

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
July 28, 2009
9:15 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, July 28, 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 Rogness, second by Lindquist, and unanimously carried to approve the Human Services Board agenda of July 28, 2009 as mailed.

Approval of Minutes

Motion by Froemming, second by Lindquist, and unanimously carried to approve the Human Services Board minutes of July 14, 2009 as presented.

Committee of the Whole Discussion

County Coordinator, Larry Krohn handed out several model Wind Turbine ordinances. Discussion followed regarding the wind turbine industry and the issue of wind turbines within the lakeshore zone.

West Central Regional Juvenile Detention Center

Probation Director, Chuck Kitzman provided two handouts from Clay County regarding the July 23, 2009, WCRJC Advisory Board meeting and proposed changes to the WCRJC Cooperative Agreement. The WCRJC Board minutes reflect that action was taken to modify the Cooperative Services Agreement to allow a two-thirds majority vote instead of the current 100% requirement. Each member county will need to approve this change in the agreement. A new payment structure was reviewed whereby member counties agree to purchase bed space on prior use. A new voting structure was discussed but no specifics are available at this time. Commissioners agreed that a new Cooperative Services Agreement could be possible with the understanding by Clay County that when their debt service on the building is retired, the reduced financial liability will be reflected in the per diem. The final points addressed included having counties make monthly payments to Clay County for their bed space beginning September 1, 2009 and that Clay County would be responsible for any budget shortfall from January through August of 2009. The WCRJC Board will meet again in August to continue working on these modifications.

Public Health Department

Public Health Director, Diane Thorson, requested approval for a staff person to attend an out-of-state conference. Motion by Rogness, second by Huebsch, and unanimously carried to send a Public Health Nurse to a conference in Columbus, Ohio August 25th and August 26th with all expenses paid through a grant received from the National Association of City and County Health Officers.

Ms. Thorson briefed the Board on the Safe Communities Grant and requirements for the Flu Shots with the H1N1 vaccine beginning in September. The target population for the H1N1 vaccine is youth and school age children.

Adult Protection Services Annual Report

Human Services Supervisor, Kay Brown and staff members reviewed statistics on the vulnerable adult reports, submitted a handout, and discussed trends.

Human Services Contracts

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

Agency	Program	Effective Date	Targeted Population	Funding Source
Joshua & Sara Lott	Residential Services/ Home Plus/Foster Care Services	07/01/09 through 06/30/10	Elderly & Disabled	AC/EW/CADI or TBI Waivered Funds
Park Gardens of Fergus Falls	Residential Services/ Assisted Living	07/01/09 through 06/30/11	Elderly	Purchased services shall not exceed the OTC approved rate
Ghost Runner Errand Services	Homemaker Services	07/01/09 through 06/30/10	Elderly	Purchased services shall not exceed the OTC approved rate

DHS Services Continuing Care Policy Overview

Human Services Director, John Dinsmore, attended a policy review meeting and presented legislative changes. The document submitted is entitled "Minnesota Department of Human Services Continuing Care Policy Overview" and dated July 23, 2009. Mr. Dinsmore discussed two changes that will have a major impact in Human Services over the next few years. One change is that the State will be taking over the administration of contracts that is currently being done at the County level. The State is taking over this task to standardize their contracts throughout all 87 counties. The second change is to implement the new Comprehensive Assessment (COMPASS) starting in January of this year. This will require laptops to be used on-line in client's homes to do the assessments. The legislature has changed the CD assessment fees process. The Court will no longer collect these fees; but will require the collection to take place at the county level. A proposed Fee Collection Policy needs to be drafted.

Adjournment

At 10:44 a.m., Chairman Erickson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:15 a.m. on Tuesday, August 11, 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, July 28, 2009, at 11:00 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners Everett Erickson, Chair; Doug Huebsch and Lee Rogness present. Commissioners Lindquist and Froemming were attending a Capital Improvement Committee meeting. Commissioner Lindquist was present at 11:10 a.m. and Commissioner Froemming at 11:20 a.m.

Approval of Agenda

Motion by Rogness, second by Huebsch, and unanimously carried to approve the Board of Commissioners agenda of July 28, 2009 as mailed with the following additions:

1:30 p.m. – Proposed 800 Megahertz Communication System
Settlement Agreement with Dakota Wood Grinding

Approval of Minutes

Motion by Huebsch, second by Rogness, and unanimously carried to approve the Board of Commissioners meeting minutes of July 21, 2009, as presented.

Approval to Pay Bills

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

Red River Basin Commission Activities Report

RRBC Outreach Coordinator, Janeen Stenso, submitted several documents about the Red River Basin Commission, their vision, mission, activities, and current challenges. The RRBC is working on long term flood solutions and will be holding local public meetings to prioritize projects and solutions in a report scheduled to be completed by January, 2010. Ms. Stenso requested a contact person from Otter Tail County who is involved with flood issues to receive information on long term flood solutions. Motion by Huebsch, second by Erickson, and unanimously carried to designate Commissioner Lindquist as the contact person for the RRBC with Commissioner Rogness serving as alternate.

**OTTER TAIL COUNTY SHERIFF'S OFFICE
RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT
Otter Tail County Resolution No. 2009 - 44**

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

Be it resolved that the *Otter Tail County Sheriff's Office* enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled SAFE & SOBER COMMUNITIES during the period from October 1, 2009 through September 30, 2010.

The Sheriff of Otter Tail County Sheriff's Office is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the *Otter Tail County Sheriff's Office* and to be the fiscal agent to administer the grant.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Everett P. Erickson, Board of Commissioners Chair

Attest: _____

Larry Krohn, County Board Clerk

WACCO Presentation

Western Area Cities Counties Cooperative Director, Laurie Mullen, presented an automated external defibrillator for the Sheriff's Department. Ms. Mullen has written grants to obtain the funding to provide the Sheriff's Department with defibrillators.

U.S. Fish & Wildlife Fee Purchase

USFW Wetland Acquisition Supervisor, Don Kleven, requested certification to purchase a tract of land (175.86 acres) in Section 9 of Orwell Township owned by Pheasants Forever, Inc. He explained that the funding to purchase land for waterfowl habitat comes from dedicated duck stamp receipts. Commissioner Huebsch expressed a philosophical difference with the US Fish & Wildlife that this funding could be used to help local farmers and local hunters restore their habitats rather than purchase additional land. He noted that State entities own about 10% of the land in this township. Mr. Kleven explained the status of taxes and shared revenue Otter Tail County will receive when the land is purchased. Motion by Froemming, second by Rogness, and unanimously carried to certify the requested purchase of land by the USFW Service consisting of 175.86 acres in Section 9 of Orwell Township owned by Pheasants Forever, Inc.

T. 132N., R. 44 W., 5th P.M.

Section 9, that part of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) described as Parcel One (1) of the recorded plat "OTTER TAIL COUNTY W.A. NO. 21", filed January 11, 1967, in Plat Book "P", Page 35, Otter Tail County records.

AND

The Southeast Quarter (SE $\frac{1}{4}$) of Section 9, in Township 132, Range 44, Otter Tail County, Minnesota.

EXCEPT that part of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 9, Township 132 North, Range 44 West, Otter Tail County, Minnesota described as follows:

Beginning at the Southeast corner of said Section 9; thence South 89 degrees 49 minutes 00 seconds West (Assumed Bearing) along the South line of said Section 9 a distance of 544.27 feet; thence North 01 degrees 58 minutes 45 seconds East a distance of 93.48 feet; thence South 88 degrees 42 minutes 44 seconds West a distance of 247.40 feet; thence South 89 degrees 28 minutes 48 seconds West a distance of 425.46 feet; thence North 01 degrees 01 minutes 34 seconds East a distance of 367.22 feet; thence South 89 degrees 58 minutes 11 seconds East a distance of 427.16 feet; thence South 87 degrees 35 minutes 21 seconds East a distance of 252.26 feet; thence North 73 degrees 41 minutes 17 seconds East a distance of 210.01 feet; thence South 74 degrees 27 minutes 09 seconds East a distance of 73.14 feet; thence South 01 degrees 56 minutes 23 seconds West a distance of 107.02 feet; thence South 42 degrees 03 minutes 16 seconds West a distance of 100.37 feet; thence North 63 degrees 50 minutes 02 seconds West a distance of 85.86 feet; thence South 01 degrees 47 minutes 56 seconds West a distance of 504.89 feet; thence North 89 degrees 49 minutes 00 seconds East a distance of 469.97 feet to the East line of said Section 9; thence South 00 degrees 04 minutes 11 seconds East along said East line a distance of 33.00 feet to the point of beginning. Containing 9.14 acres.

Recess & Reconvene

At 11:30 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 11:37 a.m.

County Board Meeting Location Change

Motion by Froemming, second by Huebsch, and unanimously carried to approve a change in location for the Otter Tail County Board of Commissioners regular meeting of August 18, 2009 to be held at the County's New York Mills Office (courtroom) starting at 9:15 a.m.

Settlement Agreement

Motion by Rogness, second by Lindquist, and unanimously carried to authorize the Chairman's signature to execute a Settlement Agreement between Dakota Wood-Grinding, Inc. and the County of Otter Tail to pay one-half of sales tax claimed, in the amount of \$8,595.25.

Recess & Reconvene

At 11:45 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:10 p.m.

Payment Approvals & Fund Transfers

Motion by Huebsch, second by Lindquist, and unanimously carried to approve payment, in the amount of \$242,983.60, from the Construction Fund to Comstock Construction, Inc. of MN for the Otter Tail County 60-Bed State Operated Inpatient Chemical Dependency Treatment Facility construction as detailed in Payment No. 19.

Motion by Froemming, second by Lindquist, and unanimously carried to approve payment, in the amount of \$39,712.98, from the Construction Fund to Comstock Construction, Inc. of MN for the Otter Tail County Operations Center as detailed in Payment No. 16.

Motion by Lindquist, second by Froemming, and unanimously carried to approve Final Payment, in the amount of \$10,425.00, from the Construction Fund to Shultz and Associates, LTD for Invoice No. 2277 relating to the OTC Ottertail Operations Center (Project #0603).

Motion by Froemming and seconded by Erickson, to approve an operating fund transfer in the amount of \$46,830.02 from the General Fund to the Debt Service Fund – Ethanol Plant Account to cover the July 31, 2009 cash deficit. Motion carried with Huebsch and Rogness abstaining.

Highway Construction Contract

Motion by Froemming, second by Lindquist, and unanimously carried to authorize the Chairman's signature to execute a Highway Construction Contract between the County of Otter Tail and Traffic Marking Services, Inc. of Maple Lake, MN for traffic marking services in twelve counties (S.P. 080-070-006, HSIP 8809-238).

Commuting with County Vehicle

Motion by Erickson, second by Rogness, and unanimously carried to authorize Engineering Technician, Gordon Cline, to use a County vehicle for commuting while working on Right of Way Acquisitions for Projects C.P. 09:24 OUTLET and C.P. 09:30 OLAF LK, as authorized in OTC Personnel Rules, Section 8.35.I.(3).

Final Plat – Collins Landing

Motion by Erickson, second by Huebsch, and unanimously carried to approve the Final Plat of Thomas F. and Jodie R. Collins entitled "Collins Landing" located in GL 3, Section 34, Twp 135N, R41W, Star Lake Township, Dead Lake (56-383).

Property Agreement for Communications Tower

Motion by Huebsch, second by Froemming, and unanimously carried to authorize the appropriate County Officials' signatures to execute an Otter Tail County Property Agreement (Agreement No. 95142) New York Mills Land, between the County of Otter Tail and the MN Department of Transportation for the cooperative purpose of erecting a communications tower.

Lieutenant, Mark Englund, discussed the proposed Parkers Prairie Tower TEC297, and informed the Board that negotiations are at \$17,750.00 for the additional land needed for this tower. This would include deeding back an old county-owned gravel pit to the farmer as well. Motion by Rogness, second by Lindquist, and unanimously carried to authorize Mr. Englund to continue with negotiations for purchase of the proposed TEC297 property near Parkers Prairie with seller paying for the survey and request that the Auditor report to the Board to discuss funding possibilities.

Right of Way Easement

Motion by Rogness, second by Huebsch, and unanimously carried to approve a Right of Way Utility Easement (Easement No. W.O.No. 098475) between the County of Otter Tail and Otter Tail Power Company to supply power to the new Viking Library building.

