

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Otter Tail County Courthouse
Commissioners' Room, Floor 1-B
Thursday, December 27, 2001
9:30 a.m.**

Call to Order

The Otter Tail County Human Services Board convened Thursday, December 27, 2001, at 9:31 a.m. at the Otter Tail County Courthouse with Commissioners Dennis Mosher, Chair; Bob Block, Vice-Chair; Syd Nelson, Malcolm Lee, and Roger Froemming present.

Approval of Agenda

Motion by Lee, second by Froemming, and unanimously carried to approve the Human Services agenda of December 27, 2001, with the Public Health Director's agenda items canceled.

Approval of Minutes

Motion by Froemming, second by Nelson, and unanimously carried to approve the Human Services Board minutes of December 11, 2001, as mailed.

Juvenile Subsidy Program

Court Services Director, Chuck Kitzman, presented an executed copy of the Juvenile Detention Services Subsidy Program between the State of Minnesota and County of Otter Tail effective July 1, 2001 through June 30, 2003. Each year, the County will receive \$11,842 for the temporary holdover facility.

Legislative Issues

Mr. Kitzman briefed the Board regarding the potential State funding shortfall. He discussed a recent Court Services Directors' meeting wherein the Directors expressed a desire to preserve specific funding, i.e. the 50% reimbursement for probation officer salaries and core probation services.

Outpatient Mental Health Services Agreement

Lakeland Mental Health Center Director, Clair Prody, reviewed the outpatient mental health services provided by the center and provided income and treatment data for the period of January 1, 2001 through September 30, 2001. The proposed agreement for CY2002 includes a 10% increase largely due to a need for increased psychiatry services in Otter Tail County. Lengthy discussion followed. Motion by Block, second by Nelson, and unanimously carried to authorize the Chair's signature to execute an agreement between the Otter Tail County Department of Human Services and Lakeland Mental Health Center for the period of January 1, 2002 to December 31, 2002. The contract provides \$520,000 for outpatient mental health services provided by LMHC.

Contract Renewals

Motion by Mosher, second by Lee, and unanimously carried to authorize the Chair's signature to execute the following contract renewals for CY2002:

<u>Vendor</u>	<u>Program</u>	<u>Contract Amount</u>
West Central Area Agency on Aging	Over 60 Transportation Program	\$16,500.00
Lakeland Mental Health Center	Children's Mental Health Case Mgmt.	\$27,500.00
Lakeland Mental Health Center	Family Community Support Services	\$88,157.00

Transition Grant

Motion by Froemming, second by Block, and unanimously carried to authorize the Chair's signature to execute a contract between the County of Otter Tail and Trans\$Em for the period of January 1, 2002 through December 31, 2002. This funding is a federal grant passed through the County to Trans\$Em to provide transition services for persons age 16 to 23 with severe emotional disturbance. This is a two year grant with \$50,000 funding for the first year.

Contract Renewals

Motion by Nelson, second by Froemming, and unanimously carried to authorize the Chair's signature to execute the following contract renewals for CY2002 with the County of Otter Tail for Adult Mental Health Services:

<u>Vendor</u>	<u>Program</u>
Trans\$Em	Supported Employment
Lakeland Mental Health Center	Case Management Services
Lakeland Mental Health Center	Crisis Responder Program Services
Moorhead Public Housing	Bridge Housing Support Program
REM Central Lakes, Inc.	Medicaid Waiver for Home and Community based services for persons with Mental retardation or related conditions
Prairie Community Waivered Services	Medicaid Waiver for Home and Community based services for persons with Mental retardation or related conditions
Lakes Homes and Program Development, Inc.	Medicaid Waiver for Home and Community based services for persons with Mental retardation or related conditions
Prairie Community Services, Arlington	Residential services under Rule 34

Alternative Work Schedule

Human Services Director, John Dinsmore, presented a draft (dated 12-4-01) Human Services Alternative Work Schedule policy and procedure handout. This is a major project recommended by the Human Services Worksite Labor Management Committee. Mr. Dinsmore stated that the alternative work schedule would likely have a neutral effect on overtime and would offer employees more choices in the way of a work schedule when considering family and other commitments. Discussion followed. Motion by Mosher, second by Froemming, and unanimously carried to table this request until the next Human Services Board meeting to provide more time to study the proposed policy.

Office Support Specialist

Motion by Lee, second by Froemming, and unanimously carried to authorize a Compensation Grade 7 for the Energy Assistance Office Support Specialist position as recommended by MAXIMUS. Mr. Dinsmore stated that a union salary grade will need to be established.

Approval of Bills & Claims

Motion by Nelson, second by Block, and unanimously carried to approve the Human Services bills and claims as presented.

Adjournment

At 10:52 a.m., Chair Mosher declared the meeting of the Otter Tail County Human Services Board adjourned until 9:30 a.m. on Tuesday, January 15, 2002.

Dated: _____ OTTER TAIL COUNTY HUMAN SERVICES BOARD

By: _____
Dennis Mosher, Human Services Chair

Attest: _____
Larry Krohn, Clerk

Call to Order

The Otter Tail County Board of Commissioners convened Thursday, December 27, 2001, at 11:03 a.m. at the Otter Tail County Courthouse with Roger Froemming, Chair; Dennis Mosher, Vice-Chair; Syd Nelson, Malcolm Lee, and Bob Block present.

Approval of Agenda

Motion by Mosher, second by Block, and unanimously carried to approve the County Board agenda of December 27, 2001, with the following additions:

Under Bill Kalar - Planning Commission Procedures & Ditch No. 21
11:50 a.m., Steve Andrews - Request for Forgiveness of Penalty
Under GIS Addressing Coordinator - Data Verification Contractors
2:00 p.m., GERALYN Lyseng - Request for Approval of Final Plat
Under Other - Request for Approval of Workers Comp Resolution

Approval of Minutes

Motion by Lee, second by Nelson, and unanimously carried to approve the County Board minutes of December 18, 2001, as mailed.

Approval to Pay Bills

Motion by Lee, second by Froemming, and unanimously carried to approve payment of County Board bills per Attachment A of these minutes.

Approval of Final Plats

Motion by Lee, second by Nelson, and carried with Mosher abstaining, to approve the Final Plat of Merrill E. & Darlene A. Moore known as "Rolling Oaks Estates" located in Section 21, Township 132N, Range 41W, in Tordenskjold Township; Long Lake (56-428).

Planning Commission Procedures

Commissioner Mosher discussed issues presented to him by the applicant of a Conditional Use Permit for a development known as Bixby Acres. Lengthy discussion followed. Commissioners suggested concerns be put in writing and presented to the Planning Commission.

Ditch No. 21

Motion by Block, second by Lee, and carried with Mosher abstaining, to authorize Rick's Backhoe Service to remove two beaver dams in the Ditch No. 21 system as recommended by the Ditch Inspector. Payment will be made from the Ditch No. 21 fund for the service.

Regional Treatment Center Project

Physical Plant Manager, Rick Sytsma, introduced discussion regarding the upcoming RTC remodeling project. The transfer agreement is very close to complete. Mr. Sytsma requested direction on how to proceed with the project. The initial phase included RTC site development which requires additional programming to identify specifically which departments would be moving to the RTC site, and then, construction plans could be completed. Additionally, Mr. Sytsma

requested authority to purchase a bobcat for demolition purposes. Motion by Block, second by Lee, and unanimously carried to authorize the Physical Plant Manager to purchase a bobcat for the demolition work for the RTC project at an approximate cost of \$25,000. Motion by Mosher, second by Lee, and unanimously carried to authorize the Physical Plant Manger to proceed with the next phase of construction development with Architect, David Shultz, in order to move forward with completion of construction documents/plans. Mr. Sytsma asked the Board to consider how to handle funding of the project as well as how to oversee the project.

Request for Forgiveness of Penalty

Motion by Mosher, second by Block, and unanimously carried to deny a request from Robert Wiedeman for forgiveness of penalty, in the amount of \$104.88, for parcel #18-000-99-0372-000. The County did not make an error to cause the late payment.

Recess & Reconvene

At 11:46 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.

GIS Department Update

GIS Addressing Coordinator, Brian Armstrong, stated that the Data Verification Contractors are contracted employees. Mr. Armstrong requested an increase in salary for the DV Contractors to \$13.00 per hour. The total funds expended for DVC services has been budgeted. Motion by Nelson, second by Mosher, and unanimously carried to approve \$12.75 per hour for the Data Verification Contractors effective January 1, 2002. Mr. Armstrong updated the Board regarding the benefit of adding Crop Equivalency Ratings to the GIS system and the potential parceling project.

Resolution Adopting Assessment Order for Otter Tail-Wilkin Judicial Drainage System No. 2 Otter Tail County Resolution No. 2001 - 67

Commissioner Mosher offered the following and moved its adoption:

WHEREAS, Randy Wasvick, Otter Tail County Ditch Inspector, has informed the Otter Tail County Auditor's office that a portion of the Otter Tail-Wilkin Judicial Drainage Systems No. 2 has been repaired/maintained in 2001 and that plans have been made for additional repair/maintenance work to continue in 2002, and

WHEREAS, the benefited properties located within Otter Tail County are responsible for 47.05% of the total repair/maintenance expenditures incurred by the Otter Tail-Wilkin Judicial Drainage System No. 2 and,

WHEREAS, in 1999, 2000 and 2001 a total of \$36,549.49 has been expended on the repair/maintenance of Otter Tail-Wilkin Judicial Drainage System No. 2, leaving a deficit balance, as of December 26, 2001, in the Otter Tail-Wilkin Judicial Drainage System No. 2 account of \$5,446.69, and

WHEREAS, the cost of the repair/maintenance work scheduled for completion in 2002 is estimated at approximately \$47,214.35 of which the benefited properties located within Otter Tail County are responsible for \$22,214.35 or 47.05%.

WHEREAS, the assessments which were authorized on Tuesday, December 26, 2000 by the Otter Tail County Board of Commissioners' is sufficient to cover the 2001 expenditures and the deficit balance as of December 26, 2001, but is insufficient to cover the planned expenditures for 2002.

NOW THEREFORE, BE IT RESOLVED BY THE OTTER TAIL COUNTY BOARD OF COMMISSIONERS, that a special assessment in the amount of \$22,500.00, be levied against the benefited properties located within Otter Tail County for the repair/maintenance of Otter Tail-Wilkin Judicial Drainage System No. 2, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed repair/maintenance in the amount of the assessment levied against it.

BE IT FURTHER RESOLVED, that such assessments shall be payable in equal annual installments extending over a period of 5 years. To the first installment shall be added interest, at a rate of 6%, on the entire assessment from the date of this resolution until December 31, 2002. To each subsequent installment when due shall be added interest, at a rate of 6% for one year on the unpaid balance.

BE IT ADDITIONALLY RESOLVED, that the owners of any of the benefited properties so assessed may, on or before Thursday, January 31, 2002 pay the entire assessment on such property to the County Auditor's office without interest and, the owners of any of the benefited properties so assessed may, at any time after Thursday, January 31, 2002, pay to the County Auditor's office the principal balance remaining at the end of the current payable year without interest so long as the payment is received on or before November 15, of the current payable year. Payments received after November 15 of the current payable year shall accrued interest on the principal balance remaining, at a rate of 6%, through December 31 of the next succeeding year.

Commissioner Lee seconded the motion, and upon being put to vote, was unanimously carried.

Adopted at Fergus Falls, Minnesota, this 27th day of December, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

**Resolution Adopting Assessment Order
for County Drainage System No. 4
Otter Tail County Resolution No. 2001 - 68**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, pursuant to proper notice duly given as required by law, the County Board of Otter Tail County has held the required hearing for the repair/maintenance and for the re-determination of benefits for County Drainage System No. 4, and

WHEREAS, the Otter Tail County Board of Commissioners has approved actual and estimated expenditures in the amount of \$44,000 for the repair/maintenance of County Drainage System No. 4 as follows:

Moench Excavating	\$33,720.00
Viewer's Expenses	\$ 6,005.17
Damages	\$ 1,625.00
Advertising and Postage	\$ 1,146.72
Misc. Routine Maintenance	\$ 972.04
Otter Tail County Highway Department	\$ 531.07
Total	<u>\$44,000.00</u>

NOW THEREFORE, BE IT RESOLVED, by the Otter Tail County Board Of Commissioners, that a special assessment in the amount of \$44,000, be levied against the benefited properties of County Drainage System No. 4, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the repair/maintenance in the amount of the assessment levied against it.

BE IT FURTHER RESOLVED, that such assessments shall be payable in equal annual installments extending over a period of 10 years. To the first installment shall be added interest, at a rate of 6%, on the entire assessment from the date of this resolution until December 31, 2002. To each subsequent installment when due shall be added interest, at a rate of 6% for one year on the unpaid balance.

BE IT ADDITIONALLY RESOLVED, that the owners of any of the benefited properties so assessed may, on or before Thursday, January 31, 2002 pay the entire assessment on such property to the County Auditor's office without interest and, the owners of any of the benefited properties so assessed may, at any time after Thursday, January 31, 2002, pay to the County Auditor's office the principal balance remaining at the end of the current payable year without interest so long as the payment is received on or before November 15, of the current payable year. Payments received after November 15 of the current payable year shall accrued interest on the principal balance remaining, at a rate of 6%, through December 31 of the next succeeding year.

Commissioner Lee seconded the motion, and upon being put to vote, was unanimously carried.

Adopted at Fergus Falls, Minnesota, this 27th day of December, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

**Resolution Adopting Assessment Order
for County Drainage System No. 29
Otter Tail County Resolution No. 2001 - 69**

Commissioner Nelson offered the following and moved its adoption:

WHEREAS, the County Board of Otter Tail County, acting as the County Drainage Authority, had authorized minor repairs/maintenance to County Drainage System No. 29 in 2001, and

WHEREAS, the Otter Tail County Board of Commissioners has approved expenditures in the amount of \$3,157.50 for the repair/maintenance of County Drainage System No. 29 as follows:

Ness Backhoe Service	\$2,497.50
DND Construction	<u>\$ 660.00</u>
Total	\$3,157.50

NOW THEREFORE, BE IT RESOLVED, by the Otter Tail County Board Of Commissioners, that a special assessment in the amount of \$3,200, be levied against the benefited properties of County Drainage System No. 29, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the repair/maintenance in the amount of the assessment levied against it.

BE IT FURTHER RESOLVED, that such assessments shall be payable in equal annual installments extending over a period of 4 years. To the first installment shall be added interest, at a rate of 6%, on the entire assessment from the date of this resolution until December 31, 2002. To each subsequent installment when due shall be added interest, at a rate of 6% for one year on the unpaid balance.

BE IT ADDITIONALLY RESOLVED, that the owners of any of the benefited properties so assessed may, on or before Thursday, January 31, 2002 pay the entire assessment on such property to the County Auditor's office without interest and, the owners of any of the benefited properties so assessed may, at any time after Thursday, January 31, 2002, pay to the County Auditor's office the principal balance remaining at the end of the current payable year without interest so long as the payment is received on or before November 15, of the current payable year. Payments received after November 15 of the current payable year shall accrued interest on the principal balance remaining, at a rate of 6%, through December 31 of the next succeeding year.

Commissioner Mosher seconded the motion, and upon being put to vote, was unanimously carried.

Adopted at Fergus Falls, Minnesota, this 27th day of December, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

Ditch System Assessments

Motion by Nelson, second by Lee, and unanimously carried to approve the following annual County Drainage System repair/maintenance assessments for payable year 2002:

County Drainage Ditch No. 04

(Included in the above Certified Assessment

County Drainage Ditch No. 05

\$ 500.00

County Drainage Ditch No. 21 (Original Board action of 12/23/96 - \$500.00)	1,500.00
County Drainage Ditch No. 29	500.00
County Drainage Ditch No. 37 (Original Board action of 09/23/97 - \$500.00)	2,500.00
County Drainage Ditch No. 63 (Original Board action 02/15/00 - \$500.00)	1,000.00

Fund Transfers Approved

Motion by Mosher, second by Froemming, and unanimously carried to authorize a six percent inter-fund loan, in the amount of \$41,729.92, from the General Revenue Fund to the following County Drainage Ditch Fund account to cover cash deficit balance as of December 26, 2001:

Otter Tail/Wilkin Judicial Ditch No. 2	\$ 5,466.69 (Inter-fund Loan)
Otter Tail County Ditch No. 04	33,989.62 (Inter-fund Loan)
Otter Tail County Ditch No. 29	2,258.61 (Inter-fund Loan)
Otter Tail County Ditch No. 55	15.00 (Operating Transfer)

Tobacco License

Motion by Mosher, second by Froemming, and unanimously carried to approve the following applications for license;

Marie Priebnow Stockman Tavern Underwood, MN	Tobacco
Cathy Johnson Undermart Underwood, MN	Tobacco

Land Surveyor's Certificate of Correction to Plat

Motion by Lee, second by Mosher, and unanimously carried to approve the attached (Attachment B) Land Surveyor's Certificate of Correction to the Plat of Crystal Beach.

New County Job Positions

Motion by Nelson, second by Block, that due to the uncertain effects of the State budget shortfalls for calendar year 2002, the following procedure is required for all new employee positions (including, but not limited to those positions with prior budgetary approval):

The Department Head will present, to the County Board, documentation stating necessity of position, approximate cost associated with the position, whether or not the position has prior budget approval, and any other information deemed pertinent. If filling of the proposed position is approved by the County Board, the Department Head would initiate normal hiring procedures through the County Coordinator's office. Motion carried unanimously.

New Mileage Rate

Motion by Mosher, second by Froemming, and unanimously carried to increase the mileage reimbursement rate from \$.345 to \$.365 per mile, effective January 2, 2002, which is consistent with the rate established by the Internal Revenue Service.

Fixed Asset Policy

Motion by Mosher, second by Nelson, and unanimously carried to approve the following updated Otter Tail County Fixed Asset Policy:

In order for the County to demonstrate responsible stewardship, it is essential that adequate accounting procedures and records permit the assignment of responsibility for custody and proper use of specific fixed (capital) assets to individual public officials, and serve as a prerequisite to preparation of satisfactory and complete financial reports.

A. GOAL

The establishment and maintenance of a Fixed Asset System is essential to provide management with data for the physical and dollar value control of assets.

B. MANAGEMENT OBJECTIVES

The management objectives of the Fixed (Capital) Asset System are:

1. To assign responsibility for the custody and proper use of specific assets to individuals, officials or department heads.
2. To substantiate valuations of fixed assets in accordance with Generally Accepted Accounting Principles (GAAP) for fiscal reporting.
3. To control retirements of fixed assets by type of retirement, i.e. sales, trade-ins, thefts, and items scrapped.
4. To assist in providing depreciation computations for Federal, State, and Proprietary reporting purposes.
5. To serve as a basis for valuation for insurance purposes and to provide a record of assets insured.
6. To encourage transfer of surplus equipment to area of need.
7. To aid in budget preparation, analysis, and approval.

GENERAL SYSTEM DESCRIPTION

A. FIXED ASSET DEFINITION

A fixed asset of Otter Tail County is defined as a specific piece of property, which meets the following attributes:

1. It is tangible in nature in that the physical substance does not materially change its form through use.
2. Its expected useful life is greater than one year.
3. It has significant value. In Otter Tail County's financial system, significant value means that it has a cost of \$5,000.00 or more.
4. Included are land, improvements to land, buildings, building improvements, vehicles, machinery, equipment, works of art, and historical treasures.

B. VALUATION OF FIXED ASSETS

Fixed assets should be accounted for at cost, or if cost is not practicably determinable, at estimated cost.

1. Cost: Fixed assets should be recorded at cost or consideration received, whichever is more objectively determinable. The cost of a capital asset includes not only its purchase price or construction cost, but also the ancillary charges necessary to place the asset in its intended location and condition for use. Ancillary charges include costs such as freight and transportation charges, site preparation expenditures, professional fees, and legal claims directly attributable to asset acquisition.
2. Estimated Cost: Initial costs of fixed assets usually are readily ascertainable from contracts, purchase orders and other transaction documents at the time of

acquisition or construction. Otter Tail County was faced with the task of establishing appropriate fixed asset accounting records and valuations after many years of operation without such records. Therefore, the original documents may not have been available, or an inordinate expenditure of resources would have been required to establish original asset cost precisely. It was necessary to estimate the original cost of such assets on the basis of such documentary evidence as was available.

C. ACQUISITION OF FIXED ASSETS

1. Purchase: A purchase is an acquisition through direct outlay of cash and/or other consideration for the fixed asset. The book value of an older fixed asset traded in for a new one does not always affect the basis of the new asset.
2. Construction: Construction includes buildings actually constructed by the County. The labor, materials, equipment and overhead costs are all part of the construction cost.
3. Lease-Purchase and Installment Purchase: Lease-Purchase Agreements are contractual agreements which, in substance, amount to purchase contracts. General fixed assets acquired via Lease-Purchase Agreements are capitalized in the Fixed Asset System at the inception of the agreement in the amount of the item if it had been purchased outright. Multiple year installment contracts are accounted for in the same manner as Lease Purchase Agreements.
4. Gift: Governments may acquire properties by gift. Donated fixed assets should be recorded to the fund to which they relate or in the Fixed Asset System, as appropriate, at the estimated fair value at time of acquisition.

D. TREATMENT OF COSTS SUBSEQUENT TO ACQUISITION

Expenditures on fixed assets which are incurred after their original acquisition are defined and recorded as follows:

1. Maintenance: Maintenance costs are those which neither materially add to the value of the property nor appreciably prolong its life, but merely keep it in ordinary, efficient operating condition. Maintenance costs are not charged to capital accounts, but to maintenance and repair expenditure accounts.
2. Betterments: Betterments consist of the replacement of a unit of an existing asset by an improved or superior UNIT, usually resulting in a more productive, efficient, or longer-lived asset. Significant betterments are considered to be capital asset additions and are added to the value of the property i.e. shed added to a Landfill Site. The decision as to whether a betterment has been effected is made by an evaluation of engineering, physical or other relevant factors apart from cost. Replacement of a part of an existing asset by another of like quality is not a betterment, even though the useful life of the asset is maintained or extended. These costs are charged to expenditure accounts.

E. RETIREMENT

The term retirement is used to describe the removal of a fixed asset from the Fixed Asset System. The various types of retirement are defined below and must be reported to the Auditor's Office to ensure that changes are entered in the system.

1. Sale of Fixed Asset: Fixed assets and/or non-expendable supplies, which are to be sold, are subject to the requirements described in Minnesota State Statute. Items, which are sold, will be retired from the Fixed Asset System by the Auditor's Office.

2. Trade-In: A department head retiring a fixed asset as a trade-in for a new acquisition will inform the Auditor's Office of the retirement.
3. Lost, Stolen or Damaged Beyond Repair: When a fixed asset is retired from the fixed asset system through one of these unexpected methods, the incident will be reported to the appropriate law enforcement personnel (if applicable) and to the County Coordinator's Office for insurance purposes. The department head must also notify the Auditor's Office so that changes can be entered into the Fixed Asset System.

F. TRANSFERS

1. Transfer: When a fixed asset item is transferred to a different department, the department head who is responsible for the item must inform the Auditor's Office of the change in ownership and location. The Auditor's Office will enter these changes into the Fixed Asset System.

FIXED ASSET MAINTENANCE

1. The Auditor's Office will send to each department head, as possible, no less than annually, a listing of year to date fixed assets added to the Fixed Asset System for each Department. This should be done by March for the prior year end and returned by the department to the Auditor's Office within 30 days of receipt.
 - a. It will be the Department Head's or designee's, responsibility to reconcile the year to date Fixed Asset listing for the department he/she is responsible for with the Capital expenditures shown in the general ledger for the same time period.
 - b. All new purchase additions, changes, or deletions to the Fixed Asset System are to be made by notification from the departments to the Auditor's Office.
 - c. The Auditor's Office will input the information to the Fixed Asset System, and return the updated list for each year end to the department for reviewing the lists for accuracy. After reviewing the list the department is to sign the list and return it to the Auditor's Office.

Committee Per Diem & County Board Salary for CY2002

Motion by Lee, second by Nelson, and unanimously carried to increase the Committee and County Board per diem from \$45 to \$50 effective January 1, 2002.

Motion by Mosher, second by Froemming, to approve a salary of \$24,000 annually for County Commissioners effective January 1, 2002. Chair Froemming called for a roll call vote:

Commission District 5	Block	Yea
Commission District 2	Lee	Yea
Commission District 4	Froemming	Yea
Commission District 1	Nelson	Yea
Commission District 3	Mosher	Yea

Motion carried.

Salary Increase for Non-Union Employees

Motion by Nelson, second by Block, and unanimously carried to authorize a 3% cost of living adjustment (COLA) for all non-union (non-contracted) Otter Tail County employees effective January 1, 2002.

Consulting Services Agreements

Motion by Lee, second by Mosher, and unanimously carried to authorize the Highway Engineer to enter into the following contracts with Interstate Engineering at a total cost of \$66,800, for bridge consulting services:

Aurdal Township Over the Otter Tail River on 245 th Street	\$21,100.00
Aurdal Township Over the Otter Tail River on Diversion Drive (Diversion Dam)	9,100.00
Dane Prairie Township Over the Otter Tail River on Ridgewood Circle	17,800.00
Rush Lake Township Over the Otter Tail River on Rush Lake Loop	<u>18,800.00</u>
TOTAL	\$66,800.00

Amendments - Pelican Group of the Lakes Improvement District

Chairman of the PGOLID, H.R. Lund, briefed the County Board regarding what the district has done in the past and future goals of the district. He stated that the LID includes approximately 1,200 property owners. Currently, the LID is researching the establishment of a sewer system and he spoke in favor of approving the proposed amendments. Property owner on Pelican Lake, Rod Smith, spoke against the proposed amendments and requested that the Board not give the PGOLID additional authority. Lengthy discussion followed regarding the proposed ballots for the sewer system project and authority for specific projects. County Attorney, David Hauser, acknowledged receipt of two additional letters regarding the proposed amendments. Discussion took place regarding the option to approve the proposed amendments with a change to require the LID to receive authority from the County Board for the sewer project. Motion by Lee, second by Mosher, to approve the following proposed amendments with added language (as represented in italics) in Paragraph 25.c.iv. and 25.c.xv:

**STATE OF MINNESOTA
 OTTER TAIL COUNTY**

 In the Matter of the Pelican Group of)
 Lakes Improvement District)
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The Board of County Commissioners for Otter Tail County, Minnesota, at a public hearing to consider amending the order establishing the Pelican Group of Lakes Improvement District, made the following:

FINDINGS OF FACT

1. The Otter Tail County Board (the "Board") adopted a resolution of intent to establish the Pelican Group of Lakes Improvement District (the "District") on August 7, 1993.
2. The Board held a public hearing on August 28, 1993, within the proposed district regarding whether the district should be established.
3. On October 5, 1993, the Board ordered that the proposed district be established effective June 6, 1994.
4. The Board of Directors of the District (the "Directors") has asked the Board to consider amending the order establishing the District to include delegation of powers and authorities specifically allowed by Minnesota Statutes Section 103B.551.

5. The Directors make their request in order to clarify the District's role and function and in order to simplify the processes by which the District undertakes to implement programs and projects.
6. The Board is authorized by Minnesota Statutes Section 103B.551 to, by order, delegate powers to the board of directors of a district to be exercised within the district.
7. The Board may also delegate to the District, by order identifying each specific improvement to which the delegation applies, financing authority for improvements under chapter 429 and section 444.075, including, but not limited to: (1) the levy of special assessments; (2) the imposition of rates and charges; and (3) the issuance of bonds to finance improvements that the District may undertake.
8. The District has undertaken to study the feasibility and public health, economic and environmental benefit of constructing a joint water and sewer system within the District.
9. The District has undertaken its study with approval from the Board and from the District's constituents, but without a specific delegation of authority from the Board.
10. Similarly, the District has undertaken other projects and programs with approval from the Board and from the District's constituents without a specific delegation of authority from the Board.
11. The Directors have also asked the Board to clarify or provide a procedure for adding formerly agricultural land to the District.
12. The Board's original Order establishing the District excepted from the District certain agricultural lands otherwise located within the boundaries of the District.
13. Many of those agricultural lands are no longer in a primary agricultural use and many more of those lands are in transition to non-agricultural uses.
14. It is the intent of the Board that all non-agricultural lands within the boundaries of the District, as described in the Order originally establishing the District, be included in the District.
15. The Directors may, by confirming the changed land use with the County Auditor and Assessor, and by notifying the owner of the lands and the Administrator of the Otter Tail County Department of Land and Resource Management, add those lands no longer in agricultural use to the District.
16. The Board adopted a resolution of intent to consider amending the Order establishing the District on August 14, 2001.
17. The Board finds that an amendment to the order establishing the District, delegating specific powers and authorities to the District, clarifying the financing means and authorities of the District, and providing a procedure for the inclusion of properties within the District that are no longer of primarily agricultural use, would be beneficial to the efficient function of the District.
18. The Board published notice of a public hearing on a proposed amendment to the order establishing the District. The affidavit of publication is attached to and incorporated into these findings by reference.
19. The Board provided written notice to Dunn and Scambler Townships, Otter Tail County, Minnesota, of the proposed amendment to the order establishing the District and encouraged each to comment on the proposed amendment.
20. The Board held its public hearing on December 18, 2001, to take public comment on the proposed amendment to the order establishing the District.
21. The Board allowed for written comments regarding the proposed amendment to the order establishing the District to be received and considered by the Board.
22. After considering the comments of those present at the hearing and the written comments presented to the Board, the Board finds that the functions and authorities delegated to the District by the proposed amendment are necessary and beneficial for the continued improvement of the Pelican Group of Lakes; that the public welfare will be promoted by the delegation of the functions and

authorities contained in the proposed amendment; that property within the District will benefit from the District's prudent exercise of the functions and authorities contained in the proposed amendment; and that the delegation of the functions and authorities contained in the proposed amendment will not cause or contribute to long-range environmental pollution, but rather, will improve the long-range environmental and economic condition of the District and the region.

23. The delegation of the functions and authorities contained in the proposed amendment will benefit the public welfare by enabling residents of the District to efficiently and effectively plan for, construct and finance projects and programs to address issues of water quality, related land resources and water surface use.
24. The delegation of the functions and authorities contained in the proposed amendment will benefit the property values and quality of life within the district by providing a means of establishing and financing economically and environmentally beneficial improvements that enhance and maintain the environmental quality of the Pelican Group of Lakes and the surrounding land areas.

Therefore, the Board makes the following:

ORDER

25. The order establishing the Pelican Group of Lakes Improvement District is amended as indicated below in bold:
 - a. The boundaries of the Pelican Group of Lakes Improvement District shall encompass all parcels of real property, any part of which is located within 500 feet of the ordinary high water mark of Bass, Big Pelican, Fish and Little Pelican Lakes in Scambler and Dunn Townships of Otter Tail County, to include the entire tax parcels, except for all such parcels classified for agricultural use. **As the use of agricultural lands within the 500 foot boundary of the District changes to non-agricultural use, the District may, by confirming the change of use to the County Auditor and Assessor, and by notifying the owner of the property and the Administrator of the Otter Tail County Department of Land and Resource Management, include those formerly agricultural lands in the District.**
 - b. The water and related land resource management programs to be undertaken in the district include the following:
 - i. develop and implement a comprehensive plan to eliminate water pollution;
 - ii. receive financial assistance from and participate in projects or enter into contracts with federal and state agencies for the study and treatment of pollution problems and related demonstration programs;
 - iii. undertake research to determine the condition and development of the body of water included within the lake improvement district and to transmit the studies to the Department of Natural Resources, the Minnesota Pollution Control Agency and other interested authorities;
 - iv. make cooperative agreements with the United States or state government or other county or city to effectuate water and related land resource programs;
 - v. conduct programs of water improvement and conservation;
 - vi. implement a water monitoring system;
 - vii. serve as local sponsor for state and federal projects or grants;
 - viii. regulate water surface use as deemed necessary and reasonable; or
 - ix. such other programs, plans, studies, developments and implementations as are allowed or permitted by law, and approved by the County Board from time to time.

- c. **The Board delegates to the Pelican Group of Lakes Improvement District the power and authority to:**
- i. **acquire by gift or purchase an existing dam or control works that affects the level of waters in the district;**
 - ii. **construct and operate water control structures that are approved by the commissioner of natural resources under section 103G.245;**
 - iii. **undertake projects to change the course current or cross section of public waters that are approved by the commissioner of natural resources under section 103G.245;**
 - iv. **acquire property, equipment, or other facilities, by gift or purchase to improve navigation;**
 - v. **contract with a board of managers of a watershed district within the lake improvement district or the board of supervisors of a soil and water conservation district within the district for improvements under chapters 103C and 103D;**
 - vi. **undertake research to determine the condition and development of the body of water and the water entering it and to transmit the results of the studies to the pollution control agency and other interested authorities;**
 - vii. **develop and implement a comprehensive plan to eliminate water pollution;**
 - viii. **conduct a program of water improvement and conservation;**
 - ix. *with the specific approval of the County Board for a particular project,* **construct a water, sewer, or water and sewer system in the manner provided by section 444.075 or other applicable laws;**
 - x. **receive financial assistance from and participate in projects or enter into contracts with federal and state agencies for the study and treatment of pollution problems and related demonstration programs;**
 - xi. **make cooperative agreements with the United States or state government or other counties or cities to effectuate water and related land resource programs;**
 - xii. **maintain public beaches, public docks, and other public facilities for access to the body of water;**
 - xiii. **provide and finance a government service of the county or statutory or home rule city that is not provided throughout the county or, if the government service is provided, the service is at an increased level within the district;**
 - xiv. **regulate water surface use as provided in sections 86B.205, 103G.605, and 103G.621;**
 - xv. *with the specific approval of the County Board for a particular project,* **finance sewer, water, joint sewer and water, storm water and related improvement programs and projects as provided in chapter 429 and section 444.075; and**
 - xvi. **exercise those related functions necessary to effectuate the powers and authorities listed above.**
- d. **The programs and projects of the lake improvement district will be financed by:**
- i. **assessing the costs of projects upon benefited property within the district in the manner provided under chapter 429;**
 - ii. **imposing service charges on the users of lake improvement district services within the district;**
 - iii. **issuing obligations as provided in section 429.091;**

- iv. **levying an ad valorem tax solely on property within the lake improvement district, to be appropriated and expended solely on projects of special benefit to the district;**
- v. **imposing or issuing any combination of service charges, special assessments, obligations, and taxes; or**
- vi. **imposing any of the finance mechanisms provided for in section 444.075.**
- e. The Administrator of the Otter Tail County Department of Land and Resource Management shall be responsible for supervising the programs of the District.
- f. The Board of Directors of the Pelican Group of Lakes Improvement District shall consist of nine members, who must be owners of property located within the district. The initial director shall be appointed to alternating terms of one, two and three years each. Thereafter, three directors shall be elected each year to serve three year terms. No director may serve more than two successive complete terms. An individual shall be eligible for re-election to the Board of Directors after three years absence.
- g. Directors may be removed by a two-thirds vote of the remaining board members or by a vote of the majority of the property owners present at an annual meeting. Vacancies in the Board of Directors may be filled by a majority vote of the remaining directors, subject to approval by a majority vote of the property owners present at the next annual meeting. A director elected to fill a vacancy shall serve the unexpired term.
- 26. This Order shall be published once in the official newspaper of the county.
- 27. The effective date of the amendment to the order establishing the lake improvement district shall be 30 days from the date of publication.
- 28. A copy of this Order shall be filed with the Secretary of State, the Pollution Control Agency, and the Commissioner of Natural Resources.

Adopted this 27th day of December, 2001.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
 Dennis Mosher, County Board Chair

Attest: _____
 Larry Krohn, Clerk

Chair Froemming called for a roll call vote:

Commission District 3	Mosher	Yea
Commission District 1	Nelson	Nay
Commission District 4	Froemming	Nay
Commission District 2	Lee	Yea
Commission District 5	Block	Yea

Motion carried 3-2.

Group Dental Plan Contract

Motion by Nelson, second by Block, and unanimously carried to authorize the Chair's signature to execute the Group Dental Plan contract between the County of Otter Tail and Delta Dental as presented.

Request for Approval of Final Plat

Motion by Lee, second by Nelson, and unanimously carried to waive the two-week review requirement of the Subdivision Controls Ordinance and approve the Final Plat of GERALYN LYSENG known as "West Otter Shores" located in Section 31 of Candor Township.

**Resolution to Reaffirm Worker's Compensation Coverage for Elected Officials
Otter Tail County Resolution No. 2001 - 70**

Commissioner Nelson offered the following and moved its adoption:

WHEREAS, pursuant to the requirements of Minnesota Statute §176.011, subd. 9 (6), and

WHEREAS, all officers of Otter Tail County who are elected or appointed to a regular term of office, or to complete the unexpired portion of a regular term, shall be included within the definition of "employee" as that term is defined in Minnesota Statute §176.011, subd. 9 for purposes of coverage under the Workers' Compensation Laws of the State of Minnesota, and

WHEREAS, Otter Tail County has, in the past, included appointed and elected officials in all Workers' Compensation reports and audits, and

WHEREAS, this resolution is intended to meet the statutory requirements and confirm an existing practice, not establish a new practice.

THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners for Otter Tail County does hereby resolve that all officers of Otter Tail County who are elected or appointed shall be included for purposes of coverage under the Workers' Compensation Laws of the State of Minnesota.

Commissioner Lee seconded the motion, and upon being put to vote, was unanimously carried.

Adopted at Fergus Falls, Minnesota, this 27th day of December, 2001.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

Lakes Country Service Cooperative Annual Membership

Motion by Lee, second by Froemming, and unanimously carried to authorize the Chair's signature to execute the Lakes Country Service Cooperative annual agreement that includes purchasing membership dues for CY2002, in the amount of \$250.00.

Adjournment

At 2:44 p.m., Chair Froemming declared the meeting of the Otter Tail County Board of Commissioners adjourned until 9:30 a.m. on Tuesday, January 8, 2002.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk