

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
May 12, 2009
9:15 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, May 12, 2009, at 9:17 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 May 12, 2009 with the following change:

Public Health Agenda Items – canceled

Approval of Minutes

Motion by Froemming, second by Lindquist, and unanimously carried to approve the Human Services Board minutes of April 28, 2009 as presented.

Committee of the Whole Discussion

Commissioners discussed budgets including the decreased projected revenues for the State of Minnesota budget. They also discussed the various flooding situations throughout the County. County Coordinator, Larry Krohn, reported that Otter Tail County has been declared a Disaster Area for public infrastructure; however, that declaration does not cover private assistance. There would need to be a couple of hundred homes being impacted to obtain a private declaration. The Lake Olaf project may take a longer time than usual to implement the pumping project due to the procedures required by the U.S. Fish & Wildlife Service.

Children and Family Services Report

Supervisor, Brad Vold, introduced staff and presented the Children and Family Services 2008 Annual Report. Mr. Vold stated that there are five participants in Family Court which is a very good program in terms of keeping kids in the home or preventing placements. Cases for CY2008 have decreased when compared to CY2007; however, Mr. Vold stressed that the cases are becoming more costly and time consuming to manage. Commissioners asked questions which resulted in discussion about regionalization of services, parenting complexities, and parenting classes.

Chemical Dependency/Detox Annual Report

Supervisor, Jodi Wentland and staff submitted the 2008 Chemical Health Unit Annual Report. Ms. Wentland highlighted several statistics. In 2008, the Chemical Health Unit completed 780 chemical use assessments. From those assessments, 429 referrals were made to providers for treatment. In the State of Minnesota, over 50% of the expense for chemical dependency treatment is publicly funded. Otter Tail County spends approximately \$400,000 per year for treatment which represents only 15% of the total funding. State and Federal funding provides about 85%. Discussion continued regarding the standardized assessment handout, positive effects of the new DUI Program, and private insurance issues with CD treatment and/or detox services.

Human Services Contract Renewals

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

Agency	Program	Effective Date	Targeted Population	Funding Source
Prairie Community Services	Nursing Services	05/01/2009 through 12/31/2009	Adults with Mental Health Conditions	Unit Cost-\$30.00 per hr. up to \$9,000 County of Financial Responsibility
Country Pines Home Care	Residential Services & Assisted Living	05/01/2009 through 06/30/2010	Residential Services & Assisted Living to Eligible Persons	Alternative Care, Elderly Waiver – CADI, TBI or CAC Waiver Funds
Coleen Houge	Adult Foster Care	Addendum to current contract: 06/01/2009 through 06/30/2009	Elderly & Disabled Individuals	Alternative Care, Elderly Waiver – CADI, or TBI Waiver Funds

Human Services Staffing

Motion by Rogness, second by Huebsch, and unanimously carried to authorize the Human Services Director to contract for two full-time equivalent temporary employees to work during several anticipated leave of absences.

Human Services Legislative Update

Mr. Dinsmore submitted the Minnesota Association of County Social Service Administrators Legislative Update dated May 11, 2009 entitled "Activity at the Legislature". The update was a Health and Human Services Omnibus Bill Conference Committee Report (HF 1362/SF 695).

Approval to Pay Bills & Claims

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

**PROCLAMATION
In Support of
"DRUG COURT MONTH"
Otter Tail County Resolution No. 2009 - 28**

Commissioner Erickson offered the following resolution:

WHEREAS, 2009 marks the Twentieth Anniversary of the Miami-Dade Drug Court, the first Drug Court in the nation. That court sparked a national revolution that changed the face of the American Justice System; and

WHEREAS, for the past twenty years Drug Courts have been restoring lives, reuniting families and making communities across this nation safer; and

WHEREAS, Drug Courts provide focus and leadership for community-wide partnerships, bringing together public safety and public health professionals in the fight against drug abuse and criminality; and

WHEREAS, 60 to 80 percent of drug offenders sentenced to prison and over 40 percent sentenced to probation recidivate, and whereas fewer than 17 percent of Drug Court Graduates recidivate; and