Adjournment

At 2:03 p.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:15 a.m. on Tuesday, August 4, 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 7/28/2009 FOR PAYMENT 7/28/2009

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A-1 LOCK & KEY LLC	38.54
AMERICAN SOLUTIONS FOR BUSINES	1,971.59
ANDERSON LAND SURVEYING INC	5,475.00
ASSOCIATION OF MN COUNTIES	125.00
BALLARD SANITATION INC	475.00
BATTERIES PLUS	3,265.83
BATTLE LAKE STANDARD	26.61
BOWMAN'S GRADING & GRAVELING	674.75
BRETZ HARDWARE	3.32
MELINDA CARRLSON	737.63
CDW GOVERNMENT INC	1,553.34
CODE 4 SERVICES LLC	226.96
COOPERS TECHNOLOGY GROUP	86.71
CULLEN'S HOME CENTER	1,004.08
DENZEL'S REGION WASTE INC	859.20
DESIGN ELECTRONICS	77.77
DEX EAST	21.00
KATHY DOMHOLT	24.64
EGGE CONSTRUCTION INC	2,368.63
MARK ELLENSON	7.90
ELLINGSON BRENDEN POST 376	100.00
FARMERS CO OP OIL ASSN	1,359.07
FERGUS ELECTRIC	59.00
CITY FERGUS FALLS	1,314.83
FERGUS POWER PUMP INC	455.13
FERGUS TIRE CENTER	15.00
FOTH & VAN DYKE	3,677.71
GODFATHERS EXTERMINATING INC	225.88
GOODIN COMPANY	309.15
H & R CONSTRUCTION CO	3,000.00
HENRY'S FOODS INC	2,045.22
HEWLETT PACKARD COMPANY	3,240.22
HILDI INC	475.00
HITESMAN & ASSOCIATES PA	232.00
HONEYWELL	1,977.25
THE INDEPENDENT	94.25
INNOVATIVE OFFICE SOLUTIONS	39.73
ISSUETRAK INC	600.00
KELLY SERVICES INC	980.00
KNUTE NELSON HOME CARE	369.69
LAKE REGION HEALTHCARE CORP	700.00
LAKES COUNTRY SERVICE CO OP	13,707.79
LARRY OTT INC TRUCK SERVICE	2,000.00
LAW ENFORCEMENT TRAINING SERVI	100.00
LOCATORS & SUPPLIES INC	890.44
MARCO	873.75
MATHISON COMPANY	209.00
MCCC MI 33	1,817.29
MINN KOTA COMMUNICATIONS INC	26.96
MN CO INSURANCE TRUST	195.00
MN CVSO SECRETARIES & ASSIST A	159.00
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
MN STATE BAR ASSOCIATION	425.00
NEIL DORNBUSCH & ASSOCIATES	26,579.81
OFFICEMAX INCORPORATED	80.01
OLSON STITZEL AMERICAN LEGION	100.00
OTTER TAIL CO EMPLOYEES COMMIT	368.00

OTTER TAIL CO SHERIFF'S POSSE	337.48
OTTER TAIL CO TREASURER	105.75
OTTER TAIL FAMILY SERVICES COL	300.00
OTTER TAIL TELCOM	2,344.06
OTTERTAIL TRUCKING INC	11,698.00
PEARLE VISION	345.77
PEPSIAMERICAS	239.85
PERHAM CO OP CREAMERY	8.00
PITNEY BOWES	2,893.00
PRO AG FARMERS CO OP	331.98
PRODUCTIVE ALTERNATIVES INC	84.91
PROTECTION SYSTEMS INC	300.00
PUBLIC SAFETY CENTER INC	115.63
QUILL CORPORATION	496.90
RAY'S OIL COMPANY	829.58
RESEARCH SUPPLY & MARKETING	152.59
RJS SOFTWARE SYSTEMS	21,996.67
SECRETARY OF STATE	647.22
SHI INTERNATIONAL CORP	40,214.08
SIGNWORKS	78.76
SOUTHTOWN C-STORE	227.72
STEINS INC	1,341.77
STRAND HARDWARE & RADIO SHACK	56.43
TITAN MACHINERY	42.28
VAUGHN CHEVROLET CO	48.04
THE WALL STREET JOURNAL	476.48
WEST PAYMENT CENTER	649.42
WILKIN CO SHERIFF	90.00
ZIEGLER INC	411.74
<u>**** FINAL TOTAL.....</u>	<u>\$175,888.79 ****</u>

approved minutes