

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS**
Government Services Center, 500 Fir Ave. W.
Commissioners' Room
Tuesday, May 10, 2005
9:30 a.m.

Call to Order

The Otter Tail County Human Services Board convened Tuesday, May 10, 2005, at 9:32 a.m. at the Otter Tail County Government Services Center with Commissioners Bob Block, Chair; Roger Froemming; Vice-Chair, Dennis Mosher, Malcolm Lee, and Syd Nelson present.

Approval of Agenda

Motion by Froemming, second by Nelson, and unanimously carried to approve the Human Services Board agenda of May 10, 2005, as mailed.

Approval of Minutes

Motion by Froemming, second by Nelson, and unanimously carried to approve the Human Services Board minutes of April 26, 2005, as mailed.

Legislative Update

Court Services Director, Chuck Kitzman, reported that the penny a drink tax bill did not pass the Senate Tax Committee, and was referred back to the Senate Finance. The Senate Finance Committee budgeted 2 million dollars a year for probation, 1 million dollars a year for Chemical Dependency treatment, and 1.27 million dollars a year for crime victims. These amounts are in the Senate's Public Safety bill and will go to the House Senate Conference in the future, so there may be some probation dollars available in the future.

Mr. Kitzman reported that the Senate Tax Committee recently included in one of its bills the reinstatement of the Criminal Justice Aid, now named the County Criminal Justice Aid. This aid package to counties would amount to \$25 million dollars a year. It will be voted on, and if it passes, will go to the Senate for debate.

Contract Renewal

Motion by Nelson, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute a contract renewal between Cassie Bernard, Fergus Falls, MN, and Otter Tail County Department of Human Services, for Residential Services/Homes Plus/Foster Care Services, effective April 1, 2005 through June 30, 2006. Services will be provided to elderly or disabled individuals receiving services under AC/EW or CADI or Traumatic Brain Injury services.

Detox Services

Human Services Director, John Dinsmore, reported that detox services formally ended in Otter Tail County effective April 30, 2005. Since that time Law Enforcement and Productive Alternatives have been providing transportation services for clients to Clay County. Mr. Dinsmore stated that Productive Alternatives will be charging \$200 per trip for transporting clients to Clay County. A formal agreement will be brought to the County Board for approval.

Chemical Dependency Annual Report

Human Services Supervisor, Brad Vold, introduced his Chemical Dependency Staff. The annual report was provided which included treatment programs utilized and comparisons of placements to previous years. Mr. Vold stated that there were 444 placements in 2004, which was less than the previous years. Approximately two million dollars was spent on the Chemical Dependency Program, with 85% reimbursement from state and federal funding. The County costs were approximately \$300,000.

Transportation Contract

Motion by Lee, second by Froemming, and unanimously carried to authorize the Chairman's signature on a Purchase of Service Agreement between Otter Tail County Department of Human Services and Productive Alternatives, Inc, for transportation services for clients to detoxification facilities. The cost per client is \$200 and is effective May 1, 2005, through December 31, 2005.

Energy Assistance Program Report

Financial Assistant Supervisor, Bev Schoon, and Energy Assistance Administrative Assistant, Peggy Meissner, reported on the Energy Assistance Program. This is the first year that the Energy Assistance Program is operated under an on-line web-based state run system called eHEAT (Electronic Household Energy Automated Technology). The Energy Assistance Program started in November, with the State sending out the applications, notification letters, and any other correspondence. The State sends out payments directly to the vendors. Applications are down about 3% from last year; however, there are three more weeks of the program year. The State lowered the assistance amounts, with the average benefit amount of \$446.00. Crisis amounts are up from last year.

Bill & Claims

Motion by Mosher, second by Nelson, and unanimously carried to approve the Human Services bills and claims as presented, with an addition for payment to Otter Tail Family Services Collaborative for annual partnership payment in the amount of \$250.00.

Adjournment

At 10:25 a.m., Chairman Block declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, May 24, 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, May 10, 2005, at 10:33 a.m. at the Otter Tail County Government Services Center with Commissioners Bob Block, Chair; Roger Froemming, Vice-Chair; Dennis Mosher, Malcolm Lee, and Syd Nelson present.

Approval of Agenda

Motion by Mosher, second by Nelson and unanimously carried to approve the County Board agenda of May 10, 2005, with additions as follows:

Larry Krohn – discussion items

Dennis Mosher and Bob Block – informational items

Approval of Minutes

Motion by Froemming, second by Mosher, and unanimously carried to approve the County Board minutes of May 3, 2005, as mailed.

