

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
500 Fir Avenue W., Fergus Falls, MN  
Tuesday, October 3, 2006  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, October 3, 2006, at 9:35 a.m. at the Otter Tail County Government Services Center with Commissioners Roger Froemming, Chair; Dennis Mosher, Vice-Chair, Bob Block, Syd Nelson, and Malcolm Lee present.

**Approval of Agenda**

Motion by Block, second by Nelson, and unanimously carried to approve the County Board agenda of October 3, 2006, with the following additions:

Final Plat & Final Plat Filing Extension Request  
9:45 a.m. – Auditor, Wayne Stein  
9:50 a.m. – GIS Coordinator, Brian Armstrong

**Approval of Minutes**

Motion by Mosher, second by Froemming, and unanimously carried to approve the County Board minutes of September 26, 2006, as presented.

**Approval to Pay Bills**

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

**Snowmobile Trail Grant Agreements**

Motion by Mosher, second by Block, and unanimously carried to approve the following 2007 Minnesota Trail Assistance Program Performance Based Grant Agreements from the Minnesota Department of Natural Resources with Otter Tail County acting as fiscal agent:

Prairie Snow Drifters Snowmobile Trail	\$3,447.60
Henning Sno Cruisers Snowmobile Trail	\$7,182.00
Otter Trail Riders Snowmobile Trail	\$41,655.60
Lake Runners Trail Association (LRTA) Snowmobile Trail	\$22,120.80
Otter Country Trail Association (OCTA) Snowmobile Trail	\$47,592.00

**Extension to File Final Plat – “The Pier”**

Motion by Froemming, second by Block, and unanimously carried to approve a one month filing extension, until November 1, 2006, for the Final Plat of James & Susan Lukken titled “The Pier”, Section 21 & 28 of Otter Tail Township, Otter Tail Lake.

**Final Plat – “Sunrise Bluff”**

Motion by Nelson, second by Lee, and unanimously carried to approve the Final Plat of Roland P. Canham and Patricia A. Canham titled “Sunrise Bluff”, section 6 of Hobart Township; Lake Six (56-369).

### **Dakota Landfill Contract**

Motion by Nelson, second by Mosher, and unanimously carried to authorize the appropriate County officials' signatures to execute a Waste Delivery Agreement between the County of Otter Tail and Dakota Landfill in Gwinner, N.D. as recommended by the Solid Waste Director. The five-year agreement reduces the tipping fee from \$30.77 per ton to \$26.00 per ton.

### **Public Informational Meeting – Ditch No. 41**

County Auditor, Wayne Stein, submitted the minutes from the County Drainage System No. 41 Public Information Meeting held at 7:00 p.m. on Monday, September 25, 2006.

### **Payment Approvals**

Motion by Lee, second by Mosher, and unanimously carried to approve the following payments:

Shultz & Associates	\$18,600.00	Project 0603 OTC Ottertail Operations Center
Shultz & Associates	\$3,635.00	Project 0550 OTC Jail/Courthouse Planning
Overland Mechanical Services	\$33,346.11	3 <sup>rd</sup> Floor Remodel

Motion by Nelson, second by Lee, and unanimously carried to approve payment to National Business Systems, Inc., in the amount of \$11,218.40, for the prepayment of the Truth In Taxation Postage Cost for the mailing of the Payable 2007 proposed statements.

### **Nationwide GIS Certification Program**

GIS Coordinator, Brian Armstrong, briefed the Board on a nationwide certification program started in 2004 for GIS Professionals. Mr. Armstrong stated that he has qualified for the GISP Certification and requested that the Board approve a signed letter, which needs to be included with his application. Motion by Lee, second by Block, and unanimously carried to approve a Supervisor Letter from the County Board to be included with Mr. Armstrong's portfolio to apply for the Geographic Information Systems Professional certification. Motion by Block to approve the certification fee of \$250 for five years for this GISP program. Discussion followed and the motion was withdrawn.

### **Real Estate Discussion**

Attorney, Kent Mattson, discussed location of the State's proposed Chemical Dependency Treatment building. The area in the upper northwest corner of the Regional Treatment Center grounds will not work because the size would not fit in that space. Mr. Mattson reported that other areas of the RTC grounds were considered. It was felt that other areas on the campus would minimize the reuse of the unused portions of the campus at the RTC. He stated that "The Friends of the Kirkbride" would like to preserve the Kirkbride building for reuse and there are some new ideas to explore. The State will move forward with the demolition plans for ten buildings on the campus unless there is funding obtained for reuse ideas. Mr. Mattson explained that the City of Fergus Falls is willing to give the County a tract of land for the proposed CD Treatment building. The site is approximately 6 acres in size on CR 88 in the Industrial Park past the location of Vinylite. The consensus of the County Board was to accept the property on CR 88 from the City of Fergus Falls as outlined for the proposed CD Treatment facility and that the County is still interested in green space north of the current GSC building.

### **County Drainage Systems Discussion**

County Ditch Inspector, Randy Wasvick, referred to a recent public informational meeting regarding Ditch System No. 41. He reported that an individual on the Ditch System has indicated that if the County Board, as the Drainage Authority, takes no action to reduce flooding in the system, a petition will be filed. Lengthy discussion took place. Commissioners directed Mr. Wasvick to research a plan to remove beaver dams and meet with the Wetland Technical Committee to ascertain if the wetlands will be able to accommodate the additional flow of water.

Motion by Mosher, second by Block, and unanimously carried to authorize the Otter Country Trail Association (OCTA) to re-set a culvert, at the same elevation as the previous culvert, and fill over it along CR 1 in Ditch No. 21 to use this area for their snowmobile trail. The Land & Resource Office can issue a grade and fill permit for the project.

### **Recess & Reconvene**

At 11:07 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 11:13 a.m.

### **Minnesota State Transportation Fund Resolution for Construction of County Bridge No. 56536 Project No. S.P. 56-683-09 Fed. Proj. No. BROS 5606 (034)**

### **Otter Tail County Resolution No. 2006 – 74**

Commissioner Nelson offered the following and moved its adoption:

WHEREAS, Otter Tail County has applied to the Commissioner of Transportation for a Grant from the Minnesota State Transportation Fund (Fund 29) for the Construction of County Bridge No. 56536 (Project No. S.P. 56-683-09) on CSAH 83 between 521 feet North of Northview Road to 0.085 miles North, North of Battle Lake, MN And;

WHEREAS, The amount of the grant has been determined to be \$230,506.34 by reason of lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED, That the County of Otter Tail does hereby request that the Grant Funds be directly deposited into the Agency account, and does hereby affirm that any cost of the bridge in excess of the grant will be appropriated from the funds available to the County of Otter Tail, and that any grant monies appropriated for the bridge but not required, based on the final estimate, shall be returned to the Minnesota State Transportation Fund.

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

Adopted and signed this 3<sup>rd</sup> day of October, 2006.

Dated: \_\_\_\_\_ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Roger Froemming , Board of Commissioners Chair

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

### **Reduction in Retainage for Highway Projects**

Motion by Froemming, second by Block, and unanimously carried to reduce the retainage to 1% for the following Highway Projects:

- S.A.P. 56-674-02, Reconstruction of CSAH 74, Central Specialties, Inc.
- S.P. 56-665-06, Reconstruction of CSAH 65, Central Specialties, Inc.

### **Oscar Lake Outlet**

Highway Engineer, Rick West, reported that permission has been received from Judicial Ditch #2 to keep the Oscar Lake outlet open until November 1, 2006. Initially, the agreement was to close the outlet on September 30, 2006.

### **South Turtle Lake**

Mr. West reported that the US Fish & Wildlife has delineated two wetlands, which can be avoided by the proposed Storm Sewer District Project for South Turtle Lake using the route recommended at the September 19, 2006, County Board meeting. The route was marked in red on the map presented at that meeting. Mr. West and County Attorney, David Hauser, will provide the notices for a Public Hearing as required by law after the cost estimate of the project has been received. Mr. West also reported that a clay dike is being built to shut down the flow through the culvert under CH 122.

### **Water Street Bridge No. L0884**

Mr. West reported that the Water Street Bridge over the Otter Tail River on the north side of West Lost Lake had to be closed due to excessive load(s) taken over the bridge. The timber stringers which are the main support on the deck are cracked on both sides. Mr. West provided photos of the cracking that has occurred. He reported that, last year upon inspection, there was no evidence of cracking. Maine Township has requested replacement of the bridge as the structure was built in 1910. The replacement schedule will be dependant on funding availability.

### **Highway Contract Approvals**

Motion by Mosher, second by Lee, 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. for C.P. 06:35 Nor Lk on CSAH 35 near Norway Lake in Section 20 of Sverdrup Township, shoulder widening and inslope work. This motion is contingent upon the County Attorney's approval.