WHEREAS, results of more than 100 program evaluations and at least four meta-analytic studies have yielded definitive evidence that Drug Courts are demonstratively effective and significantly improve substance-abuse treatment outcomes, substantially reduce drug abuse and crime, and do so at less expense than any other justice strategy; and

WHEREAS, over 25,000 judges, prosecutors, defense attorneys, substance abuse and rehabilitation professionals, law enforcement and community supervision personnel, researchers and educators, national and community leaders, and others dedicated to Drug Courts and similar types of treatment programs are healing families and communities across the country; and

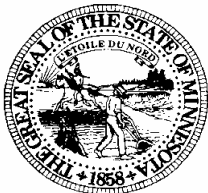
WHEREAS, The Drug Court movement has grown from the 12 original Drug Courts in 1994 to 2,301 operational Drug Courts and 3,410 problem solving courts as of December 2008; and

WHEREAS, Otter Tail County has joined in the support of "Drug Courts" by implementing the DWI Court, March 2008 and the Family Dependency Treatment Court, July 2008; and

WHEREAS, Friday, May 15, 2009 marks National Drug Court Commencement Day, which celebrates the promise of recovery and restored hope to Drug Court graduates and their families.

THEREFORE, BE IT RESOLVED, that Otter Tail County declares that a "Drug Court Month" be established during the Month of May, 2009, recognizing the practitioners and participants who make drug courts work and the significant contributions that Drug Courts have made, and continue to make, in reducing drug usage and crime.

Commissioner Huebsch seconded the motion to adopt the above resolution, and upon being put to a vote, the resolution was unanimously adopted.



Human Services Board Chair

Date

West Central Regional Juvenile Center

Probation Director, Chuck Kitzman, briefed the Board on the current budget at the West Central Regional Juvenile Center in Moorhead. The budget was planned on 18.5 clients per day; however, the capacity has been 17.2 so far in 2009. The WCRJC Board increased the per diem \$5.00 per day and will continue to monitor the budget throughout the year.

Probation Department Grant Agreement

Motion by Rogness, second by Lindquist, and unanimously carried to authorize the appropriate County Officials' signatures to execute a Grant Agreement between the County of Otter Tail and the State of Minnesota, Department of Corrections, for Caseload/Workload and Remote Electronic Alcohol Monitoring programs. The agreement is effective for the period of July 1, 2009 through June 30, 2011 and provides the County with \$119,139 each year for Caseload/Workload reduction and \$12,000 each year for REAM.

Adjournment

At 10:25 a.m., Chairman Erickson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:15 a.m. on Tuesday, May 26, 2009.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Everett P. Erickson, Human Services Board Chair

Attest: _____

Larry Krohn, Clerk

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, May 12, 2009, at 10:30 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 Huebsch, and unanimously carried to approve the Board of Commissioners agenda of May 12, 2009, as mailed.

Approval of Minutes

Motion by Huebsch, second by Rogness, and unanimously carried to approve the Board of Commissioners meeting minutes of May 5, 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.

County Drainage System No. 70

Ditch Inspector, Randy Wasvick, briefed the Board on County Ditch No. 70 in St. Olaf Township. Ditch No. 70 flows into the north side of Sewell Lake. He presented a map and explained that there are several other areas that have been tiled where the water flows into the lake in addition to Ditch No. 70. He reported that the water flows into an open ditch and because of the high water level of Sewell Lake, the water is flowing over the open ditch and flooding tillable property. The outlet for the lake is a 12" pipe that has been restricted by an 8" valve that outlets into Ditch No. 52. County Attorney, David Hauser, stated that the water will go over the lake and into fields when it reaches the Ordinary High Water Level of 1,298 feet. Discussion took place regarding the original design and the possibility of removing the 8" restriction. It was determined that in 1923, there were 445.8 acres of benefited property in Ditch No. 70 at a value of \$35,319. After further discussion, Mr. Wasvick recommended that a redetermination of benefits and an engineering study be completed. Commissioners requested that Mr. Wasvick contact the Department of Natural Resources because this work would be done below the OHWL of Sewell Lake.

