



**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
515 W. Fir Avenue, Fergus Falls, MN
May 7, 2019
9:00 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened at 9:00 a.m. Tuesday, May 7, 2019, at the Government Services Center in Fergus Falls, MN, with Commissioners Doug Huebsch, Chair; Lee Rogness, Vice-Chair; Wayne Johnson, John Lindquist and Betty Murphy present.

Approval of Agenda

Chair Huebsch called for approval of the Board Agenda. Motion by Johnson, second by Rogness and unanimously carried to approve the Board of Commissioners Agenda of May 7, 2019, with the following modifications:

Cancel "Driver Feedback Sign Policy" Agenda Item
Highway 10 Tiling Project Update
Solid Waste Update
Portable Sound System & Security Cameras at GSC Entry and Board Room

Consent Agenda

Motion by Rogness, second by Murphy and unanimously carried to approve Consent Agenda items as follows:

1. April 23, 2019 Board of Commissioners' Meeting Minutes
2. Warrants/Bills for May 7, 2019 (Exhibit A)
3. Human Services & Public Health Warrants/Bills for May 7, 2019 (Exhibit A)
4. Caseload/Workload Grant Agreement – Probation
5. Remote Electronic Alcohol Monitoring Grant Agreement – Probation
6. Approve Issuance of County Credit Card with 30 Day Limit of \$1,000 to Crystal Herman, Fraud Investigator
7. Approve Issuance of On-Off Sale 3.2 Malt Liquor License for Clear Lake Resort (7/1/19 to 6/30/20)
8. Approve Issuance of Consumption & Display Permit for Clear Lake Resort (4/1/19 to 3/31/20)
9. Approve Issuance of 2019 Tobacco License for Pelican Hills RV Park

Spitzer Lake Flooding

Commissioner Lindquist updated the Board on the Spitzer Lake properties that are flooded. Discussion took place about potential tax abatement/relief. They requested that this item be placed on the next County Board agenda.

Request for Forgiveness of Tax Penalty

After discussion and consideration, a motion was offered by Lindquist, seconded by Rogness and unanimously carried to deny the request of Robert Emerson III for the abatement of accumulated penalties, interest and cost on Parcel 76-000-99-0535 (North 50" of Lot 16 Block 2 Harris Addition) in the amount of \$453.02 as of April 30, 2018. Commissioners expressed empathy for the situation; however, this situation does not meet the guidelines for abatement under the County's current policy.

Appointment to Bois de Sioux Watershed District Board

Motion by Lindquist, second by Rogness and unanimously carried to appoint Ben Brutlag to the Bois de Sioux Watershed District Board of Managers for the term ending June 30, 2020.

DWI Court Program

Staff working with the Otter Tail County treatment court discussed the program and provided program statistics from 2008 through 2017. Treatment courts are the most successful justice program for reducing addiction, crime and recidivism while saving taxpayer dollars. Partners include law enforcement, probation, Human Services, District Court and treatment providers. Commissioners requested expansion of the treatment court program. Attorney Eldien indicated that a hybrid treatment court would provide the most flexibility to treat addictions (alcohol and/or drugs) and mental health issues. Wadena County has expressed a desire to join with Otter Tail County in a hybrid treatment court program. Commissioners advised Tria Mann, Program Coordinator, to apply for grants to expand the program and meet with the Budget/Finance Committee in August.

**PROCLAMATION In Support of
"NATIONAL DRUG COURT MONTH"**

Otter Tail County Resolution No. 2019 - 45

Commissioner Johnson offered the following and moved its adoption:

WHEREAS, this year marks the 30th anniversary of treatment courts; and

WHEREAS, there are now more than 3000 treatment courts nationwide; and

WHEREAS, treatment courts are the cornerstone of justice reform sweeping the nation; and

WHEREAS, treatment courts have served 1.5 million individuals; and

WHEREAS, they are now recognized as the most successful justice system intervention in our nation's history; and

