

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, May 13, 2008
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, May 13, 2008, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Everett Erickson, Vice-Chair; Bob Block, Roger Froemming and Dennis Mosher present.

Approval of Agenda

Motion by Froemming, second by Erickson, and unanimously carried to approve the Human Services Board agenda of May 13, 2008, as mailed.

Approval of Minutes

Motion by Froemming, second by Block, and unanimously carried to approve the Human Services Board minutes of April 22, 2008, as presented.

Probation Department

Probation Director, Chuck Kitzman, reported that the DWI Court remodeling is complete. Mr. Kitzman will report back to the Board on the total cost of the remodeling project. He also provided a brief legislative update as it relates to the Probation Department.

Flu Stop Agreement

Motion by Mosher, second by Erickson, and unanimously carried to authorize the Public Health Director's signature to execute an agreement between the County of Otter Tail and Blue Cross Blue Shield of Minnesota for the Flu Stop Program. This Agreement facilitates the County Public Health Department to provide flu shots to employer groups covered by BCBS health insurance.

State Community Health Advisory Committee

Public Health Director, Diane Thorson, briefed the Board regarding the recent SCHAC meeting. She reviewed the following items: budget issues, State Health Improvement Plan, Window Safety Month, Freedom to Breathe Act violation, swimming pool inspections, concern with plastic bottles that have #7 on the bottom, and asthma video developed for coaches across the country.

2007 Chemical Health Unit Annual Report

Human Services Supervisor, Jodi Wentland, provided a handout including the staff working in this unit and their corresponding responsibilities. Chemical Health Unit statistics were also presented. There were 834 referrals for chemical dependency assessments with 782 completed and 454 referred to various programs. Ms. Wentland discussed a rule change that will affect CD assessments effective July 1, 2008.

**OTTER TAIL COUNTY FAMILY DEPENDENCY DRUG COURT
OTTER TAIL COUNTY RESOLUTION NO. 2008 - 40**

Upon the motion of Commissioner Block, seconded by Commissioner Mosher and passed on a 5-0 vote, the Otter Tail County Human Services Board adopts the following resolution:

WHEREAS, the County of Otter Tail has sent personnel to Family Dependency Drug Court and DWI Court training; and

WHEREAS, the County of Otter Tail has been involved in a planning process for a Family Dependency Drug Court in conjunction with the Seventh Judicial District, the Seventh District Guardian ad Litem, the State Public Defender's Office and substance abuse treatment providers; and

WHEREAS, the County of Otter Tail understands that a Family Dependency Drug Court can be an effective means of ensuring children found to be in need of protection or services have safe, stable and permanent families; improve parental and family recovery from alcohol and other drug problems; ensure child well-being; ensure participant compliance with court-ordered case plans; reduce costs to society; and

WHEREAS, the County intends to participate in seeking grant funds totaling \$98,636.00 to implement a Family Dependency Drug Court, and has pledged in-kind funds of up to \$38,451.00 in its preliminary budget for a local contribution to the Family Dependency Drug Court expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Human Services Board is in support of a Family Dependency Drug Court and authorizes the Chair to sign a grant application.

Adopted this 13th day of May, 2008.

OTTER TAIL COUNTY

By _____
Syd Nelson, Human Services Chair

ATTEST:

Larry Krohn, Clerk

Local Collaborative Time Study Disallowance

Human Services Director, John Dinsmore, provided copies of a letter from the Minnesota Association of County Social Service Administrators requesting a delay by one year of the repayment of the LCTS disallowance dollars.

Audit Review

Motion by Mosher, second by Erickson, and unanimously carried to approve a temporary position to prepare paperwork for an intensive Child Family Services Review Audit. The salary for the temporary position will not exceed \$5,000.

Approval to Pay Bills & Claims

Motion by Erickson, second by Block, and unanimously carried to approve payment of the Human Services bills and claims as presented.

Adjournment

At 10:19 a.m., Chairman Nelson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, May 27, 2008.

Dated: _____

OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____
Syd Nelson, Human Services Board Chair

Attest: _____
Larry Krohn, Clerk

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, May 13, 2008, at 10:34 a.m., at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Roger Froemming, and Dennis Mosher present. Vice-Chair, Everett Erickson, and Commissioner Bob Block were present at 10:37 a.m.

