

**MINUTES OF THE  
 OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
 Government Services Center, Commissioners' Room  
 500 W. Fir Avenue, Fergus Falls, MN  
 Tuesday, December 29, 2009  
 9:15 a.m.**

**Call to Order**

The Otter Tail County Human Services Board convened Tuesday, December 29, 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, and Lee Rogness present. Commissioner Doug Huebsch was absent.

**Approval of Agenda**

Motion by Froemming, second by Lindquist, and unanimously carried to approve the Human Services Board agenda of December 29, 2009 with the following change: Dog Bite Hearing Canceled

**Approval of Minutes**

Motion by Rogness, second by Lindquist, and unanimously carried to approve the Human Services Board minutes of December 15, 2009, as presented.

**Child & Teen Checkup Contract**

Motion by Rogness, second by Lindquist, and unanimously carried to authorize the appropriate County Officials' signatures to execute a contract between the County of Otter Tail and the State of Minnesota Department of Human Services for early and periodic screening, diagnosis and treatment services for eligible children under Medical Assistance and MinnesotaCare. The total CY2010 State reimbursement for the program to Otter Tail County is \$131,387.00.

**Community Health Assessment and Action Plan**

Public Health Director, Diane Thorson reported that the Community Health Assessment and Action Plan will be sent to the State Department of Health by December 31, 2009. The highest priority is preventing the spread of infectious disease. This will be accomplished by increasing the number of adults who receive various immunizations. This will be encouraged by advertising. Stimulus funding will be received in April of 2010 to allow additional work on this issue.

**Dental Clinic**

Ms. Thorson briefed the Board regarding Apple Tree Dental Clinic which is anticipated to be in operation in 2010 at the mall in Fergus Falls. The clinic has recruited a dentist for the area. The majority of services provided are for people on Medical Assistance and/or MinnesotaCare who have been unable to obtain dental services.

**Human Services Contract Approval**

Motion by Lindquist, 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
Rewind, Inc.	Chemical Dependency Treatment	01/01/10 through 12/31/10	Eligible Individuals	County of Financial Responsibility-Consolidated CD Treatment Fund & MA

Moorhead Public Housing	BCOW Bridges Program & BCOW Supported Housing Program	01/01/10 through 12/31/10	Adult Mental Health	BCOW Initiative Funds Bridges Program-\$131,400 Supported Housing-\$117,000
A Place For Friends	Social Club Type Activities	01/01/10 through 12/31/10	Adults with Serious & Persistent MI	BCOW Initiative Funds \$18,310
A Place To Belong	Social Club Type Activities	01/01/10 through 12/31/10	Adults with Serious & Persistent MI	BCOW Initiative Funds \$141,375
Lakeland Mental Health Center	Children's & Adult's MH & CD Services	01/01/10 through 12/31/10	Adults MI and people eligible for CD services	Initiative Funding/County of Responsibility/MA/State & Federal Funds
Productive Alternatives, Inc.	CD Detoxification Program	01/01/10 through 12/31/10	Chemically Dependent Adults	County of Financial Responsibility/3 <sup>rd</sup> Party Reimbursement/Private Pay
Rural Minnesota Concentrated Employment Program (CEP)	Addendum-2 <sup>nd</sup> year of DWP and MFIP Employment Services	01/01/10 through 12/31/10	Low Income Families Eligible for Assistance	MFIP/CCSA State Grant \$418,793 Employment Services

**Financial Report**

Human Services Director, John Dinsmore presented agency expenses and revenues from January 1, 2009 through November 30, 2009. Total expenses were reported as under budget by \$1,177,100 with revenues \$109,700 under budget. Mr. Dinsmore estimated a savings of \$750,000 to 1 million dollars from CY2009 that can be added to the fund reserve balance to assist with cash flow and/or used as a rainy day fund in the future. He also reported that the Probation Out of Home Placement Fund is currently under budget with the Guardianship Contract over budget by \$19,500. Mr. Dinsmore stated that \$9,360,000 is budgeted for contracted services with 8.1 million dollars budgeted for staff. Otter Tail County is responsible for \$7,787,836 (44%) of the total Human Services Agency annual budget of \$17,492,463. In CY2000, the County paid only 31% of the total agency budget.

