

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, February 9, 2010
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, February 9, 2010, at 9:30 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners Roger Froemming, Chair; John Lindquist, Vice-Chair; Everett Erickson, Doug Huebsch and Lee Rogness present.

Approval of Agenda

Motion by Lindquist, second by Rogness, and unanimously carried to approve the Human Services Board agenda of February 9, 2010 as mailed.

Approval of Minutes

Motion by Erickson, second by Froemming, and unanimously carried to approve the Human Services Board minutes of January 26, 2010 as mailed.

Committee of the Whole Discussion

Commissioner, Doug Huebsch reported that funding for the Perham Resource Recovery Center is in the Senate and House bonding bill as a result of our legislators work on this project.

Probation Department 2009 Annual Report

Probation Director, Chuck Kitzman briefed the Board on statistics and trends in the Probation Department 2009 Annual Report. He referred to the juvenile delinquent and petty offenses noting that alcohol offenses were the highest on the list. He discussed various programs such as the Change Direction – Drug Education Program, Keys to Innervision Program, Teen Tobacco Awareness, Theft Clinic, and Alive at 25 Program. Mr. Kitzman discussed adult offenses with DWI's being the leading offense. Statistics were included on the DWI Court program which is fairly new in Otter Tail County and Mr. Kitzman talked about the successes in this program. Lengthy discussion took place regarding the juvenile out-of-home placements that occurred in 2009. Collection of supervision fees was reported at 84.21%.

Public Health Contract

Motion by Rogness, second by Huebsch, and unanimously carried to authorize the appropriate County Officials' signatures to execute a contract between the County of Otter Tail Public Health Department and Evergreen Perinatal Education to provide a three-day regional conference March 30 – April 1, 2010 at a cost of \$8,500.00. Funding is provided through the State Improvement Plan Grant.

Indoor Air Quality Evaluation

Public Health Director, Diane Thorson requested approval of an environmental health assessment contract with ARS Environmental Health, Inc. to address indoor air quality issues at the Courthouse. Discussion took place regarding the testing and analysis included in the contract. Because this is a safety issue, Commissioner Huebsch offered a motion, seconded by Lindquist to approve Proposal No. 09-35 between the County of Otter Tail and ARS Environmental Health, Inc. for an environmental assessment at the Courthouse at a cost not to exceed \$2,970.00. This expense will be paid from dollars remaining in the 2009 Safety Budget that has been rolled over into the General Fund. Motion carried unanimously.

H1N1 Funding

Ms. Thorson reported that Otter Tail County is eligible for an additional \$50,000 from the federal government to continue with H1N1 shots. The Public Health Department is tracking those that need to receive a second shot. Commissioners suggested use of grant dollars to provide creative education.

Adult Mental Health Local Advisory Committee

Adult Mental Health LAC member, Luanne Hanson, provided a brief overview of the committee's activities during 2009 and submitted a handout. Ms. Hanson reported that the Jail Outreach Program is a new initiative that provides information for jails. A Mental Health professional is now available in the jail system with service after hours and on weekends. Referrals are also received from jail staff prior to an inmate's release. Another new focus is collaboration between the Adult MH LAC and Childrens' MH LAC to use each others' sources and ideas to educate the public.

Mobile Crisis Team Update

Program Director, Beth Zimmerman introduced the Mobile Mental Health Crisis Response Team and Crisis Bed Programs and provided several handouts. The crisis stabilization unit is located on the south end of the Willows building owned by Productive Alternatives providing a home like environment for people in crises. Their goal is to have supports in place to return people to their home and reduce the need for hospitalizations. Ms. Zimmerman also explained their phone support program and their ability to connect people with the appropriate resources.