Approval of Agenda

Motion by Froemming, second by Mosher, and unanimously carried to approve the County Board agenda of May 13, 2008, with the following changes:

Cancel – County Coordinator Performance Evaluation
Replace with Bill & Rita Marts – Annual Prometheus Motorcycle Zoo Run Approval

Approval of Minutes

Motion by Froemming, second by Mosher, and unanimously carried to approve the County Board minutes of May 6, 2008, as presented.

Approval to Pay Bills

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

Application for Exempt Permit

Motion by Mosher, second by Froemming, and unanimously carried to approve, with no waiting period, the LG220 Application for Exempt Permit as submitted by the Evansville Sportsman Club for an event scheduled for Saturday, July 26, 2008, at Dalton Outdoors.

Land Surveyor's Certificate of Correction to Plat

Motion by Nelson, second by Froemming, and unanimously carried to approve the Land Surveyor's Certificate of Correction to Plat (identified as Attachment B) located in the Subdivision of Government Lot 4, and that Part of Government Lot 3 Lying South of the Northern Pacific R.R. Right of Way, Section 33, Township 133, Range 42 as prepared by Glenn Howe, Professional Land Surveyor – License No. 17825.

Payment Approval

Motion by Mosher, second by Froemming, and unanimously carried to approve payment, in the amount of \$340,628.28, from the Construction Fund to Comstock Construction Inc. of MN for Otter Tail County 60 Bed State Operated Inpatient Chemical Dependency Treatment Facility Payment Request No. 6.

Sale of Tax Forfeited Property – Rothsay, MN

Motion by Erickson, second by Block, and unanimously carried to sell the following tax forfeited property to the City of Rothsay for \$6,000.00 plus appropriate fees and tax to complete the transaction:

79-000-31-0008-000 (850) – Section 31, Township 135, Range 44
Tract 400' Along E Side of Highway and 120' wide in Northwest Corner
Of Northwest Quarter Except North 83' (.93 of an acre)

Semi-monthly Payroll

Motion by Mosher, second by Erickson, and unanimously carried to approve a change in the payroll dates for all employees currently paid on a monthly basis. Effective July 1, 2008, all employees will be paid on a semi-monthly basis with pay dates being the 15th of each month and the last working day of each month. If the 15th lands on a weekend or holiday, the pay day for that payroll period will be the last working day prior to the weekend/holiday. The first payroll check under the new schedule will be July 15, 2008.

Bid Recommendation and Award

After previously advertising for quotations, the Highway Engineer presented the following bids for the CSAH 61 Culvert Replacement project:

Riley Bros. Construction, Inc. \$9,831.00
Morris, MN

Mark & Brenda Construction \$14,500.00
Fergus Falls, MN

Motion by Block, second by Froemming, and unanimously carried to award the CSAH 61 Culvert Replacement project to the low bidder, Riley Bros. Construction, Inc., in the amount of \$9,831.00 as recommended by the Highway Engineer.

**PUBLIC WATER ACCESS COOPERATIVE AGREEMENT
East Silent Lake in Otter Tail County, Minnesota
Otter Tail County Resolution No. 2008 - 38**

Upon motion by Erickson, seconded by Block, and unanimously carried, the following resolution was adopted:

WHEREAS: the Commissioner of Natural Resources has the authority, duty, and responsibility under Minnesota Statutes Section 97A.141 to provide public water access sites on lakes and rivers, where access is inadequate; and

WHEREAS: the State and the County are authorized under Minnesota Statutes Section 471.59, to enter into agreements to jointly or cooperatively exercise common power; and

WHEREAS: the State and the County have determined this public water access on East Silent Lake is of high priority under the state public water access program; and

WHEREAS: the County owns land described as: Sec. 32, T.136N, R.41W, Otter Tail County, as shown in the Cooperative Agreement; and

WHEREAS: the State is willing to operate and maintain a Public Water Access to East Silent Lake; hereinafter referred to as "facilities"; and

WHEREAS: in consideration of the mutual benefit to be derived by the public bodies hereto and for the benefit of the general public.

NOW, THEREFORE, BE IT RESOLVED, that the Cooperative Agreement between the County of Otter Tail and the State of Minnesota Department of Natural Resources, a copy of which is attached hereto, is hereby approved; and

BE IT FURTHER RESOLVED, that the Chair of the County Board of Commissioners and the County Board Clerk are hereby authorized to sign said Cooperative Agreement.