Motion by Nelson, second by Lee, 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. for S.A.P. 56-600-23, paving on Beaver Dam Road 3 miles west of Dent, contingent upon the County Attorney's approval.

### **Court Administration Remodeling Project**

Court Administrator, Kathy Ouren, met with the Board and thanked them for the remodeling project in her department at the Courthouse, which has met several requests/needs in that area. One example is security glass installed at the Court Administration counter and better security for the judges to keep them out of public spaces when entering and exiting the Courtrooms. The move to second floor and then back to the permanent third floor location went very smoothly. She mentioned that a family friendly waiting room could be located on the second floor very nicely.

### **Potential Rental Space for WACCO**

Physical Plant Manager, Rick Sytsma, briefed the Board on rental space that could be available for Western Areas Cities Counties Organization. Mr. Sytsma reported that the space on the lower level that used to be occupied by the Red Cross and is about 500 sq. ft. may be a good fit for WACCO's needs and fit their rental budget.

### **Vending Machine Discussion**

A discussion regarding the lack of vending machines at the 505 South Court building took place. Motion by Mosher, second by Block, and unanimously carried to authorize a drink/beverage machine and snack machine to be purchased by trading in the current coffee vending machine located in the GSC and an additional purchase cost of approximately \$8,000, as recommended by the Physical Plant Manager. The County Attorney will review the State Auditor's previous decisions regarding vending machines and the use of the dollars made from the machines.

### **Architectural Honors Award**

Architect, David Shultz, presented an Honors Award which was given to Shultz & Associates from the ND Chapter of the American Institute of Architects for the design work at the Otter Tail County Government Services Center.

### **Proposed Otter Tail City Operational Center Planning**

Architect, David Shultz, updated the Board regarding the design process of the proposed Operational Center near Otter Tail City. One of the concepts he presented is entitled "Green Design", which is a building that encompasses research of resource conservation, water management, and energy conservation. He requested that the proposed Otter Tail City building project follow the Leadership, Energy and Environmental Design (LEED) process, which has become the standard for sustainable building designs with efficiency. This is a certification process where the building is registered and a complete demonstration of the energy savings and long term operational cost savings is the result. A Commissioning Agent would be hired to maximize the efficiencies of the mechanical systems so the complicated components work efficiently as a whole. Discussion took place regarding the land acquisition where the Otter Tail City Center is planned to be located. County Attorney, David Hauser, stated that he has received the abstract for the property and requested approval to proceed with obtaining a Title Opinion. Motion by Nelson, second by Lee, and unanimously carried to authorize the County Attorney to send the abstract to a law firm to obtain a Title Opinion of the property for the proposed Operational Center. Discussion took place regarding short term and long term needs for law enforcement. Motion by Lee, second by Block, and unanimously carried to approve the concept of the LEED Process Certification for the design of the Otter Tail City Operational Center as presented by the Physical Plant Manager and

Architect. The Physical Plant Manager will return to the Board with cost estimates for the LEED Process Certification and Commissioning Agent agreement(s).

**Compliance Checks**

Mr. Hauser reported that the fines imposed as a result of failing Liquor Compliance Checks stay with the County. He suggested that the money could be used to administer the Best Practices Program. Mr. Hauser requested direction from the Board regarding penalties to the businesses as a result of the failures of the compliance checks wherein a sale of liquor was made to a minor. Motion by Mosher, second by Block, and unanimously carried to use the Best Practices Grid for Administrative Civil Fines for the establishments that failed the recent liquor license compliance checks.

**Resolution for Regional Library Basic System Support**  
**Otter Tail County Resolution No. 2006 - 75**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, the regional public library systems in Minnesota have contributed to both improvements in library operation and efficiencies in providing services to the entire population of the State of Minnesota, and;

WHEREAS, the State's contribution to Regional Library Basic System Support has not increased for more than a decade, and;

WHEREAS, the funding for regional public library systems has increasingly fallen on local property tax dollars.

BE IT THEREFORE, RESOLVED, that the Otter Tail County Board of Commissioners hereby requests its legislative representatives and the Governor to place a high priority on a substantial increase in the Regional Public Library System Basic Support appropriation during the 2007 legislative session.

BE IT FURTHER RESOLVED, that the Otter Tail County Board of Commissioners hereby requests that the Association of Minnesota Counties join the Minnesota Library Association (MLA) in lobbying the Legislature for this increase during the 2007 Legislative Session.

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

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Roger Froemming , Board of Commissioners Chair

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

**Adjournment**

At 1:11 p.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, October 10, 2006.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Roger Froemming , Board of Commissioners Chair

Attest: \_\_\_\_\_

Larry Krohn, Clerk

CB/kd



10/03/2006 11:56:07 OTTER TAIL COUNTY AUDITOR  
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66  
WARRANTS FOR PUBLICATION PAGE 1

WARRANTS APPROVED ON 10/03/2006 FOR PAYMENT 10/03/2006

VENDOR NAME	AMOUNT
ASSOCIATION OF MN COUNTIES	150.00
ATSSA	40.00
BAN-KOE SYSTEMS INC	885.00
BATTLE LAKE AREA FIRE ASSOC	400.00
BEYER BODY SHOP INC	47.93
STEVE BRANDNER	237.06
WARREN BURRIS	149.98
CALL ONE INC	74.52
CARRS TREE SERVICE	53.25
CELLULAR OUTFITTERS	174.95
CHECKERS	15.05
CO OP SERVICES INC	2,611.17
COLLEGE WAY AUTO INC	29.19
COMMISSIONER OF TRANSPORTATION	4,146.15
COMPUTER INFORMATION SYSTEMS	17,000.00
COOPERS TECHNOLOGY GROUP	15.17
CUMMINS NPOWER LLC	542.97
DAKOTAH PAPER COMPANY	611.80
DAKOTA PRINTER REPAIR LLC	20.00
DAVID ROMANN HAULING & LANDSCP	1,843.78
ELECTION SYSTEMS & SOFTWARE IN	654.98
FERGUS ELECTRIC	113.91
FERGUS FALLS MEDICAL GROUP	3,428.00
FERGUS FALLS POLICE DEPT	123.08
FERGUS POWER PUMP INC	30,915.00
FERGUS TIRE CENTER	15.00
FRAZEE FORUM INC	55.68
FREMONT INDUSTRIES INC	535.27
GALL'S INC	22.35
GENERAL PARTS & SUPPLY CO	18.07
GLOBAL FINANCIAL SERVICES	1,584.72
GOODIN COMPANY	197.13
GRAINGER INC	139.20
BRUCE HAUGRUD	119.95
CITY HENNING	32,214.00
HENRY'S FOODS INC	1,151.81
SHELDON HOLM	141.96
THE INDEPENDENT	54.00
INNOVATIVE OFFICE SOLUTIONS	4,064.69
INTERSTATE INC	1,650.47
KELLY SERVICES INC	2,202.15
LAKE REGION HEALTHCARE CORP	250.00
PAT LARUM	176.27
SHERRON LEABO	552.64
CRAIG LEE	21.94
LONG WEEKEND	1,865.50
GEORGE MEYER	190.74
MIDWEST PRINTING CO	793.43
MILLS MACHINING & WELDING	43.05

10/03/2006 11:56:07 OTTER TAIL COUNTY AUDITOR  
PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56 IFD66  
WARRANTS FOR PUBLICATION PAGE 2

WARRANTS APPROVED ON 10/03/2006 FOR PAYMENT 10/03/2006

VENDOR NAME	AMOUNT
MN COUNTIES INS TRUST	50.00
MN LEGAL SERVICES COALITION	44.73
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
MN STATE AUDITOR	1,655.50
ROBERT MOE	91.14
JIM MYHRE	63.77
NORTHERN PLUMBING SUPPLY	207.24
NTOA	40.00
OFFICEMAX CONTRACT INC	92.25
OTIS ELEVATOR CO	96.25
OTTER TAIL CO TREASURER	12.90
OUTDOOR RENOVATIONS LANDSCAPE	93.50
OVERLAND MECHANICAL SERVICES	1,672.85
PELICAN RAPIDS PRESS	63.60
QUILL CORPORATION	388.26
RICK LEITCH BACKHOE SRVC & PJ	6,427.00
SHERWIN WILLIAMS	55.13
STEINS INC	214.31
STREICHERS	358.40
SWANSTON EQUIPMENT CORP	7,987.50
ULTEIG ENGINEERS	2,517.27
UNIVERSITY OF MN	70.00
VICTOR LUNDEEN COMPANY	600.02
VIKING COCA-COLA	195.75
VOSS LIGHTING	383.83
WADENA HIDE & FUR COMPANY	9.72
WHITE BANNER UNIFORM SHOP	176.25
XEROX CORPORATION	154.24
**** FINAL TOTAL.....	\$137,264.37 ****