

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
500 Fir Avenue W., Fergus Falls, MN  
March 24, 2009  
9:15 a.m.**

**Call to Order**

The Otter Tail County Human Services Board convened Tuesday, March 24, 2009, at 9:15 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners Everett Erickson, Chair; Roger Froemming, Vice-Chair; John Lindquist, Doug Huebsch and Lee Rogness present.

**Approval of Agenda**

Motion by Froemming, second by Rogness, and unanimously carried to approve the Human Services Board agenda of March 24, 2009.

**Approval of Minutes**

Motion by Froemming, second by Lindquist and unanimously carried to approve the Human Services minutes of March 10, 2009 with the following correction:

In the March 10, 2009 minutes, Page 1 under the heading "Committee of the Whole Discussion", the words "the County provided to the townships for their input" were deleted.

**Committee of the Whole Discussion**

Discussion took place regarding the township's right to adopt zoning ordinances. Township zoning ordinances can be more restrictive than County ones but not less restrictive. If people want to challenge the zoning, their recourse is a public hearing. The idea of getting the Extension Service together with a Feedlot Officer position was discussed.

**Probation Department Annual Report**

Probation Director, Chuck Kitzman, handed out the 2008 Probation Annual Report and reviewed the information. He reviewed the top Juvenile offenses and the various Juvenile Programs, such as the Teen Tobacco Awareness Program, Chemical Awareness Program (CAP), Theft Clinic Program and Alive at 25 Program. There were more adult offenders placed under supervision in 2008 than juveniles with 109 of those being for DWI and 24 for domestic assault. DWI Court had 19 participants in 2008. The annual report showed juvenile out of home placement costs for 2008 at \$914,066.27.

**Remote Electronic Alcohol Monitoring (REAM) Grant**

Motion by Lindquist, second by Huebsch, and unanimously carried to authorize the Chairman's signature to execute Amendment No. 2 to P78 00000006106, which provides \$3,000.00 additional funding for REAM during FY09.

Motion by Lindquist, second by Froemming and unanimously carried to authorize the Probation Director to apply for the 2 year Remote Electronic Alcohol Monitoring Grant for FY 2010-2011.

**Caseload/Workload Reduction Grant**

Motion by Huebsch, second by Lindquist, and unanimously carried to authorize the Probation Director to apply for the 2 year Caseload/Workload Reduction Grant for FY 2010-2011.

**Public Health Personnel Update**

Public Health Director, Diane Thorson provided a Personnel update. Motion by Lindquist, second by Huebsch, and unanimously carried to approve the following changes as recommended by the Public Health Director and the Personnel Committee:

1. Extend the temporary authorization of the Nutritionist serving in the dual role of Financial Manager.
2. Authorize change of status for existing 1.0 FTE PHN to an intermittent position. Renew temporary authorization until June 30, 2009, with plans to replace this position with a 0.80 position based in the New York Mills office.
3. Authorized the voluntary reduction in work hours from 24 hrs/wk to 20 hrs/wk effective June 1, 2009 for the part time position.

**State Health Improvement Planning Grant**

Motion by Huebsch, second by Rogness, and unanimously carried to authorize the Public Health Director to submit a multi-county (Clay-Wilkin, Becker and Otter Tail) application for State Health Improvement Planning Grant. Clay County has agreed to write the grant and be the fiscal agent.

**Veden Foundation Grant**

Public Health Director, Diane Thorson, reported that the Veden Foundation has approved a \$25,000 over 2 years grant for breastfeeding intervention.

**Letter of interest**

Chairman Erickson acknowledged a letter he received from Cal Ludeman, Commissioner of Minnesota Department of Human Services, commending the Human Services staff for exemplary performance in meeting DHS Human Service Financial reporting requirements for the Calendar year 2008.

**Volunteer Driver Program**

Human Services Case Aide, Laura Hillman, updated the Board on the Volunteer Transportation Program. She reported that there are 62 volunteer drivers providing needed transportation for County residents over the age of 60 for medical appointments.