WHEREAS, they save an average of \$6,000 for every individual they serve; and

WHEREAS, treatment courts significantly improve substance use disorder treatment outcomes, substantially reduce addiction and related crime, and do so at less expense than any other criminal justice strategy; and

WHEREAS, treatment courts improve education, employment, housing and financial stability, promote family reunification, reduce foster case placements, and increase the rate of addicted mothers delivering babies who are fully drug free; and

WHEREAS, treatment courts facilitate community-wide partnerships, bringing together public safety and public health professionals; and

WHEREAS, treatment courts demonstrate that when one person rises out of substance use and crime, we ALL RISE; and

WHEREAS, Otter Tail County has joined in the support of treatment courts by implementing the DWI Court, March 2008.

THEREFORE, BE IT RESOLVED, that Otter Tail County declares that Drug Court Month be established during the Month of May 2019, recognizing the significant contributions the Otter Tail County DWI Court has made over the past 11 years toward reducing substance abuse, crime, and recidivism while saving valuable resources.

Commissioner Rogness seconded the motion, and upon being put to vote, the resolution was unanimously adopted this 7th day of May 2019.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Dated: _____

By: _____
Douglas A. Huebsch, Board Chair

Attest: _____
John W. Dinsmore, Clerk

Potentially Dangerous Dog Determination

Christy Bjorgan appeared before the Board to appeal a Dangerous Dog Determination for her dog, Otto, issued after a hearing on June 26, 2018, under M.S. 347.52. Christy explained various steps she has taken in training Otto and stated that he has also been neutered. Otto wears a tracker device that Christy can monitor on her phone. Ms. Bjorgan is requesting appeal of the dangerous dog title.

Attorney Michelle Eldien stated that, under the Ordinance, the appeal would need to take place within 14 days of the hearing. Since Christy's initial hearing in 2018, the County has modified the applicable Ordinance. Ms. Eldien recommended that a hearing take place with the County Administrator which will provide an opportunity for law enforcement and public health to review the situation along with the family of the child who was bitten.

Aquatic Invasive Species (AIS) I-LID Update

AIS Specialist Spencer McGrew provided AIS Prevention I-LID camera systems update. There are currently thirteen (13) I-LID cameras at various public water accesses in Otter Tail County. Otter Tail County contracts with Environmental Sentry Protection to review the video recordings. Mr. McGrew requested approval of the contract for May 1, 2019 through May 1, 2020. Discussion took place regarding the cost to purchase and install an I-LID in case there are lake associations that wish to purchase an I-LID camera for a specific public access.

Motion by Johnson, second by Lindquist and unanimously carried to authorize the appropriate County Officials' signatures to execute the contract between Otter Tail County and Environmental Sentry Protection, LLC for ongoing I-LID camera system monitoring as presented.

County Drainage Systems

Ditch #17:

At 10:00 a.m., Chairman Huebsch reconvened the Public Hearing from March 11, 2019, for redetermination of benefits for Ditch #17. Ditch Inspector Kevin Fellbaum reported on the properties that needed to be reexamined by the Ditch Viewers. County staff located a culvert that was installed by the MN Department of Natural Resources (DNR) in 1980 that is not functioning. The County will work with the DNR to restore the culvert to a functioning condition which should improve drainage benefits to property owners North and West of the Wildlife Management Area (WMA). This Public Hearing will be continued at 10:00 a.m. on Tuesday, June 4, 2019, at the Government Services Center in Fergus Falls, MN.

Ditch #52:

At 10:05 a.m., the Otter Tail County Board reconvened as the Ditch Authority for the redetermination of benefits for Ditch #52. This Public Hearing is continued from the original hearing on March 18, 2019. The Ditch Inspector reviewed how crop prices and production were calculated by the Viewers to determine land value and the reason Eagle, Middle and Torgerson Lakes were not included in the benefitted area. At the original hearing, total benefits for Ditch #52 were reported as \$1,380,719.36 with total benefits at \$861,851.36 after the Distance Adjustment Factor was applied. After the crop prices adjustment, the total benefits were reported as \$1,219,627.71 with total benefits at \$759,732.81 after the Distance Adjustment Factor is applied. The Ditch #52 Public Hearing will be continued at 7:00 p.m., Monday, August 26, 2019.

