

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, November 10, 2009
9:15 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, November 10, 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 November 10, 2009 as mailed.

Approval of Minutes

Motion by Lindquist, second by Rogness, and unanimously carried to approve the Human Services Board minutes of October 27, 2009, as mailed.

State Health Improvement Plan

Public Health Director, Diane Thorson, reported that Clay County has hired Jason Bergstrand as the Project Manager for the Regional State Health Improvement Plan. She requested that Mr. Bergstrand be located in the Otter Tail County Public Health Department because Mr. Bergstrand lives in Fergus Falls and it is a central location for the region. This arrangement will save some travel time and expense for the project. Motion by Lindquist, second by Rogness, and unanimously carried to authorize the Public Health Director to co-locate the Regional SHIP Project Manager, Jason Bergstrand, in the Otter Tail County Public Health Department through June of 2011. The SHIP program funds will cover the cost of computer, phone, and other supplies for the position.

Flu Vaccine Clinics

Ms. Thorson reported that over 1,050 doses of H1N1 vaccine have been administered, which is about 2% of the county population. These doses were for children 6 months to 3 years of age, pregnant women, and children with underlying conditions. Another shipment of H1N1 vaccine will be received by Otter Tail County and distributed to 8 surrounding counties in the region. Clinics have been scheduled to administer these doses between November 16, 2009 and November 26, 2009.

Dog Bite Hearing

At 9:30 a.m., Chairman Erickson opened a Dog Bite Hearing related to a dog known as Duke owned by Leslie and Scott Swartz from Underwood, MN. County Attorney, David Hauser, administered an oath to the Public Health Director to testify regarding the facts of the case. Ms. Thorson testified that two bites occurred to the daughter of Leslie and Scott Swartz. She stated that the facts as presented and the Sheriff's report are accurate. The owners have found a new home for the dog where there are no children present. The new owners reside in Rothsay, MN and are aware of the dog's history. Motion by Rogness, second by Froemming, and unanimously carried to approve the plan for the dog, Duke, to reside with new owners in Rothsay, MN as recommended by the Public Health Director. The County Attorney will prepare an Order of Findings and will provide a copy to Wilkin County if needed.

Early Head Start Program

Ms. Thorson briefed the Board regarding a program administered by the Community Action Council involving intensive home visiting for families who do not qualify under the Nurse Family Partnership program. The CAC would like to begin serving parents during the prenatal period. CAC would like to contract with Otter Tail County for nurse time and training services for this program. Motion by Rogness, second by Huebsch, and unanimously carried to approve this agreement in concept and request that the Public Health Director return to the Board when the contract is finalized.

Public Health Programs

Ms. Thorson submitted a financial analysis from January through September of 2009 for Public Health programs.

West Central Regional Juvenile Center

Probation Director, Chuck Kitzman and Director of WCRJC, Barry Steen, provided a new Cooperative Agreement for the facility and several financial documents. They requested Board action to terminate the current service agreement with WCRJC and enter into the new cooperative agreement, the commitment to purchase 2.5 beds per day by Otter Tail County in 2010, and action to implement the new agreement October 1, 2009. County Attorney, David Hauser, identified several sections of the proposed cooperative agreement that, in his opinion, needed clarification or further review including Section 5.01 (grant language), Section 7.06 (Open Meeting Law), Section 10 (per diems), Section 11.03 (counties being allowed to withdraw), and Section 15.01 (language to amend the agreement).

Mr. Steen explained the necessity to change how the facility operates in order to continue services as they have for the past thirty years. Clay County officials approached counties using the facility and suggested a system for counties to purchase beds which would ensure the money needed to meet the budget for the facility and not reduce programs. He stated that ten counties, at this point, have agreed in general to buy beds ranging from 1/8 bed to 8 beds. About seven counties have signed the new agreement. The budget for 2010 was discussed. Mr. Steen explained that the budget is based on 17.25 beds rather than 18 beds because there is income from a small area of the facility that is rented out and some nutrition services. Concern was expressed regarding the difference between the usage of the facility over the previous four years and the usage in 2009. Motion by Huebsch, second by Lindquist, and unanimously carried to ratify the concept of the new Cooperative Agreement for the Operation of the Clay County Secure Juvenile Detention and Treatment Facility subject to clarification of Section 15.01 (voting provision) and returning to the Human Services Board with a signed agreement.