**Contract Renewals**

Motion by Froemming, second by Lindquist and unanimously carried to approve the following Human Services Contracts:

<b>Agency</b>	<b>Program</b>	<b>Effective Date</b>	<b>Targeted Population</b>	<b>Funding Source</b>
LMHC (Addendum)	Chemical Health Services Integrated Dual Diagnosis Treatment Program	April 1, 2009 Through December 31, 2009	Individuals eligible for CD Services	County of Responsibility
Alcott Manor	Assisted Living	January 1, 2009 Through December 31, 2010	Elderly	Mental Health Initiative Funds
Productive Alternative	Detox & Holds	January 1, 2009 Through December 31, 2009	Chemically Dependent Individuals	County of Financial Responsibility
Servant Residential Care, Inc.	Residential Services/Assisted Living	March 1, 2009 Through December 31, 2009	Elderly	AC/EW/or CADI Waiver Funds
REM Waivered &	Waivered Services and Independent Living Skills	January 1, 2009 Through	Persons with Mental Retardation or related	AC/EW/ or CADI Waiver Funds

ILS		December 31, 2009	conditions	And MA
REM SILS	Semi-Independent Living Skills	January 1, 2009 Through December 31, 2009	Persons with Mental Retardation or related conditions	County of Financial Responsibility

**Financial Year-to-Date Review**

Human Services Director, John Dinsmore gave a Fiscal update. Revised budget information, expenditure reduction, delayed payroll has helped reduce the monthly budget.

**Legislative Update**

Human Services Director, John Dinsmore provided a handout entitled "State-County Results, Accountability and Service Delivery Redesign Act: An AMC/MACSSA Response to the Governor's HSAA, and discussed with the board.

**Approval to Pay Bills & Claims**

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

**Adjournment**

At 10:49 a.m., Chairman Erickson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:15 a.m. on Tuesday, March 31, 2009.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: \_\_\_\_\_

Everett P. Erickson, Human Services Board Chair

Attest: \_\_\_\_\_

Larry Krohn, Clerk

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, March 24, 2009, at 11:10 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, by Commissioners Roger Froemming, Vice-Chair; with Commissioners John Lindquist, Doug Huebsch present.

**Approval of Agenda**

Motion by Huebsch, second by Lindquist, and unanimously carried to approve the Board of Commissioners agenda of March 24, 2009, with the following additions:

2:00 p.m. – Disaster Declaration Discussion

2:25 p.m. – Closed Session – Attorney/Client Privilege

Commissioners Erickson and Rogness were present at 11:12 a.m.

**Approval of Minutes**

Motion by Lindquist, second Erickson, and unanimously carried to approve the Board of Commissioners meeting minutes of March 17, 2009, as mailed.

**Approval to Pay Bills**

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

**4-H Update**

Extension Educator, Donna Geiser briefed the Board on 4-H activities, Youth Health Day, Conservation Days and the State Fair. Ms. Geiser also noted that the Extension Office hosted a Master Gardener training, which trained 30+ new Master Gardeners in Otter Tail County. Ms. Geiser also invited the Commissioners to Conservation Days being held at the Walker Lake Fish Hatcheries April 28, 29, & 30.

#### **License Application**

Motion by Froemming second by Lindquist and unanimously carried to approve the following application for license:

Dwayne and Lori Codner  
Peak Supper Club  
Clitherall, MN 56524

Renewal of Consumption and Display Permit

#### **Payment Approvals**

Motion by Lindquist second by Froemming and unanimously carried, to approve payment in the amount of \$184.50 from the County Drainage No. 52 account to Ness Backhoe Service for the costs (backhoe and labor) for opening a culvert in the drainage system.

Motion by Huebsch second by Lindquist and unanimously carried to approve payment in the amount of \$51.82 from the Construction Fund to Young & Associates for the 60-Bed Chemical Dependency Treatment Center.

#### **Exempt Permit**

Motion by Huebsch second by Lindquist and unanimously carried, to approve with no waiting period the LG220 Application for Exempt Permit as submitted by the East Otter Tail Deer Hunter's Chapter for an event scheduled for Friday, April 17, 2009 at Playtime Bar and Grill located at 43974 390<sup>th</sup> St.

#### **State Land Acquisitions**

Motion by Rogness second by Froemming and unanimously carried, to authorize the Chair and Clerk signatures on the quit claim deeds and Affidavits of Landowner conveying the following three parcels of tax forfeited property to State of Minnesota as approved by Otter Tail County Resolution No. 2008 – 47, which was approved on June 24, 2008:

41-000-06-0058-015	2 Acres in Section 6 of Nidaros Township
52-000-14-0079-000	.50 Acre in Section 14 of Pine Lake Township
62-000-08-0073-001	10 Acres in Section 8 of Woodside Township.

#### **Final Rates**

Auditor, Wayne Stein, provided a handout entitled "Otter Tail County Final Payable 2009 Rates" and discussed it with the Board.

#### **Perham Resource Recovery Facility Discussion**

Solid Waste Director, Mike Hanan, provided the Board with a handout outlining Option 4, the option that Otter Tail County formed from combining different parts of the 3 options previously proposed. Discussion followed. Motion by Huebsch, second by Lindquist and unanimously carried to have Mike Hanan and Roger Froemming bring to the next PRRF meeting, Option 4 as the proposal that Otter Tail County Board would support.