CSAH 10:

Ditch Inspector Kevin Fellbaum updated the Board regarding the high water situation on CSAH 10.

Ditch #12:

Motion by Johnson, second by Murphy and unanimously carried to approve the Findings and Order for Redetermination of Benefits for Ditch #12 as presented by the County Attorney.

Ditch #45:

Motion by Johnson, second by Murphy and unanimously carried to approve the Findings and Order for Redetermination of Benefits for Ditch #45 as presented by the County Attorney.

Recess & Reconvene

At 10:20 a.m., Chair Huebsch declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The Board of Commissioner's meeting was reconvened at 10:30 a.m.

General Discussion Items

Chairman Huebsch briefed the Board on a preliminary meeting with discussion about opportunities to merge Pope/Douglas facility with Prairie Lakes Municipal Solid Waste Authority (PLMSWA). Discussion took place regarding single sort recycling and ash recovery and research.

Commissioners requested a camera for security purposes in the County Board room and the entry of the Government Services Center, and a portable sound system to use in other buildings. This item was referred to the County Administrator.

Healthy Families America (HFA)

Public Health Director Jody Lien and Assistant Director, Kristi Wentworth submitted statistics for the Partnership4Health HFA program including Otter Tail, Clay, Becker and Wilkin counties. The HFA program began in 1992 to promote child well-being through intensive home visits for at risk children. The program started in Otter Tail County in 2014 and requires accreditation from the HFA National Service Office. Ms. Lien presented the MN Department of Health evidenced based home visiting grant that begins May 1, 2019 and funds through December 2022. She requested approval of two additional positions to work with this program.

Motion by Rogness, second by Murphy and unanimously carried to authorize proceeding with hiring for the following Public Health positions:

Full Time Lead Public Health Nurse (HFA) & Public Health Nurse (HFA)

Recess & Reconvene

At 10:50 a.m., Chair Huebsch declared the meeting of the Otter Tail County Board of Commissioners recessed for a Public Works Committee meeting. The Board of Commissioner's meeting was reconvened at 11:10 a.m.

Highway Department Projects

CSAH 34 Reconstruction:

Highway Engineer Charles Grotte briefed the Board on the CSAH 34 Reconstruction project relative to DNR, Mn/DOT and United States Army Corps of Engineers (USACE) permits, wetland mitigation plan and the USACE review process.

2040 Transportation Plan:

Dates were established for public input meetings regarding the 2040 Transportation Plan in various parts of the County.

Perham to Pelican Trail Project:

A public information meeting will be held at 6:30 p.m., on Thursday, June 13, 2019, at the Dent Community Center for an update on the trail project.

Motion by Johnson, second by Murphy and unanimously carried to authorize the appropriate County Officials' signatures to execute a proposal between Otter Tail County and SRF Consulting Group, Inc. for professional services for public engagement regarding the Perham to Pelican Trail project.

CSAH 1, Northeast of Fergus Falls:

Motion by Johnson, second by Rogness and unanimously carried to award S.A.P. 056-601-054 to the low bidder, Riley Bros. Construction, Inc, at the bid price of \$6,232,415.43, as recommended by the Highway Engineer.

Subsurface Sewage Treatment System (SSTS) Board Orientation

At 11:35 a.m., Chair Huebsch declared the meeting of the Otter Tail County Board of Commissioners recessed. The Board of Commissioner's meeting was reconvened at 12:15 p.m. for a septic system training session. The following staff were present for the orientation:

- | | |
|--|---|
| All 5 Seated Commissioners | L & R Management Director, Chris LeClair |
| Assistant L & R Mgmt Director, Kyle Westergard | Attorney, Michelle Eldien |
| Administrator, John Dinsmore | Comm. & External Relations Director, Nick Leonard |
| L & R Inspector, Jess Fosberg | Public Works Director, Rick West |

Chris LeClair, Land & Resource Management Director, provided a PowerPoint and reviewed the purpose of SSTS, the differences and required conditions for the various types of SSTS, and how these systems work to prevent contamination to groundwater. Discussion took place about proper maintenance of SSTS. Mr. LeClair addressed various issues involving the OTC proposed SSTS Ordinance including the time frame to repair or replace non-compliant systems, the rock fragment assessments for systems installed after 2011, and tank requirements.

Adjournment

At 2:25 p.m., Chair Huebsch declared the Otter Tail County Board of Commissioners meeting adjourned. The next Board meeting is scheduled at 9:00 a.m. on Tuesday, May 14, 2019, at the Government Services Center in Fergus Falls, MN.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Dated: _____

By: _____
Douglas A. Huebsch, Board Chair

Attest: _____
John W. Dinsmore, Clerk

WARRANTS APPROVED 05/07/2019

<u>Vendor Name</u>	<u>Amount</u>
ACCJT	2,500.00
ALBANY RECYCLING CENTER	1,971.13
ALLSTREAM	370.39
AMAZON CAPITAL SERVICES, INC	774.54
AMERIPRIDE SERVICES INC	58.32
APC INC	7,320.00
ARNDT/SCOTT	295.00
ASPEN MILLS	623.34
BACHMAN PRINTING	292.60
BALLARD SANITATION INC	340.00
BECKLUND OIL CO	265.90
BEN HOLZER UNLIMITED WATER LLC	67.50
BERINGER/JOHN	119.95
BEYER BODY SHOP INC	748.53
BOYER/RODNEY	253.24
BRAUN INTERTEC CORPORATION	334.00
BROGARD PLUMBING CO	140.00
BUREAU OF CRIM APPREHENSION	2,040.00
BUY-MOR PARTS & SERVICE LLC	1,508.28
BWSR	50.00
CARGILL INCORPORATED	18,902.30
CARR'S LAKE COUNTRY SUPERMARKET	5.99
CERTIFIED AUTO REPAIR	37.06
CHEMSEARCH	1,302.00
CLAY CO SHERIFF	550.00
CODE 4 SERVICES, INC	2,765.97
COLLEGE WAY AUTO INC	216.60
COLLINS/CHERI	354.78
COOPERS TECHNOLOGY GROUP	4,367.15
CRM SERVICES LLC	508.76
DACOTAH PAPER COMPANY	195.84
DAILY JOURNAL/THE	1,287.70
DAKOTA MAILING & SHIPPING EQUIPMEN	290.66
DATASPEC INC	349.00
DULUTH TRADING CO	808.50
DYNAMIC SOLUTIONS GROUP LLC	2,712.00
EDAM	315.00
EGGE CONSTRUCTION INC	225.00
ELDIEN/MICHELLE M	250.74
ESRI INC	2,450.00
EZWELDING LLC	1,748.96
FARGO POLICE DEPT	200.00

<u>Vendor Name</u>	<u>Amount</u>
FARNAM'S GENUINE PARTS INC	6.60
FERGUS POWER PUMP INC	1,845.00
FISCHER/JUDD R	226.56
FORESTRY SUPPLIERS INC	287.93
FORKLIFTS OF MINNESOTA INC	577.00
FOSBERG/JESSICA	86.55
FRAZIER/BRENT	217.28
GABE/RICHARD B	232.94
GALLS LLC	669.50
GODFATHERS EXTERMINATING INC	120.75
GOVERNMENT MANAGEMENT GROUP IN	6,500.00
GRAINGER INC	490.90
GRANT'S MECHANICAL	1,048.29
GREATAMERICA FINANCIAL SVCS	825.66
GREWE/BRAD	10.22
HANSON/BRANDIE	356.66
HAWES SEPTIC TANK PUMPING LLC	85.00
HILLTOP LUMBER INC	75.29
HOLO/DALE	199.00
HOLTE/JENNIFER	17.31
HOMETOWN REPAIR	55.16
INNOVATIVE OFFICE SOLUTIONS	808.49
JACKET MANUFACTURING	123.50
JAGUAR SOFTWARE DEVELOPMENT, INC	2,139.50
JAKE'S JOHNS LLC	298.02
JK SPORTS	464.00
JOHNSON CONTROLS	582.00
KIRBY KENNEDY & ASSOCIATES	371.50
KOEP'S SEPTIC LLC	540.00
KOLLE/BRUCE	46.94
L & O ACRES TRANSPORT INC	4,344.98
LAKE REGION HEALTHCARE	1,585.00
LAKES COUNTRY SERVICE CO OP	7,614.00
LAKESHIRTS, INC	2,783.75
LARRY OTT INC TRUCK SERVICE	2,500.00
LARUM/PAT	99.76
LIBERTY TIRE RECYCLING LLC	1,303.24
LITTLE FALLS MACHINE INC	3,535.61
LOCATORS & SUPPLIES INC	22.99
LONG WEEKEND SPORTSWEAR	95.00
M-R SIGN COMPANY INC.	2,048.07
MACQUEEN EQUIPMENT INC	496.62

<u>Vendor Name</u>	<u>Amount</u>
MALMSTROM/WESTON	240.70
MARCO INC ST LOUIS	652.99
MARCO TECHNOLOGIES LLC	821.12
MARKS FLEET SUPPLY INC	43.02
MCCC MI 33	937.50
MCKESSON MEDICAL-SURGICAL INC	398.43
MHSRC RANGE	890.00
MID-STATE CONSTRUCTION LLC	550.00
MIDWEEK INC/THE	189.15
MIDWEST PRINTING CO	670.00
MINNKOTA ENVIRO SERVICES INC	20.00
MN CONTINUING LEGAL EDUCATION	98.00
MPCA	2,400.00
N F FIELD ABSTRACT CO LLC	2,700.00
NETWORK SERVICES COMPANY	1,359.53
NORTHLAND BUSINESS SYSTEMS INC	5,498.88
NORTHLAND FIRE PROTECTION	267.50
OLIPHANT/CONNIE	12.22
OLIPHANT/GLEN	11.98
OLSON OIL CO INC	1,959.31
OTIS ELEVATOR CO	534.99
OTTER TAIL CO PUBLIC HEALTH	80.00
OTTER TAIL CO SHERIFF	2,837.22
OTTER TAIL CO TREASURER	345.54
OTTER TAIL POWER COMPANY	6,652.37
OTTER TAIL TIRE, INC	612.62
OTTERTAIL TRUCKING INC	20,313.74
OUTDOOR RENOVATIONS LANDSCAPE &	5,050.00
PAW PUBLICATIONS LLC BATTLE LAKE R	74.90
PEMBERTON LAW, PLLP	270.00
PENROSE OIL COMPANY	1,617.10
PERALES/ANDREA	106.36
PERHAM STEEL & WELDING	42.50
PETE'S AMOCO	600.00
PETE'S BODY SHOP & TOWING	384.00
PHOENIX SUPPLY	1,080.93
PITNEY BOWES	964.44
PRAIRIE LAKES MUNICIPAL SOLID WASTE	250.00
PRAIRIE RESTORATIONS INC	1,800.00
PRECISE MRM LLC	1,180.00
PRO AG FARMERS CO OP	166.16
PRO-WEST & ASSOCIATES INC	10,472.74