Motion by Huebsch, second by Froemming, and unanimously carried to authorize payment to the Clay County WCRJC, in the amount of \$15,881 per month for October through December of 2009 to assist with the 2009 Budget. Motion by Rogness, second by Huebsch, and unanimously carried to authorize payment of \$15,881 per month for October, November, and December of 2009 to WCRJC from the Human Services Budget (Probation Out of Home Placement line item). The monthly secure detention out of home placement costs (based on purchase of 2.5 beds per day and a WCRJC budget of \$1,343,162.00) effective January 1, 2010 was reported as \$15,208.33.

DWI Court Surveillance Program

Motion by Huebsch, second by Rogness, and unanimously carried to authorize the Chairman's signature to execute an Agreement for Professional Services between the State of Minnesota, Seventh Judicial District, and Otter Tail County Probation for surveillance services for the DWI Court Program. The agreement requires a 25% match from Otter Tail County, provided either in cash or in-kind services. The agreement is effective from October 1, 2009 through September 30, 2010.

Human Services Contract Approval

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

Agency	Program	Effective Date	Targeted Population	Funding Source
Land of the Dancing Sky MOU (WCAAA)	Over 60 Transportation	01/01/2010 through 12/31/2010	Elderly & Disabled on behalf of the Area Agency on Aging	Federal Funding
Lake Country Home Care LLC	Homemaking Services	07/01/2009 through 06/30/2010	Elderly & Disabled	Purchased Services shall not exceed the OTC Approved Rates

General Assistance Medical Care

Human Services Director, John Dinsmore, briefed the Board on the termination of the GAMC program effective March 1, 2010. He reported that the Governor eliminated the program to reduce healthcare funding for the State by \$381 million. In Otter Tail County, approximately 200 clients are receiving health care coverage through GAMC. Mr. Dinsmore submitted a GAMC FAQ. The briefing indicated that about 75% of the 200 GAMC eligible clients will be covered under MnCare, some will obtain coverage through Medicaid due to disability and the remainder will be without coverage.

Prepaid Medical Assistance Program

Mr. Dinsmore submitted information regarding Request for Proposals from qualified managed care organizations to provide Medical Assistance and MinnesotaCare to eligible county residents. The State has asked for feedback from the 17 counties involved by September 15, 2009. Mr. Dinsmore also provided a State map indicating the current managed care organizations available for purchase by each county. Discussion continued regarding the cost of health care and nursing home services.

Approval to Pay Bills & Claims

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

Adjournment

At 10:50 a.m., Chairman Erickson declared the meeting of the Otter Tail County Human Services Board adjourned until 9:15 a.m. on Tuesday, November 24, 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, November 10, 2009, at 11:00 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 November 10, 2009 as mailed.

Approval of Minutes

Motion by Rogness, second by Froemming, and unanimously carried to approve the Board of Commissioners minutes of November 3, 2009, as presented.

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.

Access to USDA Maps/Data

Assessor, Bob Moe, spoke with legislators regarding access to the USDA maps. The 2008 farm bill restricts access to the maps because of the manner in which some agencies were using the data. Unless the farm bill is changed, Otter Tail County will not gain access to the data on these maps. Commissioners requested that a letter be prepared to Congressman Collin Peterson and the Association of Minnesota Counties to raise awareness of the issue. GIS Coordinator, Brian Armstrong, noted that when the farm bill opens, the counties need to provide a unified mission to make a change for access to the USDA map datasets.

Property Tax Sales Ratios and Green Acres Law

Mr. Moe reported the median sales ratio for residential and seasonal classifications as 98.6% and agricultural classification at 102.87%. This ratio is based on sales from October 1, 2008 through September 30, 2009.

Mr. Moe reported that non-productive land in Green Acres can be removed without a payback of tax on those acres if a decision is made by May 1, 2010. The Rural Preserve Law begins in 2011 with the Board of Water & Soil Resource (BWSR) and the Soil & Water Conservation District (SWCD) administering the program and the Assessor's office determining eligibility. Discussion took place regarding each program and the advantage of removing land from the Green Acres program. Land can be put into the Rural Preserve program for ten years. This requires filing a covenant which must be completed by May 1, 2013. If property is sold, the covenant is recorded and is retained with ownership of the property. Mr. Moe stated that letters will be sent to property owners currently in the Green Acres program. Commissioner Huebsch requested a one-page synopsis of how the law is changing. Mr. Moe stated that special ag homestead applications and letters to resort owners are also being mailed.

License Application

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

Big Chief, Inc.
22528 Big Chief Road
Fergus Falls, MN 56537

Tobacco

Bid Award – CSAH 18 Culvert Replacement

Motion by Huebsch, second by Lindquist, and unanimously carried to award the CSAH 18 Culvert Replacement project to the low bidder, Subsurface, Inc. of Moorhead, MN, in the amount of \$25,536.36.