Human Services Contract Approval

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

Agency	Program	Effective Date	Targeted Population	Funding Source
Minnesota State Operated Community Services (MSOCS)	Waivered Services	01/01/10 through 12/31/11	Persons with Mental Retardation or related conditions	State Waiver Funds and MA
REM Waivered & ILS	Waivered Services and Independent Living Skills	01/01/10 through 12/31/10	Persons with Mental Retardation or related conditions	AC/EW or CADI Waiver Funds and MA
REM SILS	Semi-Independent Living Skills	01/01/10 through 12/31/10	Persons with Mental Retardation or related conditions	County of Financial Responsibility \$33.94 per hour
OTC Court Administration	Legal Representation for CHIPS and TPR Cases	01/01/10 through 12/31/10	Parents of CHIPS & TPR Cases	OTC Court Admin contracts with 3 Attorneys at a cost of \$1,390.50 per month each
LMHC (Addendum)	SOS/Aftercare/ARMHS	01/01/10 through 12/31/10	Clinical Supervision & Office Rental/IT Support	BCOW MH Initiative Clinical Supervision-not to exceed \$7,745, Office rental & IT Support not to exceed \$3,300
Livewell Brad Kastelle	Adult Foster Care	01/01/10 through 06/30/10	Elderly and Disabled	AC/EW/CADI or TBI Waivered Funds

Other Human Services Correspondence

Human Services Director, John Dinsmore submitted a list of all Human Services contracts, of which, about 130 are purchase of service contracts. He also provided a handout entitled "Region IV Human Service 2010 Legislative Positions – MACSSA's Priority Issues to Address".

Approval to Pay Bills & Claims

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

Adjournment

At 10:42 a.m., Chairman Froemming declared the meeting of the Otter Tail County Human Services Board adjourned until Tuesday, February 23, 2010.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____
Roger Froemming, Human Services Board Chair

Attest: _____
Larry Krohn, Clerk

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, February 9, 2010, at 11:00 a.m. at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners Roger Froemming, Chair; John Lindquist, Vice-Chair; Everett Erickson, Doug Huebsch and Lee Rogness present.

Approval of Agenda

Motion by Erickson, second by Rogness, and unanimously carried to approve the Board of Commissioners agenda of February 9, 2010 with the following additions:

Closed Session – Attorney Client Privilege
Closed Session – Labor Negotiation Strategies

Approval of Minutes

Motion by Rogness, second by Lindquist, and unanimously carried to approve the Board of Commissioners minutes of February 2, 2010 with the following correction:

In the February 2, 2010 Board of Commissioners' Minutes, Page 3, the attendance at the Closed Session held at 6:15 p.m. was incorrect. It is corrected to state that Commissioners Froemming, Lindquist, Huebsch, and Rogness and the County Attorney were present and the session was completed and meeting adjourned at 6:30 p.m.

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.

Geotechnical Evaluation for S.P. 56-601-54

Motion by Rogness, second by Huebsch, and unanimously carried to approve the appropriate County Officials' signatures to execute a contract between the County of Otter Tail Highway Department and Braun Intertec to provide soil borings for overlay on County Road 1 from County Road 10 east to County Road 35. The cost of the work is not to exceed \$6,700.

Approval to Hire Seasonal Highway Workers

Motion by Rogness, second by Erickson, and unanimously carried to authorize hiring for the following seasonal highway positions as presented by the Highway Engineer:

Three Engineering Technician I Seasonal Positions

Two Sign Technician Seasonal Positions

Engineering Aides and Technicians assist with project surveying and construction inspection. Sign Technicians assist with maintenance of signs throughout the County.

Minnesota Rural Counties Caucus Membership Dues

Motion by Froemming, second by Erickson, and unanimously carried to approve payment, in the amount of \$2,100.00, from the General Revenue Fund to MRCC for Otter Tail County's 2010 membership dues.

License Application

Motion by Lindquist, second by Huebsch, and unanimously carried to approve the following applicant for license:

Clear Lake Resort
12296 275th Ave
Dalton, MN 56324

Renewal of Consumption and Display Permit

Public Hearing – Fergus Falls South Demolition Landfill Permit Request

At 11:05 a.m., Chairman Froemming opened the Public Hearing for the City of Fergus Falls South Demolition Landfill Permit request. Present for the hearing were representatives from the Minnesota Pollution Control Agency, City of Fergus Falls, County Solid Waste Director, Mike Hanan, and several members of the public.

