M-R Sign Company Fergus Falls, MN	\$107,536.35

Motion by Nelson, second by Mosher, and unanimously carried to award the 2005 Highway Seasonal Supplies as follows and as recommended by the Highway Engineer:

<u>Supplies</u>	<u>Vendor</u>	<u>Bid Amount</u>
Bituminous Material	Murphy Oil USA, Inc. Superior, WI	\$1.044/gal.
*EOT Hot Mix Bituminous	Central Specialties, Inc. Alexandria, MN	\$57,000.00
	Mark Sand & Gravel Co. Fergus Falls, MN	\$54,400.00
	Quality Asphalt Co., Inc. Deer Creek, MN	\$53,240.00
	Wadena Asphalt, Inc. Wadena, MN	\$53,240.00

(*Selection of vendor would be made based on the bid price and the haul distance from the vendor's plant to the work sites.)

WOT Hot Mix Bituminous	Central Specialties Alexandria, MN	\$57,000.00
	Mark Sand & Gravel Co. Fergus Falls, MN	\$54,400.00

(*Selection of vendor would be made based on the bid price and the haul distance from the vendor's plant to the work sites.)

NOT Hot Mix Bituminous	Mark Sand & Gravel Co. Fergus Falls, MN	\$54,400.00
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Signing Materials	Lyle Signs Eden Prairie, MN	\$101,600.68
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Culverts	State Bid – Contract Pending	State Bid
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Herbicides	UAP Timberland, LLC Brooklyn Center, MN	State Bid – Contract #427847 Sept. 1, 2001 through Jan. 31, 2006
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Bid Award – 2005 County-Wide Traffic Marking

After previously advertising for bids, Highway Engineer, Rick West, opened the following bids for 2005 County Wide Traffic Marking at 1:00 p.m. on March 2, 2005:

<u>Vendor</u>	<u>Bid Amount</u>
AAA Striping Service Co. Rogers, MN	\$193,325.04
Traffic Marking Services, Inc. Buffalo, MN	\$196,463.65

Swanston Equipment Companies Fargo, ND	\$211,626.80
Tri-State Striping, Inc. Fargo, ND	\$233,672.44

Motion by Mosher, second by Lee, and unanimously carried to award C.P. 05:TM, 2005 County Wide Traffic Marking, to the low bidder, AAA Striping Service Co. of Rogers, MN, in the amount of \$193,325.04, as recommended by the Highway Engineer.

Approval of Phelps Mill Caretaker Position

Motion by Froemming, second by Lee, and unanimously carried to authorize the Highway Engineer to proceed with the hiring process for the Phelps Mill Caretaker position. This position has been recently vacated and is a replacement.

Contract Approval – Henning Garage Construction

Motion by Froemming, second by Lee, and unanimously carried to authorize the Vice-Chair's signature to execute a contract between the Otter Tail County Highway Department and Lee's Construction, Inc. of Alexandria, MN, for construction of the Henning Highway Garage, Project #0343-R, contingent upon approval of the County Attorney.

Reclassification Request

Motion by Mosher, second by Lee, and unanimously carried to approve a reclassification request for the Highway Department's Secretary/Receptionist position, as recommended by the Highway Engineer.

Commissioner Malcolm Lee was absent at 2:00 p.m.

Bid Opening – Solid Waste Facility Expansion

Physical Plant Manager, Rick Sytsma, and Solid Waste Director, Mike Hanan, opened bids for the Otter Tail County Solid Waste Facility Expansion, Project No. 0202-8, at 1:00 p.m. on March 2, 2005. Bid results were provided and discussion regarding the plan took place.

Payment Approval

Motion by Nelson, second by Froemming, and unanimously carried to approve Change Order No. A.01, Project No. 202-06, in the amount of \$18,169.93, for interior furnishings for the University of Minnesota Extension Service.

Adjournment

At 2:38 p.m., Vice-Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, March 15, 2005.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Robert Block, County Board Chair

Attest: _____
Larry Krohn, Clerk