

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 Fir Avenue W., Fergus Falls, MN
Tuesday, November 22, 2005
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, November 22, 2005, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Bob Block, Chair; Roger Froemming; Vice-Chair, Dennis Mosher, Syd Nelson, and Malcolm Lee present.

Approval of Agenda

Motion by Froemming, second by Nelson, and unanimously carried to approve the Human Services Board agenda of November 22, 2005, as mailed.

Approval of Minutes

Motion by Froemming, second by Mosher, and unanimously carried to approve the Human Services Board minutes of November 8, 2005, as mailed.

Court Services Department

Court Services Director, Chuck Kitzman, submitted the new Fee Schedule for probation supervision fees. He briefed the County Board regarding pre-trial evaluations.

Public Health Department

Motion by Lee, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute a Grant Contract between the State of Minnesota and the County of Otter Tail for the Child and Teen Checkup Outreach Program for children on Medical Assistance and Minnesota Care. The grant contract amount is \$132,825.00.

Motion by Nelson, second by Froemming, and unanimously carried to approve the Public Health Director's signature to execute an agreement between Noridian Insurance Company and the County of Otter Tail which will allow the County to bill the insurance company, based out of Fargo, for services provided to eligible Minnesota consumers.

Catholic Charities – Intensive Treatment Unit

John Krueger, from Catholic Charities, briefed the County Board on their Intensive Treatment Program for children. He stated that a 3% increase in the County contract rate for CY2006 is being requested primarily because of increased work processing insurance claims for clients and increased health insurance premiums for employees. He showed blueprints of a new building, where services will be provided for this program, to be built on the north side of Fergus Falls off of the Regional Treatment Center campus. Motion by Nelson, second by Lee, and unanimously carried to approve the Chairman's signature to execute a Host County Contract between the County of Otter Tail Department of Human Services and Catholic Charities – Intensive Treatment Unit for Children's Mental Health for the period of January 1, 2006 to December 31, 2006. The 2006 unit cost is \$319.47 per day.

Human Services Contract Renewals and Amendments

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

Productive Alternative, Inc.	Chemical Dependency Detoxification Program	\$295.00 per day	October 1, 2005 through December 31, 2007
Fergus Falls Regional Treatment Center	Chemical Dependency Treatment Services	\$320.00 per day	January 1, 2006 through December 31, 2006
Otter Tail County Court Services	Title IV-E Substitute Care Supervision		January 1, 2006 through December 31, 2006

Motion by Nelson, second by Lee, and unanimously carried to authorize the Chairman's signature to execute an Amendment to the current Contract between the County of Otter Tail Department of Human Services and Lakeland Mental Health Center, Inc. and Fergus Falls Area Special Education Cooperative #935 for the period of July 1, 2005 through June 30, 2006. The amendment provides clarification regarding third party billing for this day treatment program.

Motion by Block, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute an Amendment to the current Contract between the County of Otter Tail and Nutrition Services Inc. of Waseca, MN for home delivered meals to the elderly. The amendment clarifies the current per meal rate of \$4.21, which will be increasing to \$5.94, effective October 1, 2005 through December 31, 2005.

Motion by Nelson, second by Froemming, and unanimously carried to authorize the Chairman's signature to execute Amendments for the following current Provider Contracts, which increases the reimbursement rates by 2.2553% effective October 1, 2005:

Assisted Living Program Services

Lutheran Social Services – Mill Pond and River Bend

Developmental Disabilities – Waivered Services (Rule 42)

Lutheran Social Services – Waivered Services

MFIP/CCSA Biennial Service Plan Certification

Motion by Nelson, second by Mosher, and unanimously carried to approve the Biennial Service Agreement for Calendar Years 2006 and 2007, as submitted by the Human Services Director, under the provisions of Minnesota Statutes 256M (Children and Community Services Act) and 256J (Minnesota Family Investment Program).

Bills & Claims

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

Adjournment

At 10:24 a.m., Chairman Block declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, December 13, 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, November 22, 2005, at 11:00 a.m. at the Otter Tail County Government Services Center with Commissioners Bob Block, Chair; Roger Froemming, Vice-Chair; Dennis Mosher, Syd Nelson, and Malcolm Lee present.

Approval of Agenda

Motion by Mosher, second by Nelson, and unanimously carried to approve the County Board agenda of November 22, 2005, as mailed.