<u>Vendor Name</u>	<u>Amount</u>
RDO EQUIPMENT CO	491.93
REGENTS OF THE UNIVERSITY OF MN	1,650.00
RINGDAHL AMBULANCE INC	300.00
RINTALA/CRAIG	503.59
RMB ENVIRONMENTAL LABORATORIES II	612.81
ROSENTHAL/JACK	428.18
ROYAL TIRE INC	277.98
SAFELITE FULFILLMENT INC	84.97
SALVERSON/BRENT	173.47
SERVICE FOOD SUPER VALU	39.15
SHI CORP	5,717.00
SIGNWORKS SIGNS & BANNERS LLC	395.00
SIMENGAARD/PAUL	39.21
SRF CONSULTING GROUP INC	8,220.54
STEINS INC	2,418.28
STONEBROOKE ENGINEERING INC	2,676.89
STREICHERS	356.91
THIS WEEKS SHOPPING NEWS	58.20
THOMSON REUTERS - WEST	1,324.98
THUNSELLE/KRISTI	59.28
THYSSEN KRUPP ELEVATOR CORPORAT	372.50
TIGGES/DENNIS	801.70
TOSHIBA FINANCIAL SERVICES	403.80
TULIBASKI/THEODORE	65.00
UNITED PARCEL SERVICE	16.08
UNITED STATES POSTAGE SERVICE	10,000.00
US AUTOFORCE	1,160.00
VICTOR LUNDEEN COMPANY	203.82
WADENA CO SHERIFF	150.00
WASS/DAVID F	422.96
WASTE MANAGEMENT	14,149.53
WILDLIFE FOREVER	1,050.00
WILSON/WARREN R	203.36
ZIEGLER INC	554.59
Final Total:	236,190.95

<u>Vendor Name</u>	<u>Amount</u>
BARKER/MEGAN	121.10
BESEMAN/KAREN	229.10
BYE/KRISTIN	139.20
CLAY COUNTY HEALTH DEPT	402.76
DEMME/ANDREA	12.06
DUENOW/MELISSA	3.48
ERICKSON/MONIQUE	107.88
FIELD/DEB	184.44
FRANSEN/JON	64.38
FRUSTOL/ANNE	569.56
GEORGESON/ANTHONY	208.97
GIBBS/ANN	31.41
GUCK/AMY	109.97
HENDRICKX/KATHY	13.92
HORIZON PUBLIC HEALTH	50.00
KOEHLER-TABERY/ANNA MARIE	118.32
LEWIS/ JODI	205.32
LIEN/JODY	29.00
MAGNUSSON/LANE	16.24
MARTENSON/PAULA	91.64
METZGER/JESSICA	96.06
MRHA Minnesota Rural Health Assoc	75.00
NACCHO	450.00
OFFICE DEPOT	191.33
PERRIER/MATTHEW	59.16
SCHMIDT/JANE	75.17
SCHOON/WENDY	141.52
SOLAND/MIRANDA	223.88
SPEE-DEE DELIVERY SERVICE INC	22.35
STRATIS HEALTH	1,781.00
THACKER/SARAH	143.26
VERIZON WIRELESS	760.28
VOSS/NANCY	140.94
WENTWORTH/KRISTI	125.28
WESTBY/LINDA	271.73
Final Total:	7,265.71

<u>Vendor Name</u>	<u>Amount</u>
BJERKE/SCOTT	82.57
COLLISON/LAURENE	996.00
DAILY JOURNAL/THE	168.00
DNA DIAGNOSTICS CENTER	259.50
DOKKEN/MARK	72.47
DOLL/RENEE	97.20
DUENOW/DIANE	54.28
FIX/KRISTA	31.69
GRANT/ALYSSA	111.03
HENNEPIN CO SHERIFF	80.00
HONER/LISA	10.43
KNUDSON/FONDA L	45.00
MN DEPT OF HUMAN SERVICES	94,128.71
OTTER TAIL CO PUBLIC HEALTH	40.00
OTTER TAIL CO SHERIFF	628.30
OTTER TAIL CO TREASURER	32,091.00
PREMIER BIOTECH LABS, LLC	1,190.00
QUALITY TOYOTA	1,072.82
RONNEVIK/HANS	72.96
SACHS/MINDY	27.86
SJOSTROM/DEBORAH	30.71
SPANGLER/LISA	10.32
SYNSTELIEN/RANDY	62.32
ULSCHMID/LIZA	28.69
WADENA CO SHERIFF	150.00
WINDEY/MICHAEL	78.85
Final Total:	131,620.71