Approval to Pay Bills

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

Approval of Highway Contract – S.A.P. 56-674-02

Motion by Froemming, second by Nelson, and unanimously carried to authorize the Chairman's signature to execute a contract between Central Specialties, Inc., Alexandria, MN, and the County of Otter Tail for reconstruction on CSAH No. 74, located from CSAH 35 to 330th Avenue.

Approval of Highway Contract – S.A.P. 56-600-22

Motion by Nelson, second by Lee, and unanimously carried to authorize the Chairman's signature to execute a contract between Central Specialties, Inc., Alexandria, MN, and the County of Otter Tail for bituminous surfacing on Little McDonald Drive N., Edna Township, from Little McDonald Dr. W. to 460th Street.

Oscar Lake Discussion

Highway Engineer, Rick West, reported on a discussion with the Department of Natural Resources. Mr. West indicated that the water level is still high on Oscar Lake. The DNR has requested the Highway Department construct the outlet below the ordinary high water elevation for purposes of managing the lake for fish and water fowl. Mr. West expressed concern regarding the time it would take for the DNR to obtain their needed approvals. Currently the Highway Department is in agreement with Joint Ditch No. 2 Board to construct the outlet at lowest elevation one-half foot above the ordinary high level. Mr. West stated that this project cannot be delayed any further and has allowed the DNR until the end of the week to submit an agreement to reimburse the County for the costs to do this. Mr. West will return to the County Board regarding this matter.

Mr. West requested that the Board declare the project by No. 10 west of Elizabeth, an emergency situation which would allow the Highway Department to obtain quotations on work over \$50,000 and not be faced with 30-day advertisement period. Motion by Mosher, second by Lee, and unanimously carried to declare this project an emergency situation, so the Highway Department can obtain quotations without the 30-day advertisement period in an effort to expedite the project.

Lutheran Social Service Caregiver Support & Respite

Lutheran Social Service Caregiver Support & Respite Program Volunteer Coordinator, Emily Larson, provided an overview of the program for 2004. Ms. Larson reported that they have 40 clients, within the 31 county area, with a majority of them from Otter Tail County. The LSS Caregiver Support and Respite Program provides training and support for caregivers of family members that are not able to care for themselves.

Recess

At 10:55 a.m., Chairman Block recessed the County Board of Commissioners' meeting to hold a Public Hearing.

Public Hearing: Liquor License

At 10:55 a.m. Chairman Block opened the Public Hearing for the County Board of Commissioners to consider testimony and exhibits presented by interested parties and to make a decision to issue or deny a Combined On/Off Safe Intoxicating Liquor License to Playtime Sports Bar and Ballroom, Inc., Perham, MN. Chairman Block requested that the County Attorney explain the process of the Public Hearing. County Attorney, David Hauser, explained that the Public Hearing was scheduled for 11:00 a.m. and the time was 10:55 a.m., so no decisions should be made before 11:00 a.m. The process of issuing off-sale liquor licenses is part of the County's responsibility to issue. Mr. Hauser stated that the Commissioners can issue licenses for off-sale liquor outside of city limits; however, the County has never done this in the past. A public hearing is needed for input from the public.

There were many interested parties present, including Randy Hutmacher and Mark Wambach, representing Playtime Sports Bar. Mr. Wambach reported that Playtime Sports Bar opened November 26, 2004, and employs 32 people. They would like to have the added feature of off-sale liquor.

Chairman Block opened the hearing for additional comments.

Candace Bugbee, Senior Administrative Specialist with the Auditor's Department reported that two letters of opposition had been received, one from the City of Underwood and one from the City of Elizabeth. Mr. Hauser read the letters of opposition. Both letters stated that the consequences of issuing this license would open it up for other applicants other than municipalities and granting of such a license would diminish revenues generated of governmental units at a time when state revenues are being cut and small cities are struggling to keep existing without raising taxes significantly.

County Sheriff, Brian Shlueter, reported that Otter Tail County is in the top 13 in the state for being one of the most dangerous counties with alcohol related accidents, deaths, and injuries. Sheriff Schlueter stated his concerns of more bars wanting to have off-sale outside the city limits, which leads to people grabbing more drinks on the way out of the bar and encourages open containers in cars and further drinking.

