

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, November 18, 2008
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, November 18, 2008, at 9:30 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, 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 Mosher, and unanimously carried to approve the Board of Commissioners agenda of November 18, 2008, with the following additions:

Discussion – Feedlot Officer
10:30 a.m. – Rose's Condominium
11:15 a.m. – Pioneer Home Financing Discussion

Approval of Minutes

Motion by Froemming, second by Erickson, and unanimously carried to approve the Board of Commissioners meeting minutes of November 12, 2008, as presented.

Approval to Pay Bills

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

Liquor Citation Hearing

County Attorney, David Hauser, opened a liquor citation hearing at 9:33 a.m. and provided Board members with an investigative report pertaining to a liquor compliance check conducted at Tom's Amoco on June 27, 2008. Mr. Hauser administered an oath to Sergeant Barry Fitzgibbons and Thomas Weinhandl to allow them to provide testimony. Sergeant Fitzgibbons, responsible for conducting the alcohol compliance, briefed the Board on the facts of the incident. Mr. Weinhandl did not dispute the facts of the incident; however, stated that as a business owner, he has trained his employees and purchased software that allows the clerks to enter birth dates into the computer to ensure that liquor and tobacco sales are not sold to underage customers. He stated that he didn't feel that he should be fined in addition to the clerk. Mr. Hauser discussed the violation grid previously approved by the County Board. Tom's Amoco failed a compliance check in calendar year 2000 which makes this failure the 2nd violation. Discussion took place regarding the fact that there has been eight years between the failures. Motion by Block, second by Mosher, and unanimously carried to handle the compliance check failure on June 27, 2008 at Tom's Amoco as a first offense violation instead of a second offense violation, which is an assessment of a \$500 fine, because there has been 8 years of passing the compliance checks in between the failures. The County Attorney will prepare a written order in the case.

4-H Update

4-H Educator, Janet Malone, thanked the commissioners for their past support for 4-H and youth education. She discussed the importance of each generation mentoring the next generation and the goals of 4-H to connect these generations and families. Ms. Malone's after-school program has over 100 children. The Cloverbud program is working on global awareness and older children are working on leadership.

Community Addiction Recovery Enterprise – Pregnant Women's Program

Human Services Director, John Dinsmore, and State of Minnesota DHS representatives spoke with the Board regarding an expansion of the adult bed capacity for the C.A.R.E. program at the chemical dependency treatment facility currently being constructed in Fergus Falls. This will require that the proposed adolescent chemical dependency services will be relocated to the state operated chemical dependency site located in Brainerd. DHS representative, Doug Seiler, stated that the cost differential to convert bathroom fixtures to accommodate the new program were minimal. No other changes were required. Commissioner Mosher questioned if there are going to be enough beds for adolescents and other people if these beds are reserved specifically for pregnant women. Mr. Seiler responded that specialty programs have become necessary because of the high specific needs of the clients that are served in this setting. Motion by Mosher, second by Froemming, and unanimously carried to authorize the Chairman's signature on the letter of support for the Pregnant Women's CD Program. A letter of support from the County to the State DHS is required when there is a need for a license change.

Ag Update

Ag Extension Educator, Vince Crary, thanked the Board for their support of the Extension Service and specifically thanked the commissioners who will be retiring at the end of the year. Mr. Crary briefed the Board on the issues with the moisture content in the corn that is still standing and noted that a lot of sugar beets will not be harvested. He discussed the Master Gardener Program and upcoming horticulture training that will be available. Discussion also took place regarding a potential Feedlot Officer position.

Rose's Condominium

Land & Resource Administrator, Bill Kalar, opened discussion regarding Conditional Use Permit #6409 for Rose's Condominium, which is a resort conversion approved in 2006. He showed the Board a map of the area and reviewed the reasons why two of the conditions applied to the permit do not conform to the area. Motion by Erickson, second by Block, and unanimously carried to change two of the conditions on CUP #6409 to reduce the road right-of-way requirement from the Center Line of Highway 4 northwesterly to 40' (instead of 50') and to leave the road right of way at 33' southeasterly (lakeside). Leaving the 33' road right-of-way on the lakeside allows for docking.