Approval of Minutes

Motion by Nelson, second by Lee, and unanimously carried to approve the County Board minutes of November 15, 2005, as mailed.

Approval to Pay Bills

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

The Preserve at Echo Bay

Land & Resource Director, Bill Kalar, submitted an EIS needs determination timeline for The Preserve at Echo Bay. The Notice of the County Board's November 29, 2005, EIS Needs Decision, must be issued by December 6, 2005.

Otter Country Trail Association
Otter Tail County Resolution No. 2005 - 71

Commissioner Nelson offered the following and moved its adoption:

WHEREAS, Otter Tail County has sponsored Grant-In-Aid Systems in the past; and

WHEREAS, acceptance of the Grant-In-Aid Systems proposed extensions are subject to the review and approval of the County Attorney.

THEREFORE, BE IT RESOLVED, that Otter Tail County shall continue to sponsor Grant-In-Aid Trail Systems as they exist for Otter Country Trail Association and proposed extensions of Grant-In-Aid Trails with the aforementioned condition.

Commissioner Lee seconded the resolution and, upon being put to vote, was unanimously adopted.

Adopted this 22nd day of November, 2005.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Robert Block, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

Planning Commission Recommendations

Conditional Use Permit – Mary Lee Legried:

Motion by Nelson, second by Mosher, and unanimously carried to approve a Conditional Use Permit to build a driveway as presented. The property is described as NW¼ of SW¼, Section 5 of Newton Township; Windy Lake (56-54).

Conditional Use Permit – Eugene & Tammy Ernst:

Motion by Lee, second by Mosher, and unanimously carried to deny a Conditional Use Permit, as recommended by the Planning Commission, to construct a concrete retaining wall for reasons as stated in the November 16, 2005, Planning Commission minutes. The property is described as San-Dee Cove Beach, Ex E 15' all of Lot 38 & ex tri tr in NW cor 44.38' on lk all of Lot 39, Section 23 of Lida Township; Lake Lida (56-747).

Conditional Use Permit – Jay Turner:

Motion by Lee, second by Mosher, and unanimously carried to approve a Conditional Use Permit to allow a previously installed natural boulder wall to remain in place as presented. The property is described as Pt of GL 3..., Section 3 of Dunn Township; Pelican Lake (56-786).

Conditional Use Permit – Barky's Resort:

Motion by Froemming, second by Lee, and unanimously carried to approve a Conditional Use Permit to replace some mobile homes with duplexes as presented. The property is described as Pts GL's 2 & 3 (AKA Parcel J) & Pt GL 3 (AKA Parcel F), Section 32 in Amor Township; Otter Tail Lake (56-242).

Conditional Use Permit – Kimp's Kamp:

Motion by Nelson, second by Mosher, and unanimously carried to approve a Conditional Use Permit to complete some remodeling as presented. The property is described as 7.80 AC strip adjacent to Lots 1 to 13 Blk 1 & Lots 1, 2 & 3, Blk 2 Yaquina Bay, Section 8 of Dead Lake Township; Dead Lake (56-383).

Drug and Alcohol Testing Program

Motion by Froemming, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute an agreement between the Minnesota Counties Insurance Trust and Otter Tail County to provide drug and alcohol testing for employees with Commercial Drivers Licenses.

Court Administration Space Needs

Court Administrator, Kathy Ouren, opened discussion regarding a list of space needs and priorities for the Court Administration office. Physical Plant Manager, Rick Sytsma, stated that some items on the list of needs have been corrected or have a short-term solution. He stated that today, a proposal will be submitted which is intended to be an interim solution involving some light remodeling and re-organization with the use of office panels that allows the Court Administrator's office to stay where they are while the County continues to research solutions with overall law enforcement space needs including the Detention Facility. Architect, David Shultz, showed the Board a map of the proposed interim office cubicle layout, briefed the Board on the proposed changes, and provided a total estimated project cost of \$144,934.00.

Commissioner Lee was absent at 11:40 a.m.

Motion by Nelson, second by Mosher, to approve the interim remodeling plan as presented for the Court Administrator's office at an approximate cost of \$144,934.00 to be paid out of the Facilities Operations Capital Improvement Budget. Discussion took place regarding space needs for the jury assembly room. It was suggested that space on the second floor of the Courthouse could be utilized. Chairman Block called for the vote. Motion carried unanimously.

Recess & Reconvene

At 12:01 p.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:03 p.m. with Chairman Block, Vice Chair Froemming, Commissioner Mosher and Nelson present.