Auditor's Office

Motion by Froemming, second by Huebsch, and unanimously carried to approve Section A, Option 1, and Sections B, C, and D of the contract to provide continuing disclosure reporting services between Otter Tail County and Ehlers & Associates, Inc. and further, the motion authorizes the County Auditor to sign the agreement on behalf of Otter Tail County.

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

Ten Mile Lake Resort, Inc.
12303 County Highway 35
Dalton, MN 56324

On/Off-Sale 3.2, On-Sale Wine, and
Consumption and Display Permit

Solid Waste Department

Solid Waste Director, Mike Hanan, submitted handouts including hours of operation and aerial photographs for the various County transfer stations and landfills as well as the Solid Waste Fee Schedule. A draft letter dated May 12, 2009 to Wadena County Commissioner, David Schermerhorn, was presented. Motion by Froemming, second by Huebsch, and unanimously carried to authorize the Chairman's signature on the letter to Commissioner Schermerhorn.

Recess & Reconvene

At 11:23 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 11:29 a.m.

DNR Land Acquisition Request

Don Shultz, from the MN DNR, referred to a handout showing an 80 acre land acquisition proposal. The land is owned by Dale and Deb Frost. The property is adjacent to the Bluff Creek Wildlife Management Area and would be open to public hunting, trapping, and other wildlife related activities. Adjacent property owner, Curt Grenier, presented a map showing their properties bordering the proposed acquisition property on the north and south sides. Curt Grenier and his brother requested a road on the east side of the Dale Frost's property to reach the north 80 acres. He stated that they have some tillable acres on the north property that they plant and they cannot access it from the north road because of a wetland; therefore, for practical purposes, they are landlocked from that property. Lengthy discussion took place regarding easement options and the need for a perpetual easement. Motion by Froemming, second by Rogness, and unanimously carried to table this issue to allow the property owners additional time to work out a solution to the access issue.

RESOLUTION DESIGNATING COUNTY STATE AID HIGHWAY LOCATION**County State Aid Highway No. 83****Otter Tail County Resolution No. 2009 - 29**

Upon a motion by Rogness, seconded by Huebsch, and unanimously carried, the following resolution was adopted:

WHEREAS, it appears to the County Board of Commissioners of the County of Otter Tail that the highway right of way required for County State Aid Highway No. 83 under S.A.P. No. 56-683-10 should be accurately described and located by a highway right of way plat.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Commissioners of the County of Otter Tail that the Board of County Commissioners for the County of Otter Tail is hereby designating the definite location of County State Aid Highway No. 83 in Sections 17, 19, 20, 29, 30, 31 and 32, Township 133 North, Range 40 West of the 5th Principal Meridian as shown on the 4 pages of OTTER TAIL COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 18

Adopted at Fergus Falls, Minnesota, this 12th day of May, 2009.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Everett P. Erickson, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

**Speed Zone Study Request
A segment of CSAH No. 50**

Otter Tail County Resolution No. 2009 - 30

Motion by Rogness, seconded by Huebsch, and unanimously carried to adopt the following resolution:

WHEREAS, the City of Deer Creek has requested that the County of Otter Tail take such action as may be necessary in order to pursue a reduced speed limit on the segment of County State Aid Highway No. 50 from TH 29 and a point approximately 0.5 miles East, AND,

WHEREAS, the County of Otter Tail believes that a speed zone reduction would be beneficial in this area.

NOW, THEREFORE, BE IT RESOLVED, that Otter Tail County does hereby request that this area be studied by the Minnesota Department of Transportation to determine the need for a reduced speed zone, if any.

BE IT ALSO RESOLVED, that Minnesota Department of Transportation proceeds with establishing a legal speed zone if the findings of the traffic study are supportive.

Adopted at Fergus Falls, Minnesota, this 12th day of May, 2009.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Everett P. Erickson, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

**Speed Zone Study Request
A segment of CSAH No. 27**

Otter Tail County Resolution No. 2009 - 31

Motion by Rogness, seconded by Huebsch, and unanimously carried to adopt the following resolution:

WHEREAS, the City of Fergus Falls has requested that the County of Otter Tail take such action as may be necessary in order to pursue a reduced speed limit on the segment of County State Aid Highway No. 27 from the intersection of CSAH 27 and Woodland Drive approximately 0.5 miles both North and South, AND,

WHEREAS, the County of Otter Tail believes that a speed zone reduction would be beneficial in this area.

NOW, THEREFORE, BE IT RESOLVED, that Otter Tail County does hereby request that this area be studied by the Minnesota Department of Transportation to determine the need for a reduced speed zone, if any.

BE IT ALSO RESOLVED, that Minnesota Department of Transportation proceeds with establishing a legal speed zone if the findings of the traffic study are supportive.

Adopted at Fergus Falls, Minnesota, this 12th day of May, 2009.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Everett P. Erickson, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

High Water Discussion

The Highway Engineer and Ditch Inspector discussed the high water issue on CSAH 24 and briefed the Board on the possibility of using County Ditch No. 56 to move the water. Other high water areas were discussed including the water levels affecting Highway 108 and Lake Olaf and Deadman Lake. The Highway Engineer stressed that private help due to high ground water is not available at this time.

West Central MN Housing Partnership

Motion by Huebsch, second by Lindquist, and unanimously carried to appoint Dale Umlauf of Fergus Falls to the West Central MN Housing Partnership for a three-year term effective March 1, 2009.

July 4th Race Request

County Coordinator, Larry Krohn, informed the Board that Lake Country Gardens sponsors a 10K foot race and this year, it is being held on the 4th of July, which impacts county roads in the area. Motion by Rogness, second by Huebsch, and unanimously carried to refer this request to the Sheriff's Department for public safety reasons.

Adjournment

At 12:35 p.m., a motion was offered by Froemming, seconded by Lindquist, and unanimously carried to adjourn the Otter Tail County Board of Commissioners meeting until Tuesday, May 19, 2009.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Everett P. Erickson, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

approved minutes

WARRANTS APPROVED ON 5/12/2009 FOR PAYMENT 5/12/2009

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A-1 ENGRAVING	35.15
ABG MAINTENANCE INC	170.40
AMERICAN INSTITUTIONAL SUPPLY	19.74
AMERICAN TOWER CORPORATION	94.91
AMERIGAS	351.77
ANDERSON LAND SURVEYING INC	942.50
ARVIG COMMUNICATION SYSTEMS	200.00
ASSOCIATION OF MN COUNTIES	90.00
AT&T MOBILITY	851.10
BALLARD SANITATION INC	315.00
JANE BAUMGARTNER	10.52
BEN HOLZER UNLIMITED	76.17
BOB'S STANDARD BULK SERVICE	70.53
SUSAN BOLSTAD	33.74
BRANDON COMMUNICATIONS INC	367.93
BRAUN VENDING INC	21.49
ELIZABETH CADEM	34.64
CAPRA'S SPORTING GOODS	2,135.00
CARR'S LAKE COUNTRY SUPERMARKE	28.60
CENTRASOTA ORAL & MAXILLOFACIA	402.00
CERTIFIED AUTO REPAIR	695.98
CO OP SERVICES INC	1,097.93
COLLEGE WAY AUTO INC	181.35
COOPERS TECHNOLOGY GROUP	274.76
CULLIGAN	39.91
D & T VENTURES LLC	464.00
DAKOTA PRINTERS LLC	116.40
DALTON COMMUNITY FIRE AND RESC	350.00
DAN'S TOWING & REPAIR	35.01
JACK DAWKINS	41.66
DEANS COUNTRY MARKET	18.49
MARK ELLENSON	148.36
ERGO IN DEMAND INC	1,249.75
EXECUTIVE BUSINESS LISTING	549.99
FARNAM TIRE CENTER	30.00
FERGUS ELECTRIC	462.26
FERGUS FALLS DAILY JOURNAL	244.98
FERGUS FALLS MEDICAL GROUP	1,720.08
CITY FERGUS FALLS	1,476.50
FERGUS POWER PUMP INC	4,400.00
FERGUS TIRE CENTER	1,669.94
FERRELLGAS	297.08
BRENT FLODEN	7.22
FORTWENGLER ELECTRIC INC	17.04
SHARI FRESONKE	20.10
FSH COMMUNICATIONS LLC	63.90
GALL'S INC	147.98
GERALD N EVENSON INC	95.29
GRAINGER INC	469.44
HATLING LAW OFFICE	230.00
HEDAHL'S HEADQUARTERS	31.06
HENNING HARDWARE	170.01
HILLTOP LUMBER INC	39.47
HOUSTON ENGINEERING INC	252.00
INNOVATIVE OFFICE SOLUTIONS	26.69