Les Estes, Mayor of Battle Lake, spoke in opposition for the same reasons as stated above and stated that their main goal is safe distribution of a legal product.

Kirk Mann, New York Mills City Council, stated opposition for same reasons outlined.

Vince Pankonin, Mayor of Perham, stated his concerns for the similar reasons, as well as the close proximity of the Playtime Sports Bar and the distance for Perham Police Department to respond to any accidents or law enforcement incidents which would eventually put a drain on the Police Department budget.

Mark Sievert, Fergus Falls City Administrator, spoke in opposition, and showed support for the smaller liquor stores.

Don Solga, City Administrator for Pelican Rapids, concurred with the opposition of the off-sale liquor license outside the city limits.

Bert Kinzler, Mayor of Underwood, and Joann Prischman, City of Elizabeth, spoke in opposition.

Mark Wambach, Playtime Sports Bar, stated that there is no law prohibiting them from having an off-sale liquor license and compared it to the City of Ottertail, which have two off-sales and the City of Richville, which are not municipalities. Mr. Wambach also stated that it was good for the community as it employs a lot of people.

Motion by Lee, second by Froemming, and carried with Commissioner Mosher abstaining, to deny the issuance of an off-sale intoxicating liquor license to Playtime Sports Bar and Ballroom, Inc.

At 11:30 a.m., Chairman Block closed the Public Hearing.

Reconvene

At 11:35 a.m., Chairman Block reconvened the County Board of Commissioners' meeting to continue with agenda items.

Aggregate Material Tax Consulting

County Coordinator, Larry Krohn, reported that Don Walsh has agreed to do a presentation on aggregate material tax, and would be available on June 7, 2005, at 1:00 p.m. Commissioners requested that Mr. Walsh be invited to attend the June 7, 2005, County Board meeting.

Joint Meeting with Todd and Wadena County Boards

Mr. Krohn reported on tentative dates to meet with Todd and Wadena County Boards and Jim Mulder, AMC. These dates include June 20th, 22nd, or 24th. The meeting would be held in New York Mills. An agenda to determine issues should be discussed.

Credit Card Approval

Motion by Lee, second by Mosher, and unanimously carried to authorize the following employee to be issued an Otter Tail County Credit Card with Express One Master Card:

Dion A. Bredman

Sheriff's Department

\$1,000.00

ERS Audits

Mr. Krohn reported that he had met with a representative from the firm, ERS Audits, they specialize in telecommunications. They analyze phone bills and look for charges on equipment that are no longer in service, or features that are no longer needed, or review your long distance rates. Motion by Lee, second by Nelson, and unanimously carried to enter into an agreement with ERS Audits and Otter Tail County for ERS Audits to review Otter Tail County phone bills. ERS Audits will receive 50% of any savings they are able to negotiate.

Recess & Reconvene

At 11:45 a.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners meeting recessed for lunch break. The meeting was reconvened at 1:06 p.m.

Gravel Tax Discussion

Wayne Johnson, Scambler Township Board Chairman, was present to discuss gravel tax. Mr. Johnson had met the County Board in January to initiate a gravel tax in Otter Tail County. Scambler Township has a representative attending the Environmental Assessment Worksheet Program, which is being coordinated by Becker County. A recommendation at one of the meetings was that Otter Tail County should collect the gravel tax. Mr. Johnson reported that currently a culvert and a conveyor system is being placed under a county road in order to convey gravel across to Becker County. Commissioner Mosher informed Mr. Johnson that a consultant will be meeting with the County Board on June 7, 2005, at 1:00 p.m. to discuss gravel tax. Commissioners invited Mr. Johnson to attend this meeting.

County Ditch No. 37 Discussion

Ditch Inspector, Randy Wasvick, reported that part of Ditch No. 37 is in the City of Underwood. The Highway Department is reconstructing the road through this area and have requested to put in an extension of 100 feet and replace 18 inch pipe with 36 inch pipe. Assistant Highway Engineer, Chuck Grotte, reported that this is part of the Highway 35 reconstruction project. A storm sewer analysis had been completed, which included an upgrade to a 36 inch pipe to prevent back up. Motion by Lee, second by Nelson, and unanimously carried to continue with the project and put in 100 feet of 36 inch pipe.

Adjournment

At 1:30 p.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, May 17, 2005. Commissioners went on a tour of the 505 Court Street remodeling project.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Robert Block, County Board Chair

Attest: _____
Larry Krohn, Clerk