Mr. Hanan stated that at the last meeting in December of 2009, modifications to the permit application for the Fergus Falls South Demolition site were discussed. Commissioners requested a briefing on the modifications.

Houston Engineering Project Manager, Bart Schultz, presented a memo explaining the demolition facility history and proposed development of the southern portion of the facility. Phase 1 of the project is to develop a space south of the current active demolition cell. The landfill office will be moved east of the new cell where recyclable drop-offs, electronics, and tires will be located. When phase 1 & 2 are filled, the site will move southeast of the office, then further south and around in a clockwise fashion so there is always visibility from the landfill office as the work/filling is done. This was identified on a map as Phase 3a & 3b, 4a & 4b, and 5a & 5b. A question was asked if the development order could be changed moving around in a counter clockwise fashion to protect residents on Oak Street for a longer period of time. The capacity of each phase/demo cell was discussed. Mr. Schultz stated that the natural topography lends itself towards the clockwise plan. Fencing and the tree planting (landscaping) plan were explained. Commissioner Rogness requested signage on the top of the hill on Union Avenue before turning towards the landfill that identifies whether or not the landfill is open. This may help with needless traffic on Oak Street.

At 11:26 a.m., Chair Froemming opened the meeting for public comment. John Helland, resident of 2029 South Oak, invited commissioners and other interested parties to visit his house and see the visibility to the demolition/landfill site from his kitchen. He expressed concern that the box elder screening across the road is not a long term tree. He stated that signage before reaching the facility would help, but, his number one concern is the dust off the cell.

Solid Waste Director, Mike Hanan stated that the Board of Commissioners needs to determine if they intend to issue a license for the South Demolition facility and if so, the Board needs to set a time period for the license which must expire at the end of a year. Additionally, the Board must determine the amount of the bond that is required. Commissioners requested that Mr. Hanan put together a complete recommendation on these items and return to the Board. Chairman Froemming closed the Public Hearing at 11:37 a.m.

Evaluation Services for Court Administration

Motion by Lindquist, second by Rogness, and unanimously carried to approve the Chairman's signature to execute a contract between Otter Tail County and Lakeland Mental Health Center for psychological and psychiatric evaluations ordered by the Court for the period of January 1, 2010 to December 31, 2010.

Recess & Reconvene

At 11:43 a.m., Chair Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:00 p.m.

Engineer's Report for County Drainage System No. 16

Jeff Langen P.E., from Houston Engineering, presented an Engineer's Study (HE Project No. R096394-001) for repair to Otter Tail County Ditch No. 16 in Section 2 and 11 of Clitherall Township.

In preparing the scope of the engineering study, it was determined that the study address the existing conditions of the County Ditch 16 channel and determine the as constructed condition of the system. Also, the study would determine applicable repair requirements according to state law, and evaluate proposed repairs to the system by developing and modeling various flows to determine impacts along the complete drainage corridor.

Mr. Langen referred to Page 3 of the study and discussed the history of the existing ditch system. He explained the process used to inspect the system. It was determined that there were various areas where culverts were not adequate in size for the flows experienced. He discussed the study results and conclusions on Page 7. No original as constructed ditch information was found. The biggest issue is the depth or the elevation of the bottom of the ditch. The best information was at the outlet of Clitherall Lake. The DNR had detailed survey information from 1973. Mr. Langen referenced the lower estimated profile grade of the ditch (LEPG) and upper estimated profile grade of the ditch (UEPG), elevations at West Battle Lake projected to Clitherall Lake and compared the information with survey and soil data.

The Engineer's Study recommends that the 2-24" culverts under Bonnie Beach Road be removed and replaced with a single 42" culvert 1½ to 2 ft. below the existing culvert elevation. The single 30" culvert through N. Clitherall Lake Road is proposed to be removed and replaced with a single 42" culvert at 1.4 ft. below the existing culvert elevation. The culvert under State Hwy 210 will not be changed. The existing runout from Clitherall Lake is 1335.5 ft. and the study recommends dropping the runout to 1335 ft. which is 1½ ft. below the Ordinary High Water Level (OHWL). DNR permits would be required to complete this work.