JACOBSON CONSTRUCTION	150.00
K.I.D.LEASING	256.44
MARCIE KNUDSEN	57.93
L & L SERVICE	44.00
LAKE REGION DENTAL CENTER	826.00
LAKE REGION HEALTHCARE CORP	305.13
LAKES RADIO	295.00
LAKES X-TERM LLC PEST CONTROL	75.00
LARRY OTT INC TRUCK SERVICE	1,450.00
PAT LARUM	60.96
LOCATORS & SUPPLIES INC	697.21
MARCO INC ST LOUIS	449.76
MCCC MI 33	1,352.45
MCCOLLOUGH WELDING	132.97
JAMES MCMAHON	9.90
METRO GRAPHIC ARTS	3,347.00
THE MIDWEEK	111.93
MIDWESTERN MAT RENTAL & SUPPLY	84.19
MINNKOTA	29.00
MN DEPT OF PUBLIC SAFETY	275.00
MN MOTOR COMPANY	144.44
MN STATE BAR ASSOCIATION	519.21
STEPHANIE MORRIS	240.90
NAPA FERGUS FALLS	17.66
NAPA STANDARD PARTS OF WADENA	521.47
NELSON AUTO CENTER	546.67
NETWORK CENTER COMMUNICATIONS	3,391.21
NORTHLAND CONSTRUCTION OF UNDE	2,000.00
NORTHSTAR TECHNOLOGY GROUP INC	79.83
OFFICEMAX INCORPORATED	191.85
OLSON OIL CO INC	421.27
OTTER TAIL CO PUBLIC HEALTH	735.00
OTTER TAIL POWER COMPANY	166.93
OTTER TAIL TELCOM	75.00
OTTERTAIL TRUCKING INC	14,458.00
OVERLAND MECHANICAL SERVICES	422.17
PELICAN RAPIDS PRESS	202.20
PERHAM ENTERPRISE BULLETIN	96.76
CITY PERHAM	63,282.22
PETE'S AMOCO	1,314.54
PETE'S BODY SHOP & TOWING	34.88
PRAXAIR DISTRIBUTION INC	256.67
PROACTION UNIFORMS	89.33
QUARTERMASTER	284.43
QUICK'S NAPA AUTO PARTS	53.24
RDO EQUIPMENT CO FARGO	552.43
REAL VISION SOFTWARE INC	4,558.50
ROYAL TIRE INC	522.08
SAFELITE FULFILLMENT INC	474.75
SCOTT HOFLAND CONSTRUCTION INC	6,660.00
PETER SCOTT	95.85
SEWER SERVICE	260.00
SHULTZ TORGERSON ARCHITECTS LT	3,874.00
SIGELMAN STEEL & RECYCLING INC	68.44
PAUL SIMENGAARD	110.68
STEINS INC	1,281.82
STEVE'S SANITATION INC	31.59
STRAND HARDWARE & RADIO SHACK	75.62

STREICHERS	219.44
STRINGER BUSINESS SYSTEMS INC	6,862.86
TITAN ACCESS ACCOUNT	6,177.68
ULTEIG ENGINEERS	118.68
UNIFORMS UNLIMITED	953.69
KEITH VAN DYKE	10.00
VERGAS ACE HARDWARE	57.72
VICTOR LUNDEEN COMPANY	71.33
VIKING COCA-COLA	164.54
WASTE MANAGEMENT	559.26
WEETOWN OUTPOST	470.00
WEST PAYMENT CENTER	2,584.97
ZACK JONES & MAGNUS	4,788.19
ZIEGLER INC	1,875.66
3 D SPECIALTIES INC	135.07
<u>**** FINAL TOTAL.....</u>	<u>\$166,556.42</u>

approved minutes