Project Update

Highway Engineer, Rick West, provided construction and design project updates and the elevations for various pumping projects (Oscar, Lake Olaf, Johnson and South Turtle).

Recess & Reconvene

At 11:51 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed for Budget and Personnel Committee meetings and lunch break. The meeting was reconvened at 12:59 p.m. with Commissioners Erickson, Froemming, Huebsch and Rogness present.

Wind Energy Presentation

Otter Tail Power Wind Energy Consultant, Bryan Morlock, outlined various aspects of wind energy and factors that need to be considered with a single wind turbine or a wind turbine farm by way of a powerpoint presentation. He stated that in Minnesota, the standard is 25% of the state's electricity should be from renewable energy sources by 2025. Mr. Morlock referred to the 400-megawatt wind farm located north of Valley City, ND partially owned by Otter Tail Power.

Mr. Morlock discussed wind characteristics including wind speed and wind power. Turbines need 8 – 9 mph wind speed to start and will shut down at about 55 – 57 mph. Wind turbines will also shut down at about -22 degrees F or colder to reduce breakdown of technological or mechanical equipment in the turbine. Turbine characteristics range from a small 1/8 kW turbine that costs \$4,000 to \$5,000 to units up to 2,500kW. Wind monitoring for a large project usually includes one to three years of data saved every ten minutes and then analyzed by an experienced meteorologist. The wind data and elevation will show various output depending on locations. Turbulence is a key factor when siting a location for a wind farm because it can cause mechanical stress to the turbines. Siting studies will include noise impacts, environmental concerns, safety, and required setbacks.

Mr. Morlock stated that the Public Utilities Commission (PUC) has siting jurisdiction for any projects of 5 MW or more. Counties may assume siting jurisdiction for wind farms of 5 – 25 MW if the county assumes responsibility and provides notice to the PUC. Wind farms of less than 5 MW have local siting jurisdiction only.

Discussion took place regarding the financial up-front costs to develop a wind farm and the federal and state incentives now available. Other areas of discussion included; 1) traffic on rural roads, 2) decommissioning, 3) carbon legislation, 4) MN renewable energy credits, and 5) methane gas and its role in renewable energy.

Closed to the Public

At 2:05 p.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners moved to the Dead Lake Room and closed to the public to discuss litigation in the matter of foreclosure proceedings relative to the Ethanol Plant. The closed session is authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were all five seated Commissioners, attorneys from Lindquist & Venum via conference call, the County Attorney, County Coordinator and Board Secretary.

Adjournment

Upon conclusion of the closed session, at 3:07 p.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, November 17, 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 11/10/2009 FOR PAYMENT 11/10/2009

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	7,992.83
MARLYS ADAMS	14.99
SCOTT ANDERSON	90.51
ASSOCIATED BAG COMPANY	117.68
BECKLUND OIL CO	2,797.28
BEN HOLZER UNLIMITED	31.24
BONNIE BERG	12,360.00
TODD BIEDERMAN	4,275.46
TIFFANY BLADOW	4,502.50
BLESIEVANS COMPANY	192.05
BOB'S STANDARD BULK SERVICE	76.57
DION BREDMAN	44.99
RICHARD CARLUND	200.00
CARQUEST OF FERGUS FALLS MN	68.28
CARR'S LAKE COUNTRY SUPERMARKE	442.94
CATCO PARTS AND SERVICE	32.83
CHEMSEARCH	259.62
COOPERS TECHNOLOGY GROUP	198.77
CREATIVE FORMS & CONCEPTS INC	333.04
CULLIGAN	33.71
CULLIGAN WATER CONDITIONING	10.69
CAROLYN DALLMANN TRUSTEE	7,394.76
DAN'S TOWING & REPAIR	72.10
DEANS COUNTRY MARKET	16.91
DENZEL'S REGION WASTE INC	572.80
KATHY DOMHOLT	8.70
ELECTION SYSTEMS & SOFTWARE IN	1,197.04
MARK ELLENSON	8.02
FABRICATORS UNLIMITED INC	135.43
FERGUS ELECTRIC	2,036.56
FERGUS FALLS DAILY JOURNAL	1,646.30
FERGUS FALLS MEDICAL GROUP	1,196.86
FERGUS POWER PUMP INC	10,241.40
FERGUS TIRE CENTER	770.47
FOTH & VAN DYKE	2,410.50
FRAZEE FORUM INC	45.15
GALL'S INC	39.60
DARREL GEDDE	9,802.71
JOHN GOOD	44.99
GOODIN COMPANY	58.18
PATRICK GRIFFIN	105.40
GORDON GUGEL	15.00
HEDAHLS HEADQUARTERS	89.09
HENRY'S FOODS INC	1,276.41
HITESMAN & ASSOCIATES PA	621.00
SANDY HOLO	225.61
TONYA HOLT	26.50
HONEYWELL	1,977.25
JANET HOUSER	8,289.99
HSBC BUSINESS SOLUTIONS	53.14
INNOVATIVE OFFICE SOLUTIONS	50.21
J J KELLER & ASSOCIATES INC	53.38
JC ELECTRIC INC	68.47
STANLEY JESINOSKI	9,247.77
JK SPORTS	543.49
GARY JOHNSON	251.29
K.I.D.LEASING	256.44
RICHARD KATZKE	8,531.50

KEEPRS INC CY'S UNIFORMS	71.57
KELLY SERVICES INC	350.00
GORDON KNUDSON	793.14
LARRY KROHN	327.11
L & L SERVICE	54.01
LAB SAFETY SUPPLY INC	327.84
LARRY OTT INC TRUCK SERVICE	2,150.00
LARRY'S SUPERMARKET	35.00
PAT LARUM	76.80
ALLEN LEIN	8,374.91
JERRY LEIN	59.99
JANET LINDBERG	178.75
LOCATORS & SUPPLIES INC	267.08
LYLE'S WELDING & REPAIR	1,612.50
MARCO	59.67
MARCO INC ST LOUIS	1,487.93
MARK AND BRENDA CONSTRUCTION I	307.50
WENDY METCALF	300.93
MIDWEST PRINTING CO	171.00
MIDWESTERN MAT RENTAL & SUPPLY	84.48
MILLER'S PRECISION ENTERPRISES	51.14
MN MOTOR COMPANY	58.52
NAPA FERGUS FALLS	191.31
NETWORK CENTER COMMUNICATIONS	2,752.51
NOLO	30.42
RANDY NORGREN	375.00
NORTH AMERICAN SALT CO	96,899.92
OFFICEMAX INCORPORATED	333.42
RICHARD OLSON	3,100.00
OTTER TAIL CO TREASURER	44.56
OTTERTAIL TRUCKING INC	8,717.00
OUTDOOR RENOVATIONS LANDSCAPE	149.63
OVERHEAD DOOR CO OF FERGUS FAL	186.75
OVERLAND MECHANICAL SERVICES	127.50
DONALD PEDERSON	89.99
KENNETH PEDERSON	5,794.14
PELICAN RAPIDS PRESS	319.82
PEPSIAMERICAS	426.40
CITY PERHAM	111,979.64
ALVIN PETERSON	1,088.01
DANIEL PETERSON	200.00
KATINA PETERSON	1,102.14
POPE DOUGLAS SOLID WASTE MANAG	11.70
POWER PLAN	336.33
PRODUCTIVE ALTERNATIVES INC	209.98
RDO EQUIPMENT CO FARGO	86.06
REVIEW ENTERPRISES INC	144.00
ROYAL TIRE INC	1,521.78
SBLC-FF	380.35
DONALD SCHMIDT	9,564.91
CHERI SCHULTZ	42.51
SCOPE TECHNOLOGIES CORP	84.00
SCOTT HOFLAND CONSTRUCTION INC	6,875.00
HEATHER SEVERSON-TANEZ AND	6,500.45
SEWER SERVICE	260.00
RICK SHEILS	228.96
PAUL SIMENGAARD	94.84
STADUM PLUMBING & GRAVEL LLP	98.00
STATE INDUSTRIAL PRODUCTS	138.93

STEINS INC	2,391.65
BERNARD STICH	19,115.12
STREICHERS	22,405.00
STRINGER BUSINESS SYSTEMS INC	87.81
SUPER SEPTIC & EXCAVATION	77.19
WILLIAM TAYLOR TRUSTEES	4,565.52
DARREN TORGUSSON	151.00
SUSAN ULSCHMID	48.20
VIKING COCA-COLA	111.75
WASTE MANAGEMENT	562.77
WEST PAYMENT CENTER	3,574.70
WHITE BANNER UNIFORM SHOP	425.99
XEROX CORPORATION	168.42
ZEE MEDICAL SERVICE	9.51
JOHN ZEGLIN	774.84
<u>**** FINAL TOTAL.....</u>	<u>\$435,611.70****</u>

OTC Board of Commissioners' Minutes