#### **Recess & Reconvene**

At 12:00 p.m., Chairman Erickson, declared the meeting of the Otter Tail County Board of Commissioners recessed for a lunch break. The meeting was reconvened at 1:07 p.m.

#### **Board of Review Schedule**

Assessor, Robert Moe handed out the schedule of Board of Review meetings and briefly reviewed with members.

#### **Board of Equalization**

Assessor, Robert Moe informed the Board that the County Board of Equalization is set for June 17, 2009. A new rule this year states that the meeting must either extend past 7 p.m. or be held on a Saturday. After discussion the Board of Commissioners all agreed that they would like to have the meeting all in one day and not have a Saturday meeting.

#### **Explanation of Rural Vacant Land**

Assessor, Robert Moe provided a handout titled "Class 2B and Class 2C Property" and discussed with the board types of rural vacant land. Class 2B rural vacant land consists of parcels of property that are unplatted, rural in character and not used for agricultural purposes. Class 2C rural vacant land is land being managed under a forest management plan.

#### **Green Acres Update**

Robert Moe informed the Board that the Green Acres Bill was passed by the Minnesota Senate but not by the House and has been referred to a Conference Committee to work out the differences.

#### **Ditch 37**

Ditch Inspector, Randy Wasvick informed the Board that Ditch 37, which runs under the streets of Underwood, is plugged and water is coming up from under the street so repairs are needed. Motion by Lindquist, second by Huebsch, and unanimously carried to go ahead with the repairs to Ditch 37 with the cost being billed back to the Ditch's Maintenance Fund.

#### **Ditch 43**

Ditch Inspector, Randy Wasvick, informed the board that Ditch 43 in Dane Prairie Township is also plugged about 25 feet from the inlet. The area that is plugged is in a tillable field and repairs need to happen before farming season begins. Motion by Rogness, second by Huesbch and unanimously carried to have the Ditch Inspector proceed with the project.

#### **Ditch 16 Discussion**

With the Public Hearing for the Redetermination for Ditch 16 set for April 2, 2009, Ditch Inspector, Randy Wasvick asked the Board members if there were any questions he could answer for them, adding that the Ditch Viewers will also be at the Public Hearing. County Attorney, David Hauser stated that (the County) as Ditch Authority, must keep the Ditch in repair as designed or as built in working condition. Commissioner Lindquist asked why and when and how does a redetermination take place. Randy Wasvick stated that there had been a request to have some work done on Ditch 16 and therefore a redetermination is done to see which property owners are benefiting from the ditch. Those benefiting from the Ditch repairs will be assessed the cost of the repairs. It is the Ditch Viewers job to determine which property owners are benefiting. The Public Hearing is the forum where the property owners have the chance to disagree with the ditch viewers determination and the County Board can have the ditch viewers review that parcel again. Property owner, Jeff Stabnow, spoke on recognizing that an engineering study is needed and would like to see the Board go ahead with an engineering study even if the redetermination is not finished. County Attorney, David Hauser, stated that the law says that the County cannot incur any obligation until there is money available to pay for it

and therefore the County cannot proceed with an engineering study until the redetermination is finished. A lengthy discussion continued regarding the Ditch 16 Redetermination Public Hearing.

**Otter Tail County Resolution No. 2009-14**

Commissioner Rogness offered the following and moved its adoption:

IT IS RESOLVED that Otter Tail County enter into Mn/DOT Agreement No. 94319 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the use of County State Aid Highways No. 24 and No. 41 as a detour route during the grading and bituminous mill and overlay construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 108 from Trunk Highway No. 59 to County State Aid Highway No. 41 under State Project No. 5623-32 (T.H. 108=206)

IT IS FURTHER RESOLVED that the County Board Chair and County Board Clerk are authorized to execute the Agreement and any amendments to the Agreement.

Commissioner Lindquist seconded the motion, and upon being put to a vote, was unanimously carried.

Adopted and signed this 24th day of March, 2009.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Everett P. Erickson, Board of Commissioners Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

**Lake Olaf Environmental Assessment Worksheet**

Highway Engineer, Rick West and Jeff Langen of Houston Engineering, reviewed information regarding the Lake Olaf Environmental Assessment Worksheet (EAW). Motion by Lindquist, seconded by Rogness and unanimously carried to authorize the continuation of the project and an additional \$3,600 towards the completion of the EAW.