Temporary Pumping System – Johnson Lake

Motion by Mosher, second by Nelson, and unanimously carried to lease the Temporary Pumping System from Feldt Plumbing LP, in the amount of \$98,800.00, for the proposed Johnson Lake Project (CP 5:12 Outlet).

Proposed Bridge #56536 Replacement – CSAH 83

Motion by Froemming, second by Mosher, and unanimously carried to authorize the Highway Engineer's signature to execute an agreement (FA-05-05696) between the Otter Tail County Highway Department and Braun Intertec for soil borings and a geotechnical evaluation for proposed Bridge #56536 Replacement on CSAH No. 83 over the Otter Tail River in Everts Township. The estimated cost is \$4,790.00.

Maintenance Worker Position

Motion by Nelson, second by Froemming, and unanimously carried to approve replacement of a Maintenance Worker position due to a retirement.

Ditch Cleaning – Highway 25

Motion by Mosher, second by Froemming, and unanimously carried to approve an Application for Cleaning County Road Ditch, submitted by LeRoy Fronning, for cleaning along County Highway No. 25.

Transportation Enhancement Funds Application

Motion by Froemming, second by Nelson, and unanimously carried to authorize the Highway Engineer to proceed with submitting an application for federal highway funding for the Phelps Mill Bridge.

Tobacco License Applications

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

American Legion Post No. 489 Underwood, MN	Tobacco
Carr Enterprises, Inc. Ottetail, MN	Tobacco
Nanson, Inc. Ottetail, MN	Tobacco
Thumper Pond Inc. Ottetail, MN	Tobacco

Land Surveyor's Certificate of Correction to Plat

Motion by Froemming, second by Mosher, and unanimously carried to approve the Land Surveyor's Certificate of Correction to Plat for the Plat named Inman Township Cemetery, as submitted by the County Auditor.

Ditch Payments

Motion by Nelson, second by Mosher, and unanimously carried to approve the following ditch payments:

John Thorson	Beaver Trapping	\$200.00	County Ditch No. 12
Richard Wilken	Beaver Trapping	\$250.00	County Ditch No. 4

Non-Union Salary Increase Effective for December Payroll

Motion by Mosher, second by Nelson, and unanimously carried to waive Part C of the Post Employment Health Plan, Section 10.05 of the Personnel Rules and 4.10 of the Personnel Rules for the implementation of the 3.1% non-union salary increase approved in the Otter Tail County Board of Commissioners' minutes dated Tuesday, November 15, 2005.

Additional Information for EIS Determination for The Preserve at Echo Bay

Mr. Kalar stated that on November 8, 2005, a recommendation from the Planning Commission for a positive declaration for an Environmental Impact Statement (EIS) for the proposed project entitled the Preserve at Echo Bay was presented to the County Board. The County Board postponed the decision for thirty (30) days for additional information. The proposers/developers will provide additional information at this meeting. Next Tuesday, November 29, 2005, at 1:30 p.m. a hearing is scheduled and the County Board will make a final decision regarding the need for an EIS for this project.

Homeland Developers, Dan Passoult and Jim Morken submitted a booklet with information addressing Topics A through J, which relate to the ten items the Planning Commission previously identified as needing additional information. They also presented several maps of the proposed development and the bay area where docking is proposed.

Topic A – comparison of cluster vs. standard lot & block development to illustrate an alternative development proposal

Topic B - permits are in the EAW on page 5 & 6 and shows the status of permits

Topic C – addresses issues of cover changes, golf course plans, water runoff, and ecological effect of the golf course. Mr. Morken stated that even if you take the proposed golf course out of the calculations for open space, there is still 77% open space. He stated that under the tightly defined developed area, there are 23.64 acres of total developed area out of the entire 172 acres. He spoke of true open space being significantly more than the original submission and stated that this is a low impact project with only 18.64 acres of change in cover and forestation. The developers would be willing to make the golf course a private course with artificial greens that require no chemicals. A maintenance plan for the golf course was submitted with best management practices.

Topic D. – EAW question #11 relates to more information on fisheries and aquatic vegetation, docking facilities, and boat traffic. The developers stated that the EAW contains 65 pages of information in this area. Mr. Passolt referred to the pages and maps in the EAW that address these issues. They stated that the bay is not small and shallow. On water surface use, boat density studies and information is also included in the EAW. An estimate of 5-10 additional boats on the lake during peak times on the weekends was determined from several different studies. A DNR dock and floating structure pamphlet and a covenant that is being proposed for water surface use regulations were provided for additional information. Golden Pond is a natural environment lake and the plan is to restrict this lake to non-motorized boats. Also, the “no wake” zone marked by buoys in the bay was discussed and presented as a proposed covenant of the Association.

Topic E - Wetland delineations clarifies that golden pond is actually a lake – page 11, paragraph 2. This topic also shows credentials of the West Central Environmentalist working with this project. The developers have eliminated a boat landing on Golden Pond and also eliminated a road segment that was called Pelican Passage – it will just be a walking trail.

Topic F - More study of other models regarding boating activity, etc. Mr. Passolt referenced Appendix F, which is boater models and provided more information in the covenants that are planned. Also, DNR proposed water surface use regulations. There are aerial shots included and visually, the photos tell you what is going on in the lake. The black area in the bay on the photograph is deep and there is no vegetation growing and the docks put in there would not need to go in and out; therefore, there would be less disturbance of the bottom. On the west end of Pelican Lake, the photographs show that it is fairly shallow in those areas and on other pictures where there are widespread prop cutting and weed rollers taking out aquatic vegetation.

Topic G - Timing and duration of the project – storm water issues are addressed in pages 16, 17, & 18 and maps G, J, & K of the EAW. Mr. Morken stated that his industry is tightly regulated in regards to storm water runoff and included is also a phasing plan under Topic G based on when approved. There are inspections while these projects are being completed.

Topic H - Maps – 2nd & 3rd page of the booklet addresses EAW question #17 that talks about storm water runoff. Calculations have been completed and the maps show the information.

Also, new maps showing potential shoreline use and potential buffer. The developers questioned who would control the buffer zone. Mr. Morken showed a 30' conservation easement and 50' conservation easement and all of Golden Pond would be buffer zone along the shoreline.

Topic I – More information about necessary parking for proposed uses – Added the Fergus Falls Zoning Ordinance for houses and commercial spaces and integrated that with the spreadsheet done in Appendix I, Traffic Calculations Spreadsheet. Echo Bay parking greatly exceeds the Fergus Falls Ordinance for parking. The number of 840 parking spaces would greatly increase with additional outside parking that is available.

Topic J - Archaeological process is addressed in the EAW under question #25. The developers Included a guideline for the archaeological process (3 phases) and an e-mail talking about the site and summary of how you move to different phases. The State Historic Preservation Office is available for anyone that has questions on the process.

Mr. Morken stated that, with all the measures being taken, he does not feel there is significant potential for environmental impact.

County Attorney, David Hauser, reviewed MN Rules 4410.1700 which provides the criteria for whether or not a project has a potential for significant environmental impacts.

The Developers stated that they would be willing to reduce the number of units requested unless they are required to complete an EIS. On Page 31 of the EAW under Item 21, the total units are shown as 58 homes, 34 townhouse units, 150 multifamily units and 10 apartments for a total of 252 units.

Adjournment

At 2:37 p.m., Chairman Block declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, November 29, 2005.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Robert Block, County Board Chair

Attest: _____
Larry Krohn, Clerk

11/22/2005 OTTER TAIL COUNTY AUDITOR IFD66
12:02:56 PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56
WARRANTS FOR PUBLICATION PAGE 1

WARRANTS APPROVED ON 11/22/2005 FOR PAYMENT 11/22/2005

VENDOR NAME	AMOUNT
A-1 LOCK AND KEY	7.93
A'VIANDS LLC	2,605.64
ALL CREATURES VET HOSPITAL	37.22
AMEM	86.89
GARY ANDERSON	139.73
ARVIG COMMUNICATION SYSTEMS	85.19
BEXAR CO FORENSIC SCIENCE CENT	35.00
JOHN BOHN	123.25
BOTNER EXCAVATION SERVICES LLC	20,664.96
BRANDON COMMUNICATIONS INC	3,459.72
TIM BRENNAN	194.92
CITY BURNSVILLE	550.00
CABELA'S INC	2,103.64
CITIZENS ADVOCATE	40.00
CITY DIRECTORY INC	127.00
COOPERS TECHNOLOGY GROUP	215.97
CORPORATE TECHNOLOGIES	100.00
CREATIVE FORMS & CONCEPTS INC	274.16
CULLIGAN WATER COND	118.44
CUTLER MAGNER COMPANY	18,573.64
DATABANK IMX	24,635.90
DEX MEDIA EAST	19.40
DIVERSION AUTO	335.36
ROBERT EHLERT	320.49
ENVIROTECH SERVICES INC	8,099.08
FAITH AND FELLOWSHIP PRESS	57.57
FERGUS FALLS MEDICAL GROUP	1,199.25
FERGUS FALLS NEWSPAPERS INC	1,380.66
FERGUS TIRE CENTER	511.05
FIRST LINE MEDICAL	123.65
KATIE FOLKESTAD	338.25
G & K SERVICES	2,389.43
GODFATHERS EXTERMINATING INC	317.88
GOODIN COMPANY	34.06
GR GRAPHICS INC ST LOUIS	958.59
GRAINGER INC	979.95
MARK HABERER	55.60
HENRY'S FOODS INC	728.58
HOLLY HIEDEMAN	2,681.00
HIGH PLAINS TECHNOLOGY	2,777.52
HITESMAN & ASSOCIATES PA	140.00
TERRY HOFF	42.07
SHELDON HOLM	270.85
SANDY HOLO	255.71
MARK HOVLAND	194.92
INNOVATIVE OFFICE SOLUTIONS LL	727.93
KELLY SERVICES INC	1,363.78
LARRY KROHN	111.06
L & L SERVICE	6.00

11/22/2005 12:02:56 OTTER TAIL COUNTY AUDITOR PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66
WARRANTS FOR PUBLICATION PAGE 2

WARRANTS APPROVED ON 11/22/2005 FOR PAYMENT 11/22/2005

VENDOR NAME	AMOUNT
LAKE REGION HEALTHCARE CORP	250.00
LAKES AREA PEST CONTROL LLC	159.76
LEGAL DIRECTORIES PUBLISHING C	40.83
MACPZA	25.00
MAIN STREET GAS & GOODS	38.00
MID-CENTRAL EQUIPMENT INC	558.00
MIDRANGE PERFORMANCE GROUP INC	450.00
MINN KOTA COMMUNICATIONS INC	179.79
MN CO ATTORNEYS ASSOCIATION	415.00
MN FALL MAINTENANCE EXPO	25.00
MN STATE AUDITOR	641.25
MNCITLA	95.00
CHERYL MUCHOW	113.22
NELSON COURT REPORTING INC	45.00
NELSON FORD LINCOLN MERCURY IN	240.32
KEVIN NEWBORG	377.43
NORTH UNION TEXACO	38.10
OTTER TAIL CO TREASURER	20.87
OTTER TAIL TELCOM	106.50
OTTERTAIL AGGREGATE	408.96
STANLEY OVERGAARD	647.00
OVERHEAD DOOR COMPANY	852.13
PARK REGION CO OP	2,777.26
PELICAN RAPIDS AMBULANCE SERVI	282.00
PELICAN RAPIDS PRESS	27.00
PEPSIAMERICAS	382.50
PERHAM CO OP CREAMERY	516.60
PERHAM CONOCO	5.00
PERHAM JEWELRY & REPAIR	39.94
PITNEY BOWES	1,462.25
PUBLIC SAFETY CENTER INC	78.40
RAY'S OIL COMPANY	636.81
RED RIVER STATE BANK	75.00
RELIABLE OFFICE SUPPLIES	60.88
REVIEW ENTERPRISES INC	66.00
RINGDAHL AMBULANCE SERVICE	659.00
ROYAL TIRE INC	1,267.72
SOUTH MILL SERVICE	1,425.32
STEINS INC	2,263.33
LOREN THORMODSON	1,203.00
DEAN TORGRIMSON	2,952.18
DARYL TRITES	128.95
SUSAN ULSCHMID	155.39
KEITH VAN DYKE	47.75
VICTORY CORPS	401.56
VIKING COCA-COLA	276.25
VIKING OFFICE PRODUCTS	183.14
RANDY WASVICK	75.00
WEST PAYMENT CENTER	2,625.11

11/22/2005 12:02:56 OTTER TAIL COUNTY AUDITOR
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66
WARRANTS FOR PUBLICATION PAGE 3

WARRANTS APPROVED ON 11/22/2005 FOR PAYMENT 11/22/2005

VENDOR NAME AMOUNT

**** FINAL TOTAL..... \$126,399.39 ****