

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
500 W. Fir Avenue, Fergus Falls, MN  
Tuesday, October 13, 2009  
9:15 a.m.**

**Call to Order**

The Otter Tail County Human Services Board convened Tuesday, October 13, 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 October 13, 2009 as mailed.

**Approval of Minutes**

Motion by Froemming, second by Huebsch, and unanimously carried to approve the Human Services Board minutes of September 29, 2009, as mailed.

**Committee of the Whole Discussion**

Commissioner Rogness brought up the need for awareness in regards to the CAPX 2020 High Voltage Transmission Project from Fargo to St. Cloud which will go through our community.

**WCRJC Proposed Agreement**

Probation Director, Chuck Kitzman, reported that two counties have not approved the 2/3rds majority vote change in the proposed agreement for the West Central Regional Juvenile Center in Moorhead. A meeting of all member counties will be held October 22<sup>nd</sup> to work out an acceptable agreement.

**Pandemic Flu Planning**

Public Health Director, Diane Thorson, provided a framework on the statewide Pandemic Flu Plan. The H1N1 mass clinic protocol in terms of who receives the vaccines and in what order have been approved. The first shipment of H1N1 vaccine has arrived that can be administered to individuals age 2 to 49 with no underlying medical condition(s) and to EMS responders who supplement the ambulance centers. The Public Health Department will determine an approximate number of doses that need to be pre-booked for the next shipment. After pre-booking, the State will randomly select who receives the second shipments. Once the vaccine is received, the Public Health Department will schedule clinics. A plan is currently being developed to locate anti-viral medications in various pharmacies throughout the region. The Public Health Department may also dispense anti-viral medications. Motion by Lindquist, second by Rogness and unanimously carried to request, from the Minnesota Commissioner of Health, authority to dispense legend drugs from the Otter Tail County LPH Agency authorized by M.S. 144.4197. The flu information line (218-998-8378) is a recorded message of updated, flu-related information in our area. One of the grant requirements for Pandemic Flu Planning is a pandemic flu table-top exercise which is scheduled at 9:00 a.m. on Wednesday, October 21, 2009.

**Human Services Department Quarterly Report**

Human Services Director, John Dinsmore, reported agency expenses under budget at (\$841,600.00) and agency revenue under budget at (\$1,431,700.00). The revenue shortage should be corrected in November when tax funding is received. He discussed several accounts under budget as of September 30, 2009 including Out of Home Placement and Mental Health Hold Order Funds. Budgeted line items over budget include the Consolidated Treatment Fund and General Relief Burial expenses.

**Performance Management**

Mr. Dinsmore provided a Minnesota Association of County Social Services (MACSSA) Performance Management survey and discussed the various performance/outcome models.

**Human Services Contract Approval**

Motion by Froemming, second by Rogness, and unanimously carried to authorize the Chairman's signature to execute the following Human Services contracts:

Agency	Program	Effective Date	Targeted Population	Funding Source
Henry's Tree, Inc.	Family Group Decision Making Parenting Education Independent Living Education Supervised Therapeutic Visitation Parenting Time, Safe Exchange	09/01/09 through 12/31/10	Children	County of Financial Responsibility per Approved Rate
MN Department of Human Services	Parent Support Outreach Program (PSOP)	01/01/2010 through 12/31/2010	At-risk Families	\$24,000 for 24 Families

**Two-Year MFIP/CCSA Plan**

Motion by Rogness, second by Lindquist, and unanimously carried to approve the Otter Tail County 2010-11 Children & Community Services Act/Minnesota Family Investment Program Biennial Service Plan as requested by the Human Services Director. This plan will be submitted to the Minnesota DHS by October 15, 2009.

**Approval to Pay Bills & Claims**

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

**Adjournment**

At 10:22 a.m., Chairman Erickson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:15 a.m. on Tuesday, October 27, 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, October 13, 2009, at 11:01 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 Huebsch, second by Rogness, and unanimously carried to approve the Board of Commissioners agenda of October 13, 2009 as presented.

### **Approval of Minutes**

Motion by Rogness, second by Lindquist, and unanimously carried to approve the Board of Commissioners minutes of October 6, 2009, with the following correction:

The following motion in the October 6, 2009 minutes on Page 4 is hereby corrected to indicate that this vote was not unanimous and was opposed by Commissioner Lindquist thereby passing on a 4-1 vote.

Motion by Rogness, second by Huebsch, and unanimously carried to authorize the appropriate County Officials' signatures to authorize Otter Tail County to serve as fiscal agent for a Grant Contract between the MN Department of Agriculture (as grantor) and the West Central Dairy Profit Teams, Rick Olson (as grantee).