Dated at Fergus Falls, Minnesota, 13th day of May, 2008.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Syd Nelson, Board of Commissioners' Chair

Attest: _____

Larry Krohn, Clerk

Retainage Reduction for Highway Project

Motion by Mosher, second by Froemming, and unanimously carried to reduce the retainage from 5% to 2% for C.P. 07:116B (Highway 116 to the Ethanol Plant).

County Ditch No. 16 Discussion

Property Owners Jeff Stabnow and Dan Woods provided handouts showing Ditch No. 16 at the outlet of Clitherall Lake which included a photograph of the ditch from 1957. Mr. Stabnow explained the flow of the water, elevations, and size of culverts, and discussion occurred regarding the private crossing that was installed years ago on the Woods' property. The crossing has washed out and the water is flowing around to the east. They requested permission to do private maintenance on Ditch 16 on the Woods' property. County Attorney, David Hauser, stated that this would be looked at when the Engineer's Study is completed for Ditch 16. Land & Resource Director, Bill Kalar, stated that the Engineer's Report has not been ordered and generally, does not occur until after the Redetermination of Benefits is complete. County funds cannot be spent on ditch projects; therefore, the Redetermination of Benefits should be completed, then a cost estimate is determined and a public meeting is held so property owners affected will have notice of the potential cost of work to be completed on the ditch. Mr. Kalar estimated the end of July before the Redetermination of Benefits is complete. Lake levels were discussed. Carl Stromsted spoke in favor of waiting until the Redetermination of Benefits and Engineer's Report are complete before any work is authorized in the Ditch System. Motion by Froemming, second by Block, and carried with Mosher abstaining to proceed with the current Redetermination of Benefits process, public meeting, and Engineer's Report before work in the Ditch System is authorized.

Recess & Reconvene

At 11:55 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:20 p.m.

Update – Perham Resource Recovery Facility

Solid Waste Director, Mike Hanan, and Commissioner Roger Froemming briefed the Board on a recent meeting with the Perham City Council regarding the Resource Recovery Facility. Todd, Wadena, and Otter Tail counties were represented at the Council meeting. Discussion occurred regarding governance of the facility, proposed expansion of the facility, and the past and present liabilities held by the City of Perham. There was disagreement between the counties and the City of Perham on these issues as well as the need to draft a new contract. The counties are of the opinion that the Resource Recovery Facility is not operated in the manner stated in the current contract and the City of Perham's opinion is that the contract does not need change and that the contract is being followed. Several commissioners expressed that an expansion of the facility is not possible until the governance is agreed upon.

Expense Reimbursement for Employees

County Auditor, Wayne Stein, and Solid Waste Director, Mike Hanan, discussed the County's current reimbursement policy. The County Auditor will return to the Board with a recommendation for an amended policy.

Annual Prometheus M.C. Zoo Run

Bill and Rita Marts presented a flyer advertising the 23rd Annual Prometheus M.C. Zoo Run scheduled for June 26 - June 29, 2008. All proceeds of the motorcycle ride event are given to the Chahinkapa Park Zoo in Wahpeton, ND. Motion by Mosher, second by Erickson, and unanimously carried to grant a waiver of the Shows and Exhibitions Ordinance for the 23rd Annual Prometheus Zoo Run charity event subject to adequate portable facilities and notification to law enforcement regarding the event as has been the practice in previous years.

Adjournment

At 2:05 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, May 20, 2008.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Syd Nelson, Board of Commissioners Chair