Discussion took place regarding how the homes along N. Clitherall Lake Road would be affected. Mr. Langen stated that, if flow rate is the same as in 2009, the Clitherall Lake water level will be about ½ ft. lower. He stated that, in 2009, the culverts were not controlling the level of Clitherall Lake, but, rather it was the Clitherall Lake outlet which was maintaining the level of Clitherall Lake. Mr. Langen also stated that if everything was left the same except to increase the culverts, there would be less up and down elevations on Clitherall Lake.

Discussion took place regarding West Battle Lake. Mr. Langen reported that West Battle Lake has 16 times the discharge capacity than Clitherall Lake and twice the storage capacity. Based on the Engineer's Study and model, there is no significant affect on any of the lakes in the channel. Removing ½ ft. of debris from the channel will increase the flow rate but will not significantly affect West Battle Lake.

Mr. Langen stated that the analysis ended at the point where the channel enters West Battle Lake. He suggested that some verification is required to find the deepest channel that goes out into the lake. Also, debris needs to be removed at the outlet of West Battle Lake and the culvert under Highway 210. It will be critical that the water get through at Highway 210 and on to West Battle Lake. Discussion took place about surveying the inlet of West Battle Lake to insure the water will get into West Battle Lake.

Motion by Lindquist, second by Huebsch, and unanimously carried to direct the Ditch Inspector to apply for the required permits from the DNR for work in County Drainage System No. 16 based on the Engineer's report presented. A public hearing will be part of the process once costs are associated to the project.

Proposed Shoreland Ordinance Revision

Land & Resource Director, Bill Kalar handed out a proposed amendment to the Shoreland Management Ordinance regarding Recreational Camping Units (RCU). The Board agreed with Option #1 and requested that a public hearing be established for amendment to the Ordinance.

Closed to the Public

At 2:35 p.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners 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, the County Attorney, County Coordinator and Board Secretary.

At 2:42 p.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies relative to the Human Services, Nursing, and Facilities Maintenance collective bargaining unions. Present were all five seated Commissioners, County Attorney, County Coordinator and Board Secretary. At 3:02 p.m., upon completion of the closed sessions, Chairman Froemming reconvened the meeting in open session.

Lakes Country Service Cooperative Membership Dues

Motion by Erickson, second by Rogness, and unanimously carried to approve payment to Lakes Country Service Cooperative, in the amount of \$250.00 for annual membership dues.

Adjournment

At 3:14 p.m., on February 9, 2010, Chairman Froemming adjourned the meeting of the Otter Tail County Board of Commissioners until 9:30 a.m. on Tuesday, February 16, 2010.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

unapproved minutes

WARRANTS APPROVED ON 2/09/2010 FOR PAYMENT 2/09/2010

<u>VENDOR NAME</u>	<u>AMOUNT</u>
CYNDI ABBOTT	29.50
AMERICAN TOWER CORPORATION	96.81
AMERIGAS	622.22
ARVIG COMMUNICATION SYSTEMS	200.00
AT&T MOBILITY	862.03
ATTACHMENTS INTERNATIONAL INC	762.66
AUTO VALUE FERGUS FALLS	255.84
AUTO VALUE WADENA	10.36
BARNA GUZY & STEFFEN LTD	204.79
BATTLE LAKE AUTO PARTS	194.56
DWIGHT BERVEN	209.99
BEYER BODY SHOP INC	133.59
BOB'S STANDARD BULK SERVICE	90.48
BRANDON COMMUNICATIONS INC	947.39
CARR'S LAKE COUNTRY SUPERMARKE	38.78
CARR'S TREE SERVICE	44.25
CDW GOVERNMENT INC	29.98
CENTRAL STATES WIRE PRODUCTS I	5,264.00
CERTIFIED AUTO REPAIR	166.64
CODE 4 SERVICES LLC	553.24
COMSTOCK CONSTRUCTION OF MN	809.00
COOPERS TECHNOLOGY GROUP	685.01
CRAGUNS LODGE AND CONFERENCE C	578.00
DAKOTA PRINTERS LLC	78.57
DAN'S TOWING & REPAIR	51.70
KATHY DOMHOLT	148.82
DRIVER & VEHICLE SERVICES DIVS	304.50
GARRETT EASTWOOD	152.80
EGGE CONSTRUCTION INC	297.50
EHLERS & ASSOCIATES INC	100.00
EVERTS LUMBER CO	27.51
MAYNARD FALK	270.00
FASTENAL COMPANY	29.82
FERGUS ELECTRIC	15.96
FERGUS FALLS DAILY JOURNAL	3,450.09
FERGUS FALLS MEDICAL GROUP	9,484.00
FERGUS FALLS POLICE DEPT	1,634.54
CITY FERGUS FALLS	18,554.41
FERGUS TIRE CENTER	1,716.46
FREMONT INDUSTRIES INC	244.64
GENERAL PARTS LLC	16.73
H & L MESABI	1,744.20
HANSON'S PLUMBING & HEATING IN	74.00
BRUCE HAUGRUD	142.49
HENNING LUMBER INC	2.13
HENRY'S FOODS INC	1,888.48
HILLTOP LUMBER INC	57.73
HOTSY EQUIPMENT OF MN	125.60
HSBC BUSINESS SOLUTIONS	123.00
INNOVATIVE OFFICE SOLUTIONS	3,403.26
K.I.D.LEASING	256.44
KELLY SERVICES INC	630.00
KNUTSON ELECTRIC REBUILDING	151.91
L & L SERVICE	14.99
LAB SAFETY SUPPLY INC	225.44
LAKE REGION HEALTHCARE CORP	250.00
LAKES CAFE II	195.00

OTC Board of Commissioners' Minutes
 February 9, 2010
 Attachment A, Page 2

LAKES COUNTRY SERVICE CO OP	5.34
LARRY OTT INC TRUCK SERVICE	1,250.00
PAT LARUM	82.06
BRIAN LENDE	142.49
LEWIS WELDING & EQUIPMENT	21.16
LOCATORS & SUPPLIES INC	142.45
M-R SIGN COMPANY INC.	518.13
MARCO INC ST LOUIS	469.12
MCCC MI 33	75.00
MICK'S SCUBA INC	101.12
MIDWEST TESTING LABORATORY	7,596.00
MN MOTOR COMPANY	173.88
NACVSO	300.00
NORTH AMERICAN SALT CO	18,342.58
NORTHERN SAFETY TECHNOLOGY INC	327.39
OLSON FUNERAL HOME	225.00
RICHARD OLSON	2,998.00
OTTER TAIL CO EMPLOYEES COMMIT	138.00
OTTER TAIL CO TREASURER	84.67
OTTER TAIL TELCOM	225.00
OTTERTAIL TRUCKING INC	4,880.00
OUTDOOR RENOVATIONS LANDSCAPE	9,582.25
OVERHEAD DOOR CO OF FERGUS FAL	144.43
OVERLAND MECHANICAL SERVICES	90.00
PEBBLE LAKE TAKE 5	411.62
PEPSIAMERICAS	368.12
PITNEY BOWES	200.56
POWER PLAN	156.72
REED BUSINESS INFORMATION	555.96
ROYAL TIRE INC	3,150.46
RUBBER STAMP CHAMP	13.84
SBLC-FF	111.64
SCHWAAB INC	105.42
SEWER SERVICE	340.00
SIGELMAN STEEL & RECYCLING INC	79.78
PAUL SIMENGAARD	58.26
STEINS INC	2,204.20
STRAND HARDWARE & RADIO SHACK	214.92
STREICHERS	980.84
SUNRISE EQUIPMENT INC	811.72
TITAN ACCESS ACCOUNT	1,094.62
UGSTAD PLUMBING INC	67.04
CHUCK UNTIEDT	1,000.00
VERGAS HARDWARE	84.09
VICTOR LUNDEEN COMPANY	168.88
VIKING COCA-COLA	220.16
VOSS LIGHTING	23.42
WADENA HIDE & FUR COMPANY	21.80
WHITE BANNER UNIFORM SHOP	106.00
XEROX CORPORATION	168.42
**** FINAL TOTAL.....	<u>\$119,284.40 ****</u>