### **Approval to Pay Bills**

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

### **Ditch #41 in New York Mills**

Ditch Inspector, Randy Wasvick, requested permission on behalf of the City of New York Mills to clean out a portion of Ditch #41. Motion by Huebsch, second by Lindquist, and unanimously carried to authorize the City of New York Mills to clean out a portion of Ditch #41 as presented by the Ditch Inspector and subject to expenses being paid by the City.

### **Credit Card Approval**

Motion by Huebsch, second by Lindquist, and unanimously carried to authorize the following Otter Tail County credit card 30-day limit to increase from \$1,000 to \$2,500:

County Attorney, David Hauser  
Assistant County Attorney, Ryan Cheshire  
Assistant County Attorney, Heather Brandborg

Assistant County Attorney, Kurt Mortenson  
Investigator, Susan Ulschmid

Motion by Huebsch, second by Rogness, and unanimously carried to authorize issuance of an Otter Tail County credit card to the following employees in the County Attorneys office for victim/witness expense arrangements:

Office Manager, Marilyn Heller

Victim/Witness Coordinator, Lori Wood

### **Fergus Falls Demolition Landfill Public Hearing**

At 11:30 a.m., Chairman Erickson opened a Public Hearing to receive input regarding issuance of a license for the Fergus Falls South Demolition Landfill. Present for the Public Hearing were Solid Waste Director, Mike Hanan, City of Fergus Falls officials, Minnesota Pollution Control Agency (MPCA) officials and approximately 15 members of the general public.

Solid Waste Director, Mike Hanan, explained that a Public Hearing is required under Otter Tail County's Solid Waste Ordinance to issue a license for the Fergus Falls South Demolition Landfill. The MPCA is responsible to issue the solid waste management facility permit with a new permit number to the site as it is technically considered a new facility. The old landfill facility will be closed. Mr. Hanan submitted a letter stating that he has reviewed the application from the City of Fergus Falls for the South Demolition Landfill permit and read, for the record, his recommendation as to whether or not the demolition landfill should be licensed. The following is a summary of his recommendation:

- 1) application and documents are complete
- 2) outstanding issues relating to surface area, management plan, etc. are resolved
- 3) site location inherently makes site design of utmost importance
- 4) deferred to the MPCA for their recommendation regarding groundwater monitoring
- 5) recommended licensing period of 5 years in conjunction with the MPCA timeframe
- 6) Final recommendation is that the Board of Commissioners issue a license to the City of Fergus Falls to operate the South Demolition Landfill subject to receipt of a bond (dollar amount set by the County Board) and certificate of insurance from the City.

Commissioner Rogness questioned how this landfill is going to be developed and whether or not the County has control over the development by putting conditions on the landfill. City Engineer, Dan Edwards, responded that the existing landfill is closed and the demolition debris landfill is almost full, so the development plan is to close these and use the area to the south of the existing site. They plan to use the area northwest of the current site and transition the compost and recycling operations to the existing farmstead site along with a new landfill office and paved entrance road to access the site in phases moving from south to north. The plan includes screening with trees. The City acquired the site in 1970 on a contract for deed with future expansion in mind. The proposed south demolition facility is expected to last 5-10 years which will give time for the trees to grow. The City plans to dig a hole to fill initially and build berms around the facility.

Greg Peterson, owner of Big Red Boxes and hauler of demolition material and resident of the county expressed two opinions: 1) the County has demolition landfills in Henning and New York Mills but none in western Otter Tail County so haulers rely on the City of Fergus Falls - the City of Fergus Falls is charging 3 times the rate compared to Henning and New York Mills which is an issue for haulers, and, 2) there needs to be recycling at the demolition landfills to use many of the materials that fill the landfills.

John Helland spoke for the residents living along South Oak Street to the east of the proposed site. He submitted a letter and explained the history of the property adjoining the proposed cell location. Mr. Helland expressed concerns about the proposed locations including the close proximity of the proposed cell to the residences, dust movement over the cell creating a health hazard, close proximity of the cell to a wetland only a few hundred feet to the south, reduction in property values of their homes, problem with nails and debris, and the visibility of the cell to the Interstate causing a poor image of Fergus Falls.

Harland Helland expressed concern about future development in this part of Fergus Falls and concern with the visibility to the Interstate.

Buse Township Supervisor, Traill Vosburg who lives south of the demolition cell expressed concern with property values, aesthetics, and a desire to recycle more of the demolition material.

Commissioner Lindquist questioned if the permit is for just the first cell to the south or for the whole area. Houston Engineering Consultant, Bart Schultz stated that the City of Fergus Falls is asking to permit the whole site with the understanding that rules change and in five years, a renewal would be required.

Mr. Schultz also discussed planting trees at different heights and building berms in the original cell which will be used for a 5-10 year period. He discussed digging a hole and elevations going from 1250' to 1280' which could take 75 years before the highest elevation is reached. Mr. Schultz stated that this is an ideal site because it is close to the present facility so material from the new site will be used to close the old facility, it is a familiar location for the public, and the City already owns the property. He felt the visibility, wind and garbage issues could be addressed and the City has a good track record with good operation of the existing site. Mr. Schultz noted that the recycling of demolition debris needs to happen at the source because storage issues prevent recycling at the demolition sites. City officials stated that large demolition projects such as the RTC building would not be allowed to haul into this site.

Commissioner Rogness expressed concern for development on the other side of the road from the proposed new site.

Mr. Hanan reminded the Board that the following issues need to be determined: 1) consider whether the County intends to issue the license to operate, 2) what period of time the County intends to license, and 3) if permitted, establish the bond amount. The MPCA public comment period ends October 19, 2009. Motion by Rogness, second by Froemming, and unanimously carried to schedule a decision regarding the South Demolition Landfill in Fergus Falls on November 3, 2009, after public comments and responses are received from the MPCA.

#### **Recess & Reconvene**

Upon conclusion of the South Demolition Landfill Public Hearing, at 12:53 p.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 1:02 p.m.

#### **Drainage System No. 56 Outlet Public Hearing**

County Attorney, David Hauser, opened the Public Hearing to use County Ditch #56 as an Outlet for the CSAH #24 Pumping Project. He stated that a petition had been received from the Highway Department to use County Ditch #56 as an outlet for the CSAH #24 drainage project pursuant to M.S. 103E.411. The purpose of this public hearing is to consider if Ditch #56 has the capacity to receive water proposed to be drained, determine the terms and conditions of the use, and issue an order stating the terms and conditions. Findings will be determined and a written order will be presented at the next regular Board of Commissioners meeting. Two members of the general public were present for the hearing - Harvey & Gloria Radtke.

Highway Engineer, Rick West, stated that CSAH #24 is currently flooding and has been since spring with the road closed at that time. The intent is to lower the water by pumping into Ditch #56 to get Highway 24 out of the water before winter and to keep it open for the winter. Pumping would continue next spring/summer until there is 4' from the top of the road to the water surface; however there will be no pumping during spring runoff.

Wilkin County Commissioner Lyle Hovland, agreed that this situation needs relief; however, expressed concern for the potential additional strain downstream. He requested an on-going evaluation of this process for the long term.

Ditch Inspector, Randy Wasvick presented statistics regarding the original cost of the Ditch and acreage information. Lengthy Discussion continued.

Motion by Rogness, second by Froemming, and unanimously carried to determine that Ditch #56 has the capacity for the additional water from the CSAH #24 area and establish an outlet fee to be paid by the Highway Department to Ditch #56 of \$1,140.93 (20% of the use of the ditch) with an existing benefit of \$174.16. The motion includes conditions that there will be no pumping into the system during spring runoff or if any structures in the system are backed up and that there will be observation and monitoring of the system.

**Adjournment**

Upon conclusion of the public hearing, at 2:00 p.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:15 a.m. on Tuesday, October 20, 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 10/13/2009 FOR PAYMENT 10/14/2009**

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	3,820.39
AGGREGATE INDUSTRIES INC	27,476.63
AMERICAN TOWER CORPORATION	94.91
ARVIG COMMUNICATION SYSTEMS	200.00
ATCO INTERNATIONAL	105.00
ATSSA	70.00
BEYER BODY SHOP INC	85.50
BOB'S STANDARD BULK SERVICE	84.61
SUSAN BOLSTAD	48.35
BOUND TREE MEDICAL LLC	251.07
BRAUN VENDING INC	21.52
MARLENE CARLSON	21.12
CDW GOVERNMENT INC	584.99
CERTIFIED AUTO REPAIR	81.52
GORDON CLINE	256.18
CO OP SERVICES INC	45.14
COOK'S	166.99
COOPERS TECHNOLOGY GROUP	500.24
CULLIGAN WATER COND	40.46
D & T VENTURES LLC	1,014.00
DAKOTA PRINTERS LLC	116.40
DENZEL'S REGION WASTE INC	180.18
DEPT OF PUBLIC SAFETY	510.00
EGGE CONSTRUCTION INC	187.50
MICHAEL EULL	1,043.00
EVERGREEN EQUIPMENT INC	363.38
FARNAM'S GENUINE PARTS INC PR	253.94
FERGUS FALLS DAILY JOURNAL	2,480.23
FERGUS FALLS MEDICAL GROUP	2,414.46
FERGUS FALLS MONUMENT CO	26.00
FERGUS FALLS POLICE DEPT	380.99
CITY FERGUS FALLS	7,280.30
FERGUS TIRE CENTER	204.47
BARRY FITZGIBBONS	24.00
FLINT HILLS RESOURCES LP	1,785.00
FORCE AMERICA	531.47
FOTH & VAN DYKE	3,027.72
FRAZEE FORUM INC	47.25
SHARI FRESONKE	62.71
FSH COMMUNICATIONS LLC	64.13
GOODIN COMPANY	94.04
NICOLE HANSEN	198.00
HAWES SEPTIC TANK PUMPING	70.00
HAZELDEN	113.02
HENRY'S FOODS INC	1,189.24
SANDY HOLO	850.60
HSBC BUSINESS SOLUTIONS	2,577.26
INFORMATION SYSTEMS CORP	939.12
INNOVATIVE OFFICE SOLUTIONS	53.29
ISSUETRAK INC	600.00
JAMES IVERSON	64.08
K.I.D.LEASING	256.44
KELLY SERVICES INC	645.84
KENNEDY SCALES INC	76.06
L & L SERVICE	139.74
LAKE REGION HEALTHCARE CORP	11,788.95
LAKeway MARKET LLC	2,842.63

LARRY OTT INC TRUCK SERVICE	625.00
PAT LARUM	75.26
LEITCH EXCAVATING	1,197.00
LOCATORS & SUPPLIES INC	184.95
M-R SIGN COMPANY INC.	64.46
MAAO	1,200.00
MARCO INC ST LOUIS	451.35
MARKS FLEET SUPPLY INC	4.13
MATTHEW BENDER & COMPANY INC	717.32
MAXIMUS INC	7,207.00
MCCC MI 33	13,202.22
MIDWESTERN MAT RENTAL & SUPPLY	84.48
MINNKOTA	29.00
MN MOTOR COMPANY	2,872.65
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
MN STATE BAR ASSOCIATION	1,228.61
ROBERT MOE	236.80
NAPA FERGUS FALLS	34.88
NAPA OF PERHAM	104.63
NELSON AUTO CENTER	728.64
NORTH CENTRAL INC	223.65
NORTHERN STATES SUPPLY INC	109.68
NORTHLAND BUSINESS SYSTEMS INC	3,225.00
NOVA FIRE PROTECTION	730.00
OFFICEMAX INCORPORATED	72.41
OK TIRE STORES	20.34
OLSON OIL CO INC	121.84
OLYMPIC SALES INC	105,139.66
ONE CALL LOCATORS LTD	210.52
OTTER TAIL CO EMPLOYEES COMMIT	311.00
OTTER TAIL CO FAIR ASSOC	500.00
OUTDOOR RENOVATIONS LANDSCAPE	1,157.85
OVERLAND MECHANICAL SERVICES	209.78
PAMIDA INC 008	1.58
PAMIDA PHARMACY	6,271.38
PERHAM ENTERPRISE BULLETIN	61.28
PERHAM PRINTING & SUPPLY	14.43
CITY PERHAM	107,557.00
NORMAN PIERCE JR	152.15
POWER PLAN	617.19
PRAIRIE IMPLEMENT INC	550.33
PRO AG FARMERS CO OP	402.00
PRO BUILD FERGUS FALLS	611.18
QUILL CORPORATION	52.05
RADISSON PAPER VALLEY HOTEL	1,078.92
RAPID CHEK INC	903.63
RDO EQUIPMENT CO FARGO	267.97
RELIABLE OFFICE SUPPLIES	91.57
REVIEW ENTERPRISES INC	209.86
ROYAL TIRE INC	6,499.95
SAFELITE FULFILLMENT INC	49.95
CHERI SCHULTZ	43.55
SCOTT HOFLAND CONSTRUCTION INC	11,975.00
SEWER SERVICE	260.00
PAUL SIMENGAARD	154.46
STATE INDUSTRIAL PRODUCTS	260.14
STEINS INC	1,858.66

STRAND HARDWARE & RADIO SHACK	31.04
SUMMIT FIRE PROTECTION	350.00
SWANSTON EQUIPMENT CORP	8,437.50
THYSSEN KRUPP ELEVATOR CORPORA	804.86
LETHE TORGERSON	275.25
TOUTGES SANITATION	52.65
TOWMASTER	184.36
TRIMIN SYSTEMS INC	2,280.93
UGSTAD PLUMBING INC	10.01
SUSAN ULSCHMID	63.05
VERGAS ACE HARDWARE	7.96
VFW POST 612	105.00
VICTOR LUNDEEN COMPANY	355.57
VOSS LIGHTING	51.76
WADENA CO SHERIFF	80.00
TIMOTHY WENK	4,992.00
WINMAR HME	198.00
XEROX CORPORATION	191.82
ZIEGLER INC	54.24
<u>BYRON ZITZOW</u>	<u>124.99</u>
**** FINAL TOTAL.....	<u>\$380,525.39****</u>

approved minutes