Attest: _____

Larry Krohn, Clerk

CB/kd

WARRANTS APPROVED ON 5/13/2008 FOR PAYMENT 5/13/2008

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A-1 LOCK & KEY LLC	424.36
A'VIANDS LLC	5,012.30
ABG MAINTENANCE INC	90.53
SCOTT ARNDT	150.00
ASSOCIATED BAG COMPANY	222.93
AUTO VALUE FERGUS FALLS	374.49
BATTLE LAKE AUTO PARTS	220.92
BEN HOLZER UNLIMITED	20.52
BOB'S STANDARD BULK SERVICE	298.69
HEATHER BRANDBORG	97.19
JOANN CLINE	60.00
CO OP SERVICES INC	9.15
CONVERGENT SOLUTIONS GROUP LLC	6,202.30
COOPERS TECHNOLOGY GROUP	860.55
CROWNE PLAZA ST PAUL RIVERFRON	273.46
CULLIGAN	130.00
CULLIGAN WATER COND	74.16
CULLIGAN WATER CONDITIONING	10.65
CYBERNET	1,673.00
DACOTAH PAPER COMPANY	48.93
DAKOTA WHOLESALE TIRE	448.16
DENZEL'S REGION WASTE INC	253.11
EGGE CONSTRUCTION INC	127.50
CHARLES ERICKSON	2,545.17
EVERGREEN EQUIPMENT INC	59.59
EVERTS LUMBER CO	73.12
MAYNARD FALK	875.00
FARGO GLASS AND PAINT CO	350.00
FARNAM'S GENUINE PARTS INC	304.41
FERGUS FALLS DAILY JOURNAL	8,162.36
CITY FERGUS FALLS	6,936.09
FERGUS POWER PUMP INC	4,180.00
FERRELLGAS	164.02
SHARI FRESONKE	94.94
FRONTIER PRECISION INC	204.75
GALL'S INC	257.67
GOAM MEDIA	459.95
HAMLIN LAW REVIEW	20.00
HEALTHCARE ENVIRONMENTAL SERVI	116.40
CRYSTAL HERMAN	8.37
HOLIDAY INN WILLMAR	219.98
SANDY HOLO	1,111.89
HOMESTEAD BUILDING SUPPLIES	29.06
THE INDEPENDENT	66.62
INNOVATIVE OFFICE SOLUTIONS	210.95
JK SPORTS	368.00
CASSIE JONAS	77.73
KELLY SERVICES INC	694.80
L & L SERVICE	223.04
LAB SAFETY SUPPLY INC	78.97
LAKE REGION HEALTHCARE CORP	960.00
LAKES COUNTRY SERVICE CO OP	176.79
LAKEWAY MARKET LLC	5,510.28
LARRY OTT INC TRUCK SERVICE	595.00
LEAF RIVER SERVICES	873.10

OTC Board of Commissioners' Minutes
 May 13, 2008
 Attachment A, Page 2

LITTLE FALLS MACHINE INC	1,173.42
LOCATORS & SUPPLIES INC	896.51
M-R SIGN COMPANY INC.	73,349.64
MARCO	116.65
MATTHEW BENDER & COMPANY INC	539.00
JACKIE MCGRAND	47.50
MCLEOD CO SOLID WASTE MGMT	150.00
WENDY METCALF	126.26
MILLER'S PRECISION ENTERPRISES	425.25
MN ATTORNEY GENERAL'S OFFICE	1,039.55
MN MOTOR COMPANY	336.46
MN REVENUE	400.00
MN ST BOARD OF ASSESSORS	690.00
MN STATE AUDITOR	21,155.46
MN STATE BAR ASSOCIATION	1,195.49
NANCY MOEN	25.76
MOORE MEDICAL LLC	316.72
CHERYL MUCHOW	24.90
JIM MYHRE	11.98
NAPA FERGUS FALLS	89.19
NAPA STANDARD PARTS OF WADENA	890.85
NATURES GARDEN WORLD	27.51
NELSON AUTO CENTER	707.81
NETWORK CENTER COMMUNICATIONS	5,324.84
NEW YORK MILLS HERALD	36.00
OFFICEMAX INCORPORATED	133.55
OLSON OIL CO INC	530.21
RICHARD OLSON	3,950.12
ONE CALL LOCATORS LTD	133.54
THE ORIGINAL HEATING MAN	138.59
OTTERTAIL TRUCKING INC	7,924.60
OUTDOOR RENOVATIONS LANDSCAPE	4,830.00
OVERLAND MECHANICAL SERVICES	4,762.75
ANN PACKER-SMITH	465.00
PAMIDA INC 008	21.99
PARK REGION CO OP	100.97
PEBBLE LAKE TAKE 5	1,623.73
PELICAN RAPIDS PRESS	190.23
PEPSIAMERICAS	305.76
PERHAM ACE HARDWARE	17.02
PERHAM ENTERPRISE BULLETIN	72.90
PERHAM PRINTING & SUPPLY	4.06
CITY PERHAM	67,629.34
PESI	279.00
PRAIRIE IMPLEMENT INC	268.14
PREMIUM WATERS INC	30.58
PRO AG FARMERS COOPERATIVE	394.05
QUICK'S NAPA AUTO PARTS	227.53
QUILL CORPORATION	549.80
REVIEW ENTERPRISES INC	189.70
RIDGEWATER COLLEGE	425.00
CHERI SCHULTZ	42.75
SCOTT HOFLAND CONSTRUCTION INC	4,950.00
SEWER SERVICE	250.00
RICK SHEILS	19.17
SIGELMAN STEEL & RECYCLING INC	47.27
KYLE SORKNESS	108.63
DAVID STADUM	28.00
STEINS INC	1,529.53

STEVE'S SANITATION INC	5,154.64
STRAND ACE HARDWARE	45.71
STREICHERS	92.14
SUPER SEPTIC INC OF PELICAN RA	77.19
SWANSTON EQUIPMENT CORP	51.80
SWEENEY BROTHERS	4,380.46
TITAN ACCESS ACCOUNT	1,602.48
TRI STAR RECYCLING	4,012.42
SUSAN ULSCHMID	156.72
UNITED BUILDING CENTERS	113.74
UNIVERSITY OF MN	255.00
VERGAS ACE HARDWARE	79.20
VICTOR LUNDEEN COMPANY	236.27
VIKING COCA-COLA	210.02
VOSS LIGHTING	252.15
WASTE MANAGEMENT	39,239.03
RANDY WASVICK	101.89
WEETOWN OUTPOST	360.00
ZIEGLER INC	700.52
<u>**** FINAL TOTAL.....</u>	<u>\$321,482.59 ****</u>

LAND SURVEYOR'S CERTIFICATE
OF CORRECTION TO PLAT


Name of Plat: SUBDIVISION OF GOVERNMENT LOT 4, AND THAT PART OF GOVERNMENT LOT 3 LYING SOUTH OF THE NORTHERN PACIFIC R.R. RIGHT-OF-WAY, SECTION 33 TOWN 133 RANGE 42.

Pursuant to the provision of Chapter 505.175, Laws of Minnesota, 1957, Glenn Howe, License No. 17825, the undersigned, a Professional Land Surveyor in and for the State of Minnesota, declares as follows:

1. That the plat of SUBDIVISION OF GOVERNMENT LOT 4, AND THAT PART OF GOVERNMENT LOT 3 LYING SOUTH OF THE NORTHERN PACIFIC R.R. RIGHT-OF-WAY, SECTION 33 TOWN 133 RANGE 42, dated November 29, 1916 and filed on December 9, 1916 in the office of the County Recorder, Otter Tail County, Minnesota, in Book K of Plats, Page 10, was prepared by O. G. Moiden, Minnesota Registered Land Surveyor, now deceased.

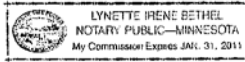
2. That the legal description on said plat is hereby corrected as follows, to wit:

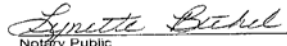
Beginning at the intersection with the east line of Gov Lot 3, said Section 33 and the south line of N.P. Rail Road right of way, running thence south along said east line 740 feet to the (1/4) quarter Stake between said Section 33 and 34, thence west 446 feet, thence North 740 ft to said Rail Road right of way, thence easterly along said R.R. right of way 446 feet to place of beginning all in Gov Lot 3 of said Section 33 and to be known as Sub Lot B of Gov Lot 3 of said Section 33 Town 133 Range 42. Thence beginning at the (1/4) quarter Stake between said Section 33 and 34 Running thence west perpendicular to the east line of Gov Lot 3, said Section 33 446 feet thence south 1000 feet to the Shore of Wail Lake, Thence in northeasterly direction along said Lake Shore to the Section Line between said Section 33 and 34. Thence northerly along said Section Line to place of beginning. Said piece of Land contains 8.50 acres and is to be known as Sub Lot A of Gov Lot 4 of Section 33 Town 133 Range 42.


Glenn Howe
Professional Land Surveyor
Minn. License No. 17825

STATE OF MINNESOTA
COUNTY OF OTTER TAIL

The foregoing instrument was acknowledged before me this 8th day of May, 2008 by Glenn Howe.




Lynette Irene Bethel
Notary Public
Otter Tail County, Minnesota
My Commission Expires Jan 31, 2011

This above Certificate of Correction to the plat of SUBDIVISION OF GOVERNMENT LOT 4, AND THAT PART OF GOVERNMENT LOT 3 LYING SOUTH OF THE NORTHERN PACIFIC R.R. RIGHT-OF-WAY, SECTION 33 TOWN 133 RANGE 42 has been approved by the Board of Commissioners of Otter Tail County, Minnesota, at a regular meeting held on the _____ day of _____, 200__.

Chairman of the County Board

Attest: