

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
515 W. Fir Avenue, Fergus Falls, MN
Tuesday, May 11, 2010
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Tuesday, May 11, 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 Erickson, second by Lindquist, and unanimously carried to approve the Human Services Board agenda of May 11, 2010 as mailed.

Approval of Minutes

Motion by Lindquist, second by Erickson, and unanimously carried to approve the Human Services Board minutes of April 27, 2010 as presented.

Committee of the Whole Discussion

Commissioners discussed the situation with Wilkin County as it relates to the proposed watershed district. They requested that this item be added to the agenda next Tuesday, May 18, 2010, for further discussion.

West Central Regional Juvenile Center Update

Probation Director, Chuck Kitzman, submitted the West Central Regional Juvenile Center Advisory Board Meeting minutes dated April 15, 2010. Commissioner Lindquist attended this meeting and reported that usage of the facility has increased slightly in 2010 and the budget is on track at this time. Mr. Kitzman submitted statistics for Otter Tail County's detention bed use in the facility for 2010. He reported an average usage of 2.62 beds per day for the first four months of the year. The County pays for 2.5 beds per day.

Probation Out of Home Placement Funding

Mr. Kitzman reported that 22% of the Probation Out of Home Placement budget has been spent at the end of April 2010. Spending is about \$100,000.00 less than projected. He also provided a court order which establishes community service and sentence to service work at a rate of \$8.00 per hour.

Public Health Department

Public Health Director, Diane Thorson, briefed the Board on the May 4, 2010 public meeting held in the City of Perham for feedback regarding the State Health Improvement Plan.

Ms. Thorson discussed potential state budget reductions. She stated that her department is exploring shared services and collaboration based on the type of program and/or service provided. Commissioners noted that consolidating services is important; however, with many different departments in Otter Tail County and each department moving a different direction in consolidation and sharing services rather than using specific county lines, management becomes a challenge. County Coordinator, Larry Krohn, suggested that this may be an agenda item at the next District IV AMC meeting scheduled on May 21, 2010.

Chemical Dependency/Detox Annual Report

Supervisor, Jodi Wentland, and Chemical Health Unit staff presented the 2009 CD Annual Report and Rule 25 Fee Assessment & Detox Report. There were 416 referrals to treatment during 2009 with total expenditures from the Consolidated Chemical Dependency Treatment Funds of \$3,438,713.33. Otter Tail County's share was \$515,807.00. The County is responsible to collect chemical dependency assessment fees. Total fees collected in 2009 were reported as \$14,378.00. Discussion occurred regarding utilization numbers presented for Productive Alternatives Detox Facility.

Background Study for Step Parent Adoptions

Motion by Erickson, second by Huebsch, and unanimously carried to implement a fee of \$50.00 for completion of Adam Walsh Background Study for step-parent adoption as authorized under Minnesota Statute 259.41 Subd. 1.

Human Services Legislative Update

Human Services Director, John Dinsmore, submitted the May 7, 2010, Minnesota Association of County Social Service Administrators (MACSSA) Legislative Update. Mr. Dinsmore highlighted the bills that contain reductions to CCSA block grant funding, funding issues with early expansion of the Medicaid system, and a summary of the recent Minnesota Supreme Court decision regarding the Governor's unallotment action. Mr. Dinsmore also reported that the Governor has issued an executive order to prepare State government for reductions if the budget is not balanced.

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 10:43 a.m., Chairman Froemming declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, May 25, 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, May 11, 2010, at 10:50 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 Lindquist, and unanimously carried to approve the Board of Commissioners agenda of May 11, 2010 as presented.

Approval of Minutes

Motion by Erickson, second by Lindquist, and unanimously carried to approve the Board of Commissioners minutes of May 4, 2010 as presented.

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.

Wetland Replacement Credits

Motion by Rogness, second by Huebsch, and unanimously carried to approve an increase, from \$0.25 per sq. ft. to \$0.50 per sq. ft. for wetland replacement credit sales.

2010 Seasonal Supply of Aggregate & Sand Material and Equipment Rental

Motion by Rogness, second by Lindquist, and unanimously carried to accept the 2010 Seasonal Supply of Aggregate & Sand Material and/or Equipment Rental contractor/supplier list dated May 6, 2010. Approval for the second list of contractors in the document dated May 6, 2010, is contingent upon submitting the required insurance documents. This approval by the Board makes the vendors eligible for FEMA reimbursement in case of a disaster.

Highway Contract

Motion by Huebsch, second by Rogness, and unanimously carried to authorize the Chairman's signature to execute a Highway Construction Contract between the County of Otter Tail and Mark Sand & Gravel, Co. of Fergus Falls, MN for overlay work on CSAH 1, CSAH 3, and CSAH 88 (S.A.P. 56-601-53 & Etc).

Zorbaz Traffic/Parking Discussion

Highway Engineer, Rick West stated that complaints from neighbors regarding overflow parking at Zorbaz on Otter Tail Lake have been received. He briefed the Board regarding previous discussion during a meeting in 2005 to address how to handle the overflow of parking on CSAH 72 by Zorbaz. SRF Consulting Engineer, Rick Lane, provided recommendations in 2005. Mr. West reviewed those recommendations including 1) no parking signs installed along non-lake side parking lot area, 2) edge lines clearly marking the front of the restaurant with wheel stops installed for pulling ahead to park by the building, 3) crosswalk warning sign in the center of CSAH 72 to cross the street and, 4) installation of "congestion area" signs on the north and south of where parking occurs. Mr. West noted that allowing parking on just one side of the road was discussed at the time; however, there was no consensus on that as a solution. Sheriff, Brian Schlueter, stated that from an enforcement viewpoint, there have not been a lot of problems in this area. A crash mapping analysis tool along this portion of CSAH 72 showed only three accidents in the past ten years.

Co-owner of Zorbaz, Cole Hanson, stated that Zorbaz management is committed to providing whatever resources possible to make sure this area is safe. He stated that staffing is provided on a daily basis to make sure parking along the street is legal as expected by the Sheriff and wants to do everything possible to be good neighbors. Mr. Hanson stated that Zorbaz has been on Otter Tail Lake for 25 years and would like to serve the area for another 50 years.

Commissioner Lindquist suggested purchasing parking down the road and shuttle customers back and forth. Mr. Hanson stated that Zorbaz will explore all options. Commissioner Lindquist stated concern about emergency vehicles trying to get through in this area.

Neighbor Tim Chisholm, representing the Taylor family, stated that before Zorbaz moved into this location, parking along the road was not allowed. He expressed concern about cars parked on both sides of the street and spoke in favor of allowing parking on one side of the road only.

Commissioner Rogness asked Zorbaz managers if there is consideration for relocating the business within the same general area to alleviate parking congestion. Mr. Hanson stated that relocation would be impossible because of the high cost of operating business. He stated that they wish to operate legally within the current framework of the business.

Everts Township Supervisor, Al Lundquist, requested that a staff person is outside to ensure that people are parking appropriately. Speaking on behalf of Everts Township, he also requested that the sign in the crosswalk be removed because of emergency vehicles that need to pass through and that parking is allowed on one side of the road only.

Engineer, Rick Lane, spoke about his observations in the area. He stated that there were cars parked beyond the fog line. It was very congested. He suggested a pathway for people to walk to Zorbaz to get them off the road. Speed is posted at 30 mph because of congestion and the nature of the neighborhood. The crash data tells you that it is not an unsafe condition. Tent sales outside, in front of the building, increases the congestion. He suggested the tent sales be moved to the side or back of the business and expressed concern that one side street parking will extend the problem north and south and without a walking path, cause more people to be walking in the roadway.

Commissioner Froemming spoke in favor of trying one side of the road parking. Commissioner Erickson and Rogness expressed concern about putting more people on the road. Discussion continued. Chairman Froemming requested that the Highway Engineer and Sheriff return to the Board with a recommendation.

Water Patrol Position

Motion by Erickson, second by Lindquist, and unanimously carried to authorize the Sheriff to replace a vacant Water Patrol Position.

U.S. Fish & Wildlife Fee Purchase

USFW Realty Specialist, Don Kleven, requested certification to purchase a tract of land (88 acres) in Section 7 of Newton Township owned by Michael D. and Jule Patron. Mr. Kleven provided a map and reported that the land consists of about 28 acres of crop land and 60 acres of wetland which adjoins an existing wildlife protection area. He outlined the funding in lieu of taxes that Otter Tail County will receive. Motion by Huebsch, second by Erickson, and unanimously carried to certify the requested purchase of land by the USFW Service consisting of 88 acres in Section 7 of Newton Township owned by Michael and Jule Patron as described:

T.135N., R. 37 W 5th P.M.

Section 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$, East 20 acres of SW $\frac{1}{4}$ NW $\frac{1}{4}$ that part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ lying South of the railroad right-of-way.

Recess & Reconvene

At 11:46 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for lunch break. The meeting was reconvened at 1:03 p.m.

Solid Waste/Recycling Truck & Packer Bid Award

Motion by Huebsch, second by Lindquist, and carried with Rogness abstaining, to award the purchase of a new Diesel Truck (Volvo VDH84B200 I-Shift) to the lowest bidder meeting all bid specifications, RDO Truck of Fargo ND in the amount of \$110,251.86.

Motion by Huebsch, second by Erickson, and unanimously carried to award the purchase of a Packer Body (Load Master Excel) to the low bidder, Sanitation Products of Fargo, ND in the amount of \$53,035.00.

Solid Waste Administration Agreement with Todd County

Motion by Huebsch, second by Lindquist, and unanimously carried to authorize the Chairman's signature to execute an Agreement between Todd County and Otter Tail County for providing Director/Department Head level services to Todd County. Todd County will reimburse Otter Tail County \$19,500.00 per year plus 10% overhead expense and mileage costs.

Central Minnesota Regional Advisory Committee

Motion by Lindquist, second by Rogness, and unanimously carried to approve Lieutenant, Matthew McGuire as Otter Tail County's delegate on the CMRAC replacing Lieutenant, Mark Englund.

Parkers Prairie Radio Tower Land Purchase

Motion by Froemming, second by Huebsch, and unanimously carried to authorize the Chairman's signature to execute a Settlement Statement for the purchase of land for a radio tower site from Delbert and Linda Moske in the amount of \$17,750.00 plus the transfer of the following property to Delbert and Linda Moske via Quit-Claim Deed:

Beginning at a point two hundred thirty (230) feet west of the Northeast corner of the Northwest quarter of the Southeast quarter (NE Cor. of NW-1/4 of SE-1/4) of Section nineteen (19), Township one hundred thirty-one (131) North, Range thirty-seven (37) West, thence one hundred thirty-three (133) feet South; thence two hundred fifty (250) feet West; thence one hundred thirty-three (133) feet North, thence two hundred fifty (250) feet East to the point of beginning containing approximately 0.57 acres outside the highway right-of-way.

Except all that part of the Northwest Quarter of the Southeast Quarter (NW-1/4 of SE-1/4) of Section nineteen (19), Township one hundred thirty-one (131), Range thirty-seven (37), Otter Tail County, Minnesota, described as follows:

Commencing at the Northeast corner of said Northwest quarter of the Southeast Quarter (NE Cor. of NW-1/4 of SE-1/4); thence north 88 degrees 01 minutes 40 seconds west (bearing is based on Otter Tail County coordinates—1996 adjustment) along the north line of said Northwest quarter of the Southeast quarter (NE-1/4 of SE-1/4), a distance of 443.56 feet to the point of beginning of the land to be described; thence South 01 degrees 37 minutes 11 seconds West a distance of 470.98 feet; thence North 87 degrees 59 minutes 40 seconds West a distance of 300.00 feet; thence North 01 degrees 37 minutes 11 seconds East a distance of 470.81 feet to said north line of the Northwest quarter of the Southeast quarter (NE-1/4 of SE-1/4), thence South 88 degrees 01 minutes 40 seconds East along said north line, a distance of 300.00 feet to the point of beginning.

County Credit Card

Motion by Rogness, second by Huebsch, and unanimously carried to authorize issuance of a County credit card with a 30 day limit not to exceed \$500.00, to Social Worker, Barbara Madole.

Adjournment

At 1:49 p.m., Chairman Froemming adjourned the meeting of the Otter Tail County Board of Commissioners until 9:30 a.m. on Tuesday, May 18, 2010.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

CB/kd

WARRANTS APPROVED ON 5/11/2010 FOR PAYMENT 5/11/2010

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A-1 ENGRAVING	7.48
A-1 LOCK & KEY LLC	72.00
A'VIANDS LLC	59.34
ABG MAINTENANCE INC	171.00
AMERICAN BIO MEDICA CORPORATIO	348.44
AMERICAN TOWER CORPORATION	98.71
AMERICAN WELDING & GAS INC	200.67
BRIAN ARMSTRONG	195.01
ARVIG COMMUNICATION SYSTEMS	240.00
AT&T MOBILITY	863.15
AUTO VALUE FERGUS FALLS	84.11
BALLARD SANITATION INC	144.75
BANK OF THE WEST	58.00
BATTLE LAKE AUTO PARTS	5.66
BECKLUND OIL CO	1,402.98
BEN HOLZER UNLIMITED	38.74
BLUESTONE TECHNOLOGIES INC	244.00
BOB'S STANDARD BULK SERVICE	94.52
BOBCAT OF OTTER TAIL COUNTY	32.18
BOYER TRUCKS	248.04
HEATHER BRANDBORG	2.00
BRAUN VENDING INC	22.12
CARR'S LAKE COUNTRY SUPERMARKE	21.25
CDW GOVERNMENT INC	1,773.13
CERTIFIED AUTO REPAIR	590.61
CHARTER COMMUNICATIONS	68.35
CHRISTENSEN CONSTRUCTION	17,520.00
CO OP SERVICES INC	124.83
CODE 4 SERVICES LLC	1,254.83
COOPERS TECHNOLOGY GROUP	973.22
CULLIGAN	20.46
D & T VENTURES LLC	964.00
DAKOTA PRINTERS LLC	139.65
DAKOTA WHOLESALE TIRE	544.60
DALTON COMMUNITY FIRE AND RESC	350.00
DEANS COUNTRY MARKET	13.85
DENZEL'S REGION WASTE INC	499.20
DIAMOND VOGEL PAINTS	1,184.49
EAST OTTER TAIL FOCUS	96.75
EMERGENCY AUTOMOTIVE TECHNOLOG	9,776.82
MARK ENGLUND	5.30
ERIC'S ODD JOBS PLUS	1,207.69
FARGO GLASS AND PAINT CO	227.69
FARMERS CO OP OIL ASSN	372.38
FARNAM TIRE CENTER	76.00
FASTENAL COMPANY	104.27
FERGUS FALLS DAILY JOURNAL	2,271.44
FERGUS FALLS POLICE DEPT	752.28
CITY FERGUS FALLS	125,822.11
FERGUS POWER PUMP INC	3,960.00
FERGUS TIRE CENTER	1,476.95
MICHAEL FIEDLER	179.59
FOTH & VAN DYKE	3,517.86
FSH COMMUNICATIONS LLC	64.13
SHARON FUNK	16.04
MISSY FUNKHOUSER	19.26
GODFATHERS EXTERMINATING INC	123.98

JOHN GOOD	74.88
GOVERNMENT FINANCE OFFICERS AS	50.00
MYRON GRAFF	19.19
GRAINGER INC	30.80
GREAT RIVER ENERGY	2,840.96
PATRICK GRIFFIN	94.94
H & R CONSTRUCTION CO	1,050.00
DAVID HAUSER	190.75
HAWES SEPTIC TANK PUMPING	70.00
HEALTHCARE ENVIRONMENTAL SERVI	29.10
MARILYN HELLER	21.44
CRYSTAL HERMAN	37.94
HILLTOP LUMBER INC	10.54
HITESMAN & ASSOCIATES PA	144.00
HOLIDAY INN WILLMAR	152.02
SANDY HOLO	227.00
INDEPENDENT EMERGENCY SERVICES	1,009.01
INNOVATIVE OFFICE SOLUTIONS	2,552.05
JERRY GEISINGER AUTO BODY	223.43
MICHELLE JORGENSEN	154.00
K.I.D.LEASING	256.44
KEEPRS INC CY'S UNIFORMS	238.48
KELLY SERVICES INC	350.00
KINETICO	196.24
JILL KLUCK	13.51
MARCIE KNUDSEN	85.58
LARRY KROHN	428.00
L & L SERVICE	107.83
LAKE REGION HEALTHCARE CORP	624.16
LAKES COUNTRY SERVICE CO OP	29.39
LAKEWAY MARKET LLC	114.85
LARRY OTT INC TRUCK SERVICE	1,375.00
PAT LARUM	31.26
LEAF RIVER AG SERVICE	30.00
LEITCH EXCAVATING	944.00
LOCATORS & SUPPLIES INC	300.57
M-R SIGN COMPANY INC.	272.59
MAHNOMEN CO SHERIFF	101.00
VIOLA MANDERUD	163.33
MARCO	5,077.40
MARCO INC ST LOUIS	469.12
MATTHEW BENDER & COMPANY INC	739.32
METRO SALES INC	335.00
MIKE'S LOCK & KEY SERVICE	189.75
MINNESOTA REVENUE	477.00
MINNESOTA SUPPLY CO	626.37
MN CO INTERGOV'TAL TRUST	100.00
MN DEPT OF HUMAN SERVICES	2,310.58
MN DEPT OF PUBLIC SAFETY	25.00
MN DOT COMMISSIONER OF TRANSP	20.00
MN MOTOR COMPANY	286.73
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
MN STATE BAR ASSOCIATION	539.73
MN YOUTH INTERVENTION	150.00
JIM MYHRE	187.82
NAPA FERGUS FALLS	20.18
NATURES GARDEN WORLD	432.66
NELSON AUTO CENTER	2,975.00
NORIX GROUP INC	321.64
NORTHLAND COMM & TECH COLLEGE	495.00

OFFICE OF JUSTICE PROGRAMS	100.00
OFFICEMAX INCORPORATED	543.39
RICHARD OLSON	4,656.41
OTTER TAIL CO EMPLOYEES COMMIT	92.00
OTTER TAIL CO TREASURER	442.20
OTTER TAIL FAMILY SERVICES COL	400.00
OTTER TAIL POWER COMPANY	134.82
OTTER TAIL TELCOM	1,196.47
OTTERTAIL TRUCKING INC	19,120.00
OVERHEAD DOOR CO OF FERGUS FAL	438.76
OVERLAND MECHANICAL SERVICES	6,492.17
PAMIDA INC 008	11.51
PARK REGION CO OP	149.62
PELICAN RAPIDS PRESS	48.64
PEPSIAMERICAS	565.00
PERHAM PRINTING & SUPPLY	34.37
CITY PERHAM	94,602.24
MARCO PICCHIARINI	42.43
POWER PLAN	370.45
PRO BUILD FERGUS FALLS	104.36
PROTECTION SYSTEMS INC	320.63
QUICK'S NAPA AUTO PARTS	36.55
RDO EQUIPMENT CO FARGO	298.53
RDO TRUCK CENTERS	462.57
REVIEW ENTERPRISES INC	556.11
ROTHSAY FARMERS CO OP	41.54
ROYAL TIRE INC	2,571.41
CHERI SCHULTZ	40.00
VICKI SCHWANKE	48.50
SCOTT HOFLAND CONSTRUCTION INC	15,675.00
SEWER SERVICE	260.00
SIGELMAN STEEL & RECYCLING INC	40.00
PAUL SIMENGAARD	51.06
SIMPLEXGRINNELL LP	517.27
SKILLPATH SEMINARS	90.00
SOUTHTOWN C-STORE	575.08
STANDARD PARTS OF WADENA	89.16
WAYNE STEIN	121.84
STEINS INC	2,534.81
STEVE'S SANITATION INC	4,559.84
STRAND HARDWARE & RADIO SHACK	83.33
STREICHERS	871.03
SUBSURFACE	24,259.54
SYNERGY GRAPHICS	115.49
THIS WEEKS SHOPPING NEWS	2,808.00
TITAN ACCESS ACCOUNT	1,714.84
GARY TORGERSON	99.95
DARREN TORGUSSON	1,046.00
UNIFORMS UNLIMITED	1,778.64
VERGAS HARDWARE	31.99
VERGAS 66 GAS & CONVENIENCE IN	723.42
VIKING COCA-COLA	275.20
VOSS LIGHTING	170.15
WASTE MANAGEMENT	635.53
WCM TASK FORCE	5,000.00
WELLER OIL CO	183.60
LORI WINDELS	35.00
XEROX CORPORATION	168.42
ZIEGLER INC	475.77
210 LUBE EXPRESS	32.74
3 D SPECIALTIES INC	3,263.80
<u>**** FINAL TOTAL.....</u>	<u>\$414,575.67 ****</u>