**Closed to the Public**

At 10:17 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners closed to the public for the purpose of evaluating the performance of Public Health Director, Diane Thorson, pursuant to M.S. Chapter 13D.05 Subd. 3. Commissioners Erickson, Froemming, Lindquist, and Rogness were present for the evaluation. A summary of performance conclusions will be provided at the next regular Human Services Board meeting.

**Adjournment**

Upon conclusion of the closed session, at 10:51 a.m., Chairman Erickson declared the meeting of the Otter Tail County Human Services Board adjourned until Tuesday, January 12, 2010.

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

OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: \_\_\_\_\_  
 Human Services Board Chair

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

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, December 29, 2009, at 10:59 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, and Lee Rogness present.

**Approval of Agenda**

Motion by Froemming, second by Lindquist, and unanimously carried to approve the Board of Commissioners agenda of December 29, 2009 with the following addition:

11:20 a.m. – Lieutenant, Mark Englund – Amor Tower Site Contract

**Approval of Minutes**

Motion by Lindquist, second by Froemming, and unanimously carried to approve the Board of Commissioners minutes of December 22, 2009, as mailed.

**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.

**Payment Approval**

Motion by Froemming, second by Rogness, and unanimously carried to approve payment of the following drainage system expenditures:

D&S Excavating of Vining, LLC	Removed Beaver Dam	Drainage System No. 5	\$225.00
Fred Kohl	Trapped Beavers (4)	Drainage System No. 5	\$200.00
OTC Highway Department	DNR Elevations	Drainage System No. 16	\$317.27
Ness Backhoe Service	Repairs	Drainage System No. 52	\$6,020.64

**Fund Transfers**

Motion by Lindquist, second by Froemming, and unanimously carried to approve an inter-fund loan with an interest rate of 4 percent between the General Revenue Fund and County Drainage System as follows:

County Drainage System No. 16 in the amount of \$24,491.03, and  
County Drainage System No. 52 in the amount of \$1,446.12.

Motion by Froemming, second by Rogness, and unanimously carried to approve an operating transfer, in the amount of \$601,078.33, from the General Fund to the Debt Service Fund for the purpose of replenishing the Debt Reserve Fund for the General Obligation Tax Abatement Bonds, Series 2007B and the Taxable General Obligation Tax Abatement Bonds, Series 2007C.

**Application for Exempt Permit**

Motion by Erickson, second by Froemming, and unanimously carried to approve, with no waiting period, the LG220 Application for Exempt Permit as submitted by the Pelican Rapids Jaycees for an event scheduled for Saturday, January 30, 2010 at the north end of Lake Lida near the public access.

**Final Payment –S.P.056-682-007**

Motion by Froemming, second by Rogness, and unanimously carried to approve final payment, payable to Central Specialties, Inc. of Alexandria, MN, in the amount of \$60,735.32 for work completed on CSAH 82/Bridge No. 56J19 west of Dalton.

**Highway Department Inventory Method**

Motion by Rogness, second by Lindquist, and unanimously carried to adopt the Weighted Average Method for determining the value of inventory on hand in the Highway Department beginning January 1, 2009.

**Elbow Lake Public Access Property**

Motion by Rogness, second by Froemming, and unanimously carried to authorize the appropriate County Officials' signatures on all documents for the transfer of property to the State of Minnesota from Otter Tail County at the Elbow Lake Water Access Site, Parcel 2-#142430 at a purchase price of \$71,000.

**National Association of County Engineers**

Motion by Erickson, second by Rogness, and unanimously carried to approve out-of-state travel for the Highway Engineer to attend the NACE conference the end of April, 2010, located in Fort Worth, TX.

**Amor Tower Site**

Motion by Lindquist, second by Rogness, and unanimously carried to approve the appropriate County Officials' signatures to execute a Partnership Agreement for Shared Use of Communications Facilities for the Amor Tower Site (Agreement No. 95892). The Agreement is between the County of Otter Tail and the State of Minnesota Department of Transportation and is needed to support the statewide public safety radio system (ARMER).

**Allied Radio Matrix for Emergency Response**

Lieutenant, Mark Englund requested payment of invoices for expenses, up to \$25,000.00, relative to the ARMER communications system. Motion by Lindquist, second by Rogness, and unanimously carried to authorize payment from the General Revenue Fund, up to \$25,000.00, for ARMER communications systems expenses in CY2010. These expenses are to be reimbursed to Otter Tail County from the Central MN Regional Radio Board during CY2010.

**Final Payment – Ottetail Operations Center**

Motion by Rogness, second by Froemming, and unanimously carried to approve final payment, in the amount of \$14,420.15, to Comstock Construction for completion of the Law Enforcement Operations Center building located in Ottetail City.

**Closed to the Public**

At 11:27 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners closed to the public to discuss expected litigation in the matter of the construction of the 60-Bed Chemical Dependency Treatment Facility. The closed session is authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were Commissioners Erickson, Froemming, Lindquist, and Rogness, County Attorney, County Coordinator, Physical Plant Manager, and Board Secretary.

**Recess & Reconvene**

At 12:20 p.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 12:59 p.m.

### **Buffalo Red River Watershed District**

BRRWD Administrator, Bruce Albright presented informational documents and a power point presentation. He stated that portions of three townships (Norwegian Grove, Scambler, & Trondhjem) in Otter Tail County are in the boundaries of the BRRWD. The district was originally formed in the late 1970's because of flood and devastation issues. The first four years were dedicated to plans and rules and this particular district requires that if you are changing anything, you must obtain a permit from the BRRWD. In 2009, there were about 140 application requests processed.

Mr. Albright discussed current projects including the Riverton Township Retention project in Glyndon built on nature conservancy land, the Kragness Ringdike, and Grove Lake project (located in OTC), Oakport Flood Mitigation project, and Manston Slough Restoration. The BRRWD's new projects include the Upper South Branch project and a complete Buffalo River TMDL study.

Lengthy discussion continued regarding the following items:

- Easements, planning and public meetings
- Funding for specific projects which usually includes state grant funds, watershed district wide funding, and funding from the individuals directly benefited by the project
- Appraisers who assess benefits and notice requirements
- The right for landowner(s) to appeal
- Funding from the Red River Basin Commission to help local agencies store/hold back water
- The BRRWD split away from the Red River Basin Commission because of a perception by the BRRWD that the funding was not benefiting their district fairly.
- The Army Corps of Engineers' study that determined that not enough water can be stored upstream to prevent Fargo/Moorhead from flooding
- BRRWD is 1,400 sq. miles with varied land uses which are broken down into 7 different subregions
- BRRWD has completed 4 or 5 projects that have involved Otter Tail County land
- Average cost of projects in the BRRWD was estimated at \$0.28 per \$1,000 of value
- Issues of high land vs. low land
- The potential to leverage more grant dollars for projects in a watershed district
- The value of working together to complete projects for the benefit of everyone
- Brad Mergens reported on 2 upcoming informational meetings in February – one in Wilkin County and one in Otter Tail County

### **Recess & Reconvene**

At 2:19 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 2:25 p.m.

### **Family Medical Leave Act**

Motion by Froemming, second by Rogness, and unanimously carried to adopt the amendments to the Otter Tail County Family and Medical Leave Act (FMLA) Policy and the FMLA Procedure as submitted. The adoption of the amended Otter Tail County FMLA Policy will be effective two weeks after the appropriate posting is provided to Department Heads and posted on bulletin boards pursuant to 1.10 of the Personnel Rules.

**Settlement Agreement**

Motion by Lindquist, second by Rogness, and unanimously carried to authorize the appropriate County Official's signature to execute a Settlement and General Release Agreement between the County of Otter Tail and AFSCME Council 65 and Dean Hedstrom as presented.

**Adjournment**

At 3:05 p.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, January 5, 2010.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Board of Commissioners Chair

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

CB/kd

approved minutes

**WARRANTS APPROVED ON 12/29/2009 FOR PAYMENT 12/29/2009**

<b><u>VENDOR NAME</u></b>	<b><u>AMOUNT</u></b>
A'VIANDS LLC	6,536.70
ACS	1,115.13
AMERICAN INSTITUTIONAL SUPPLY	147.72
ERIC BABOLIAN	14.11
BATTLE LAKE STANDARD	210.64
BRIGGS CORPORATION	119.10
DOUG CANNELL	192.72
CDW GOVERNMENT INC	2,606.79
CERTIFIED AUTO REPAIR	264.85
CITIZENS ADVOCATE AND VERNDALE	93.50
CO OP SERVICES INC	105.85
COMSTOCK CONSTRUCTION INC	9,090.00
COOK'S	102.92
COOPERS TECHNOLOGY GROUP	248.16
CUMMINS NPOWER LLC	1,853.09
DACOTAH PAPER COMPANY	668.93
GEORGE DEMERS	1,679.00
KATHY DOMHOLT	7.71
MICHAEL EULL	868.00
FERGUS ELECTRIC	88.50
FERGUS FALLS DAILY JOURNAL	446.40
FERGUS FALLS MEDICAL GROUP	3,806.00
FERGUS TIRE CENTER	793.33
FIRE FIGHTER & DETECT ALARM	341.47
FORTWENGLER ELECTRIC INC	17.10
FREMONT INDUSTRIES INC	917.38
GALL'S INC	167.05
GODFATHERS EXTERMINATING INC	338.31
GOOD POINTE TECHNOLOGY	3,390.00
CHRISTINE GREENE	56.45
PATRICK GRIFFIN	9.64
HAWES SEPTIC TANK PUMPING	105.00
HEDAHL'S HEADQUARTERS	22.05
HENNING AUTO PARTS INC	101.97
HIGH PLAINS TECHNOLOGY	8,616.97
INNOVATIVE OFFICE SOLUTIONS	2,185.09
ISSUETRAK INC	600.00
JK SPORTS	792.50
KELLY SERVICES INC	1,613.57
KOEP'S SEPTIC	65.00
LAKE REGION DENTAL CENTER	841.00
LAKE REGION HEALTHCARE CORP	423.59
LAKES COUNTRY SERVICE CO OP	227.00
LARRY OTT INC TRUCK SERVICE	1,000.00
LARSON'S BIO AG	154.00
LEITCH EXCAVATING	1,422.50
LITTLE FALLS MACHINE INC	410.44
LOCATORS & SUPPLIES INC	285.95
MACPZA	150.00
MARCO INC ST LOUIS	232.06
AMY MARK	140.00
MCCC MI 33	15.58
MIDWEST PRINTING CO	53.44
MN DEPT OF AGRICULTURE	10.00
MN DEPT OF HEALTH	200.00
MN DEPT OF LABOR AND INDUSTRY	100.00
MN MOTOR COMPANY	499.78
ELDON MOREY PHD	365.00

NIEMELA AUTO REPAIR & TOWING	303.79
NORTHERN BANK NOTE CO	1,140.00
NORTHSTAR TECHNOLOGY GROUP INC	9,834.98
OFFICEMAX INCORPORATED	94.23
OTIS ELEVATOR CO	113.04
OTTER TAIL CO EMPLOYEES COMMIT	94.00
PHILLIPE LAW OFFICE	285.50
MARCO PICCHIARINI	111.77
PITNEY BOWES	1,542.17
POWER PLAN	2,464.19
PRO SWEEP INC	812.50
PRODUCTIVE ALTERNATIVES INC	69.03
QUARTERMASTER	40.09
QUILL CORPORATION	291.69
RS MEDICAL	610.00
DENNIS SODERSTROM	149.99
SON'S APPLIANCE & REFRIGERATIO	182.40
SOUTH MILL SERVICE	1,672.38
SOUTHTOWN C-STORE	915.74
SRF CONSULTING GROUP INC	2,512.99
STAR TRIBUNE	573.04
STEINS INC	1,429.57
STREICHERS	808.95
SWANSTON EQUIPMENT CORP	609.71
TNT REPAIR INC	57.03
TOWMASTER	33.40
TRIMIN SYSTEMS INC	3,102.58
UNIFORMS UNLIMITED	47.94
UNIVERSITY OF MN	1,080.00
WHITE BANNER UNIFORM SHOP	555.00
<u>*** FINAL TOTAL.....</u>	<u>\$88,466.74 **</u>