**Staffing Change Opportunity - Group Leader Areas**

Highway Engineer, Rick West reported that a current group leader position in the New York Mills garage, which has been operating with a Highway Maintenance Worker working out of classification, has provided an opportunity to consider reconfiguration of the Group Leader Areas. Additionally, the reconfiguration would be a reduction in budget and would allow the Highway Department to decrease to three Group Leaders effective April 1, 2009. Motion by Rogness, second by Huebsch and unanimously carried to approve the recommendation to reconfigure the Group Leader Areas from four to three, which would result in the County not filling the Group Leader position.

**Promotion**

Ryan Anderson promoted from an Engineering Tech 1 to Engineering Tech 2. Mr. Anderson has successfully completed 5 weeks of training for Bridge Inspection.

**Disaster Declaration – Flooding**  
**Otter Tail County Resolution No. 2009-15**

Commissioner Huebsch offered the following and moved its adoption:

WHEREAS, the County of Otter Tail, Minnesota, has sustained severe losses of a major proportion, as a result of flooding, starting on March 15, 2009.

WHEREAS, Otter Tail County is a public entity within the State of Minnesota, and

WHEREAS, for example, shared and numbered as Exhibit A, is list of these County Highways affected by the flooding, and

WHEREAS, the following conditions exist in Otter Tail County as a result of the disaster, extensive damage to roadways, bridges, culverts and individual homes and farms caused by flooding, and

WHEREAS, the cost of recovery is beyond the resources within the County. State and Federal resources are necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Otter Tail County Board of Commissioners, that Otter Tail County for and on behalf of the citizens of Otter Tail County, including the Cities and Townships, request the Governor of the State of Minnesota to petition the President of the United States to declare the County of Otter Tail County, Minnesota, to be a major disaster area through appropriate channels.

BE IT FURTHER RESOLVED that this request is for the Infrastructure Support Program as offered through P.L. 93-288.

BE IT FURTHER RESOLVED, that the County Emergency Management Director is authorized to coordinate the damage survey teams, with local government, and assist in the administration of the disaster recovery process as needed.

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

Adopted at Fergus Falls, Minnesota, this 24<sup>th</sup> day of May, 2009.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Everett P. Erickson, Board of Commissioners Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

**Closed Session**

At 2:55, Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners closed to the public to discuss a pending grievance. The closed session is authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were all five seated Commissioners, County Attorney, County Coordinator, Human Services Director and Acting Board Secretary.

**Adjournment**

At 3:15 p.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, March 31, 2009.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Everett P. Erickson, Board of Commissioners Chair

Attest: \_\_\_\_\_  
Larry Krohn, Clerk

CB/kc

approved minutes

**WARRANTS APPROVED ON 3/24/2009 FOR PAYMENT 3/24/2009**

<b>VENDOR NAME</b>	<b>AMOUNT</b>
A-1 LOCK & KEY LLC	100.00
A'VIANDS LLC	3,319.75
AMERICAN INSTITUTIONAL SUPPLY	235.40
AMERIGAS	613.17
AUTO VALUE FERGUS FALLS	6.38
BACHMAN PRINTING COMPANIES	394.05
JOHN BARTHEL	19.47
BCA BTS	450.00
BEN FRANKLIN	24.71
BOB'S STANDARD BULK SERVICE	70.53
BRAUN INTERTEC CORPORATION	2,647.50
MARLENE CARLSON	48.09
CDW GOVERNMENT INC	1,274.14
CIT TECHNOLOGY FIN SERV INC	189.86
CITIZENS ADVOCATE AND VERNDALE	578.55
CODE 4 SERVICES LLC	216.20
COOPERS TECHNOLOGY GROUP	168.32
DACOTAH PAPER COMPANY	697.00
DEX EAST	21.00
EGGE CONSTRUCTION INC	171.25
ELECTION SYSTEMS & SOFTWARE IN	30,557.28
FASTENAL COMPANY	27.16
FERGUS FALLS MEDICAL GROUP	87.00
FERGUS FALLS SCHOOL DIST 544	593.96
FERGUS POWER PUMP INC	192.15
FERGUS TIRE CENTER	109.56
FOTH & VAN DYKE	5,982.55
G & K SERVICES	1,802.10
GE CAPITAL (CA)	372.74
GOPHER STATE ONE CALL	8.40
GRAINGER INC	67.33
HAWES SEPTIC TANK PUMPING	70.00
HENRY'S FOODS INC	1,532.83
SANDY HOLO	31.48
ISSUETRAK INC	600.00
JK SPORTS	262.98
KELLY SERVICES INC	760.00
KIM KNUTSON	94.15
LAKELAND MENTAL HEALTH CENTER	545.00
LAKES COUNTRY SERVICE CO OP	1,966.95
LARRY OTT INC TRUCK SERVICE	1,000.00
LAWSON PRODUCTS INC	394.87
LITTLE FALLS MACHINE INC	461.52
MARCO INC ST LOUIS	379.11
MATTHEW BENDER & COMPANY INC	572.40
MID-CENTRAL EQUIPMENT INC	1,499.66
MIDSTATES EQUIPMENT & SUPPLY	51,888.00
MIDWEST PRINTING CO	111.83
MILLER'S PRECISION ENTERPRISES	209.28
MN CO INSURANCE TRUST	157.00
MN DEPT OF CORRECTIONS	450.00
MN SHERIFFS' ASSOCIATION	350.00
NORTH AMERICAN SALT CO	13,203.30
NORTHLAND COMMUNITY & TECHNICA	1,298.00
NORTHSIDE WELDING	14,281.83
OFFICE DEPOT	7.23
OFFICEMAX INCORPORATED	168.75
ONE CALL LOCATORS LTD	26.52
OTTER TAIL CO TREASURER	10.00
OTTERTAIL AGGREGATE	638.00

OTTERTAIL TRUCKING INC	9,298.70
PAMIDA PHARMACY	8,532.94
PEPSIAMERICAS	293.15
PERHAM CO OP CREAMERY	4,983.47
PITNEY BOWES	2,443.00
POWER PLAN	2,107.34
PRODUCTIVE ALTERNATIVES INC	96.33
PUBLIC SAFETY CENTER INC	503.59
QUILL CORPORATION	192.54
THE RAZOR BLADE COMPANY	122.50
RDO EQUIPMENT CO FARGO	8.09
RINGDAHL AMBULANCE SERVICE	150.00
SAFELITE FULFILLMENT INC	382.88
SERVICE FOOD SUPER VALU	46.13
SIMPLEXGRINNELL LP	712.14
SOUTH MILL SERVICE	399.27
SPRINT	662.70
STEINS INC	1,809.96
STRINGER BUSINESS SYSTEMS INC	11.43
SUPER SEPTIC INC OF PELICAN RA	150.00
JOYCE TOSO	20.00
MARTIN TOSO	20.00
TRI STAR RECYCLING	3,276.58
TRUCK BODIES & EQUIP INTERNATI	123.81
CHRISTINE TUNGSETH	81.11
SUSAN ULSCHMID	31.44
UNIVERSITY OF MN	75.00
US BANK	2,000.00
VICTOR LUNDEEN COMPANY	253.00
VIKING COCA-COLA	246.81
VOSS LIGHTING	1,504.86
WADENA CO AUDITOR TREASURER	1,636.07
WASTE MANAGEMENT	11,215.13
WEST PAYMENT CENTER	2,282.48
WILKIN CO SHERIFF	1,788.52
ZIEGLER INC	121.32
FINAL TOTAL.	\$201,598.58

OTTER TAIL COUNTY

03/24/09

Roads Closed or 1 Lane Traffic

CSAH 10 - approx. 5 miles W of Elizabeth & 2 miles E of Wilkin Co Line – Closed to Traffic

CSAH 30 - approx. 1.5 miles N of TH 108 – Open to 1 lane of traffic

CSAH 31 - approx. .25 mile S of CSAH 20 & Becker Co Line - Open to 1 lane of Traffic

CSAH 33 – just S of the intersection of CH124 – approx. 1.25 miles S of TH210 – Open to 1 lane of Traffic

Locations with water going over the road

CSAH 24 – approx. .5 miles E of Rothsay

CSAH 15 - approx. 4 miles N of Grant Co Line almost at the intersection of CSAH 112 & approx. 4 miles W of Wilkin Co Line

CSAH 7 – approx. .5 miles N of Grant Co Line

CSAH 26 – at the Otter Tail/Grant Co Line & 1 mile E of Wilkin Co Line

CSAH 13 – at the intersection of CH 146 – approx. 3 miles S of Becker County

CSAH 14 – at the intersection of 470<sup>th</sup> Street approx. 3 miles E of TH 78

Locations close to having water over the road

CSAH 2 - approx. 3.2 miles E of the Wilkin Co Line  
- approx. 4 miles E & 1 mile N of Wilkin the Co Line  
- at the intersection of CSAH 1 - approx. 4 miles S of Fergus Falls

CSAH 26 - on the Grant Co Line approx. 6 miles E of Wilkin Co Line  
- on the Grant Co Line approx. .25 miles W of TH 59

CSAH 122 - approx. 1.5 miles E of Underwood