Facilities Operations Department

Payment Approval:

Motion by Erickson, second by Block, and unanimously carried to authorize payment, in the amount of \$462,843.65, to Comstock Construction of Fergus Falls per Pay Request #12 for the construction of the 60-Bed Chemical Dependency facility which is at about 80% completion.

Projects Update:

Physical Plant Manager, Rick Sytsma, stated that substantial completion of the 60-Bed facility should take place the first week in January with various state inspections and reviews required after that date. Anticipated occupation of the facility by the State of Minnesota is expected the end of February, 2008. Mr. Sytsma stated that the ground source electric is exceeding expectations as far as savings for energy uses at the Ottetail Operations Center.

Recess & Reconvene in Closed Session

At 10:46 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. At 10:53 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners closed to the public to discuss pending litigation related to the Westridge Mall tax court appeal. The closed session is authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were all five seated Commissioners, County Attorney, County Coordinator, County Assessor, and Board Secretary.

Pioneer Home Finance Discussion

At 11:13 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners reconvened in open session. Pioneer Home CEO, John Richards, showed the Board a proposed construction project which consists of replacement of 105 skilled nursing facility beds. The proposed new location is on Maybelle Street in Fergus Falls behind the Minnesota Motors property. The current Pioneer Home building will be changed to some type of senior housing. Piper Jaffrey Housing and Senior Living Vice-President, Eric Lunde, briefed the Board on the proposed financing arrangements. Pioneer Home's existing debt will be refinanced with the new project. Under federal law, non-profit organizations can borrow money through a city, county or HRA. Mr. Lunde requested ability to borrow up to 10 million dollars for calendar year 2008 and an additional 10 million for calendar year 2009 through the County. County Coordinator, Larry Krohn, noted that the County has two other projects that need to bond through the County during the 2008-2009 timeframe. Further research will be done on these two projects and a synopsis of the Pioneer Home's financial arrangement will be forwarded to Otter Tail County's Bond Council. A Public Hearing is scheduled at 10:30 a.m. on December 2, 2008 at the Government Services Center in Fergus Falls.

Discussion – Proposed Feedlot Officer Position

Discussion took place regarding a proposed Feedlot Officer position. Commissioners requested that the Directors of the SWCD's meet with them at their next regular County Board meeting.

Liquor License Applications

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

Carr Enterprises, Inc. dba: Carr's Lake Country Supermarket Ottetail, MN 56571	Tobacco
Dent Oasis Dent, MN 56528	Tobacco
Lakeland General Store, Inc. Pelican Rapids, MN 56572	Tobacco
Larry's Foods Battle Lake, MN 56515	Tobacco
Perham Oasis Perham, MN 56573	Tobacco
Thumper Pond, Inc. Ottetail, MN 56571	Tobacco

Adjournment

At 11:58 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, November 25, 2008.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Syd Nelson, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

approved minutes

WARRANTS APPROVED ON 11/18/2008 FOR PAYMENT 11/18/2008

<u>VENDOR NAME</u>	<u>AMOUNT</u>
ALL CREATURES VET HOSPITAL	39.35
AMERICAN SIGNAL CO	735.59
AMERICAN WELDING & GAS INC	94.06
ARK & SPARK	99.73
ARVIG COMMUNICATION SYSTEMS	2,069.47
AT&T MOBILITY	1,015.24
BATTLE LAKE AUTO PARTS	89.78
LOIS BENNER	51.00
BLUESTONE TECHNOLOGIES INC	570.96
BLUFFTON OIL COMPANY	2,167.60
BOBCAT OF OTTER TAIL COUNTY	47.87
DENNIS BOGEN	53.13
LYNN BRAND	212.50
BRAUN VENDING INC	33.19
BRIAN M RIPLEY EXCAVATING	715.00
CERTIFIED AUTO REPAIR	86.88
CHEMSEARCH	208.01
CO OP SERVICES INC	99.68
COOPERS TECHNOLOGY GROUP	81.90
DACOTAH PAPER COMPANY	722.30
KATHY DOMHOLT	18.60
CAROLYN ELLINGSON	336.84
EVERGREEN EQUIPMENT INC	36.38
F-M TYPEWRITER SERVICE	52.50
FASTENAL COMPANY	33.62
FERGUS ELECTRIC	2,782.35
FERGUS FALLS MEDICAL GROUP	89.00
FERGUS FALLS POLICE DEPT	587.29
FINGERPRINT EQUIPMENT LABS INC	152.49
FLEET SERVICES	15,813.65
GRAINGER INC	356.94
MARY HAUSER	36.81
HAWES SEPTIC TANK PUMPING	70.00
HENNING AUTO PARTS INC	184.70
HENNING HARDWARE	243.84
HOUSTON ENGINEERING INC	2,391.00
MATT JOHNSON	50.00
KEEPRS INC CY'S UNIFORMS	173.10
KELLY SERVICES INC	380.00
LAKE REGION HEALTHCARE CORP	960.00
LAKELAND MENTAL HEALTH CENTER	5,873.50
LAKES AREA PEST CONTROL LLC	166.14
LAKEWAY MARKET LLC	3,161.83
JOANNE LARSON	29.75
M-R SIGN COMPANY INC.	13,257.65
MACO	35.00
MANNY'S - ROCKY'S BAIT	2,518.12
MERIGEN MEDICAL	42.00
MID-CENTRAL EQUIPMENT INC	44.36
MINNKOTA	29.00
MN CO INSURANCE TRUST	1,368.20
MARY MOE	104.13
JOHN MOLTER	136.00
NAPA FERGUS FALLS	11.59
NAPA STANDARD PARTS OF WADENA	774.04

NELSON AUTO CENTER	180.62
JANICE NELSON	144.50
VALERIE NELSON	348.50
NORTH AMERICAN SALT CO	58,112.60
ARLENE NYCKLEMOE	68.68
OFFICEMAX INCORPORATED	537.90
OLSON OIL CO INC	161.99
OTTER TAIL CO TREASURER	51.90
OUTDOOR RENOVATIONS LANDSCAPE	840.00
OVERLAND MECHANICAL SERVICES	2,787.46
PEPSIAMERICAS	356.60
PERHAM CO OP CREAMERY	1,699.82
PETE'S AMOCO	861.97
NORMAN PIERCE JR	152.15
RICHARD PORTMANN	38.25
VIRGINIA PORTMANN	65.88
KAREN PRISCHMANN	97.75
PRO AG FARMERS CO OP	215.68
QUILL CORPORATION	447.92
QWEST	140.60
RDO EQUIPMENT CO FARGO	234.24
RDO TRUCK CENTERS	435.09
RICK LEITCH BACKHOE SRVC & PJ	118.00
TWILA RUDD	42.50
SBLC-FF	9.56
SCHOENEBERGER FUNERAL HOME	200.00
VICKI SCHWANKE	53.82
SOUTHTOWN C-STORE	1,237.93
STATE INDUSTRIAL PRODUCTS	142.79
STEINS INC	912.44
STEVE'S SANITATION INC	438.75
STREICHERS	93.57
DORIS TEBERG	523.51
JOELLEN THACKER	143.12
TOOL CRIB OF THE NORTH	106.47
TRAVELODGE & SUITES MOORHEAD	233.01
UNICEL	55.29
UNITED PARCEL SERVICE	28.49
UNIVERSITY OF MN PRINTING SERV	119.56
VERGAS 66	1,229.04
WALLWORK TRUCK CENTER	2,444.00
ZACK JONES & MAGNUS	2,321.23
<u>ZIEGLER INC</u>	<u>238.21</u>
**** FINAL TOTAL.....	<u>\$140,165.05 ****</u>