

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 Fir Avenue W., Fergus Falls, MN
Tuesday, April 3, 2007
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, April 3, 2007, at 9:31 a.m. at the Otter Tail County Government Services Center with Commissioners Dennis Mosher, Chair; Bob Block, and Everett Erickson present. Vice-Chair Syd Nelson and Commissioner Roger Froemming were absent due to inclement weather.

Approval of Agenda

Motion by Block, second by Erickson, and unanimously carried to approve the County Board Agenda of April 3, 2007, with the following additions:

10:05 a.m. – Operations Center Financing Options
10:20 a.m. – Remote Electronic Alcohol Monitoring Grant Amendment

Approval of Minutes

Motion by Erickson, second by Block, and unanimously carried to approve the County Board Minutes of March 27, 2007, as presented.

Approval to Pay Bills

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

Proposed Chemical Dependency Building

Attorney, Kent Mattson, reported that the Housing & Redevelopment Authority (HRA) met and took action to assist with the financing for the Chemical Dependency Project. With that step completed, Mr. Mattson requested approval of several agreements needed to move forward with Request for Proposals and ultimately, construction of the building.

Motion by Block, second by Erickson, and unanimously carried to authorize the appropriate County officials' signatures to execute the final Sublease Agreement, No. 04-3-2007 Final-Sublease 11464, between Otter Tail County (the Sublessor) and the State of Minnesota Department of Human Services (the Sublessee) for the proposed 60-bed Chemical Dependency Building. The Sublease Agreement includes the rent payment schedule for the State of Minnesota to reimburse the County for the cost of the building. This motion is contingent upon the execution and attachment to the Sublease Agreement of the Main Lease between the Housing & Redevelopment Authority and Otter Tail County which authorizes the County to occupy the CD Building and then sublease it to the State of Minnesota.

Motion by Erickson, second by Block, and unanimously carried to authorize the appropriate County officials' signatures to execute a Professional/Technical Joint Powers Agreement between the State of Minnesota Department of Human Services and the County of Otter Tail to allow the State of Minnesota to pay up front costs of the proposed CD Building, in the amount of \$600,000.00, instead of waiting until the project is completed to receive the dollars.

Motion by Block, second by Erickson, and unanimously carried to authorize the appropriate County officials' signatures to execute an Agreement between Otter Tail County (the client) and Young &

Associates Architects, Ltd. of Minneapolis, MN, (the architect) for the design work for a proposed 60-bed inpatient chemical dependency facility.

Motion by Erickson, second by Block, and unanimously carried to authorize the appropriate County officials' signatures to execute an Agreement between Otter Tail County and Braun Intertec Corporation of Fargo, ND, for soil borings and geotechnical evaluation of the site for the proposed 60-Bed CD Facility, at an estimated cost of \$3,575.00.

Approval of Contracts for Seasonal Supply of Hot Mix Bituminous

Motion by Erickson, second by Block, and unanimously carried to authorize the Chairman's signature to execute the following Seasonal Supply Highway Contracts:

Vendor	Supplies	Term of Agreement
Mark Sand & Gravel Co. Fergus Falls, MN	Seasonal Supply of Hot Mix Bituminous Material (East, West & North Otter Tail County)	2007-2008 Construction Season
Central Specialties, Inc. Alexandria, MN	Seasonal Supply of Hot Mix Bituminous Material (East, West, & North Otter Tail County)	2007-2008 Construction Season

Perham Highway Garage Property

Highway Engineer, Rick West, recommended that the County Board consider selling one-half of the Perham Highway Garage property (the west portion) to the City of Perham at a cost of \$0.70 per sq. ft. The Purchaser should be responsible for survey costs and construction of a fence along the ownership line. Discussion on this topic will continue at the next regular Board meeting.

South Turtle Lake Project Discussion

Mr. West briefed the Board on the South Turtle Lake Project. Meetings have been scheduled with property owners to run an underground outlet to service South Turtle Lake. After the meetings, detailed plans and scope of the work will be reviewed, individual property owners' questions answered, along with offers for right of way purchases. Request for bids on the project will take place after signed right of way commitments are obtained. North Turtle Lake property owner, Brian Severson, stated that the three pipes between North and South Turtle Lake are capped and his opinion was that these pipes appeared to be overflow and he asked that they be opened. Chairman Mosher directed the Highway Engineer to assess the situation and if a decision needs to be made to open the 6" pipes based on weather and flow, the Chairman authorized the Highway Engineer to proceed with that decision.

Financing Options

Auditor, Wayne Stein, submitted three financing options for the proposed Sheriff's Operations Center and explained each option. Motion by Erickson, second by Block, to approve Financing Option One (15 Year – Level P & I) to finance the proposed Sheriff's Operations Center, as recommended by the County Auditor, because the least amount of interest would be paid with Option One. Chairman Mosher called for a roll call vote as follows:

<u>Commissioner</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Erickson	X		
Block	X		
Mosher	X		
Froemming			X
Nelson			X

Motion carried 3 – 0.

Remote Electronic Alcohol Monitoring (REAM) Grant Amendment

Motion by Block, second by Erickson, and unanimously carried to authorize the Chairman's signature to execute Amendment No. 2 to P78 00000005786, which provides \$4,500.00 additional funding for REAM during FY07.

Conservation Easement Discussion

Lengthy discussion took place regarding Conservation Easements and related enforcement. County Attorney, David Hauser, noted that, in his research, he could find no negatives for accepting Conservation Easements and in fact, accepting Conservation Easements gives specific authority to enforce the purpose of the easement. Land & Resource Director, Bill Kalar, stated that he would request that the developer for the Palms of Lida First Addition draw up a Conservation Easement for the plat and submit the easement request to the Land & Resource Office.

Recess & Reconvene

At 10:58 a.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for a Personnel Committee meeting. The meeting was reconvened at 11:27 a.m.

**Review of Proposed State Wildlife Land Acquisition
Amended Otter Tail County Resolution No. 2007 – 05A**

Upon a motion by Erickson, seconded by Block, and unanimously carried, the Otter Tail County Board of Commissioners' adopts the following amended resolution to clarify the description of the land to be acquired.

In accordance with Minnesota Statutes 97A.145 Subd. 2, the Commissioner of the Department of Natural Resources on January 23, 2007, provided the County Board and the appropriate town officers with a description of lands to be acquired by the State of Minnesota for water and wildlife conservation purposes.

Land to be acquired will be added to the Dead Lake Wildlife Management Area (WMA) and is described as follows:

Government Lots 3 and 4, Section 20, Township 135 North, Range 40 West, Otter Tail County, Minnesota, except the North 660 feet of said Government Lot 3, and Government Lot 2, Section 29, Township 135 North, Range 40 West, Otter Tail County, Minnesota,

Together with a 66 foot wide perpetual non-exclusive access easement over and across the following legally described property:

A 66.00 foot wide strip of land for ingress and egress purposes over, under and across part of Government Lot 5, Section 20, Township 135 North, Range 40 West, 5th Principal Meridian, Otter Tail County, Minnesota, lying 33.00 feet of each side of the following described centerline:

Commencing at the Northeast corner of said Section 20; thence South 00 degrees 51 minutes 59 seconds West on an assumed bearing along the East line of said Section a distance of 1319.46 feet; thence North 89 degrees 08 minutes 16 seconds West along the centerline of Murray Road also known as Township Road T-851 a distance of 1955.41 feet to the point of beginning of the centerline to be described; thence South 00 degrees 51 minutes 44 seconds West a distance of 75.50 feet to the point of curvature of a curve concave southwesterly having a radius of 250.00 feet; thence along said curve an arc distance of 63.72 feet through a central angle of 14 degrees 36 minutes 15 seconds to its

point of tangency; thence South 15 degrees 27 minutes 59 seconds West a distance of 618.03 feet to an angle point; thence South 02 degrees 09 minutes 48 seconds West a distance of 273.68 feet to a non-tangent curve concave northeasterly having a radius of 102.27 feet; thence along said curve an arc distance of 117.54 feet through a central angle of 65 degrees 51 minutes 06 seconds, chord bearing of South 68 degrees 15 minutes 04 seconds East to its point of tangency; thence North 78 degrees 49 minutes 23 seconds East a distance of 46.12 feet to the point of curvature of a curve concave southerly having a radius of 1500.00 feet; thence along said curve an arc distance of 454.96 feet through a central angle of 17 degrees 22 minutes 41 seconds to its point of tangency; thence South 83 degrees 47 minutes 56 seconds East a distance of 75.05 feet to the point of curvature of a curve concave northerly having a radius of 250.00 feet; thence along said curve an arc distance of 66.95 feet through a central angle of 15 degrees 20 minutes 38 seconds to its intersection with the East line of said Government Lot 5 and there terminating. The sidelines of said easement being lengthened or shortened so as to meet at angle points and terminate on the South line of said Murray Road and the East line of said Government Lot 5.

IT IS HEREBY RESOLVED, by the Board of County Commissioners of Otter Tail County on January 23, 2007, that the State's proposed acquisition of the above described property be approved as amended.

Adopted at Fergus Falls, Minnesota, this 3rd day of April, 2007.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis R. Mosher, Board of Commissioner Chair

Attest: _____
Larry Krohn, Clerk

Closed to the Public

At 11:40 a.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners closed to the public to discuss pending litigation relating to the proposed Solid Waste Transfer Station. The closed session is authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were Commissioners Mosher, Block, and Erickson, County Attorney, County Coordinator, Board Secretary, and the Solid Waste Director. At 12:14 p.m., upon conclusion of the closed session for pending litigation, Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies relative to the Collective Bargaining Unit for the Facilities Operations Group and the Technical Collective Bargaining Unit that includes the Treasurer, Assessor, Recorder, Auditor and Land & Resource Departments. Present were Commissioners Mosher, Block, and Erickson, the County Attorney, County Coordinator, and Board Secretary.

Adjournment

At 12:21 p.m., upon conclusion of the labor negotiation strategies closed session, Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, April 10, 2007.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis R. Mosher, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

WARRANTS APPROVED ON 4/03/2007 FOR PAYMENT 4/03/2007	
<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	3,276.66
ABG MAINTENANCE INC	90.53
AMERICAN PUBLIC WORKS ASSOCIAT	2,080.00
AMERICAN SOLUTIONS FOR BUSINES	5,925.02
BRIAN ARMSTRONG	58.68
AUTO VALUE FERGUS FALLS	163.09
BARNA GUZY & STEFFEN LTD	195.00
BEST WESTERN AMERICANNA INN	149.96
BOUND TREE MEDICAL LLC	52.24
BROGARD PLUMBING CO	53.46
BR31 US BEARINGS & DRIVES	160.86
CARLTON CO SHERIFF'S OFFICE	675.00
CITIZENS ADVOCATE	54.00
CITY BAKERY	26.25
COMMISSIONER OF TRANSPORTATION	2,563.46
CONVERGENT STORAGE SOLUTIONS	52,193.59
DACOTAH PAPER COMPANY 111.76	
DAKOTA PRINTER REPAIR LLC	266.75
EAGLE POINT	2,412.23
ELECTION SYSTEMS & SOFTWARE IN	6,270.00
MARK ELLENSON	134.95
FARGO GLASS AND PAINT CO	577.32
FERGUS ELECTRIC	721.30
FERGUS FALLS MEDICAL GROUP	4,128.00
FERGUS FALLS NEWSPAPERS INC	141.25
CITY FERGUS FALLS	14,221.69
FERGUS POWER PUMP INC	3,092.50
FERGUS TIRE CENTER	19.75
FERRELLGAS	81.01
FRAZEE FORUM INC	59.52
FRONTIER PRECISION INC	24,964.13
DAVID GADOW	109.99
GALL'S INC	29.22
GARAGE DOOR STORE	483.87
GOVERNMENT TRAINING SERVICE	585.00
GRAINGER INC	47.76
CHRISTINE GREENE	34.99
PATRICK GRIFFIN	124.76
H & T CORP OF MINNESOTA	1,121.60
NEILL HARDINA	150.00
DEAN HEDSTROM	8.00
HENNEPIN CO MEDICAL CTR	125.00
INNOVATIVE OFFICE SOLUTIONS	5,159.55
INTERSTATE ENGINEERING INC	1,308.00
INTERSTATE INC	721.28
JACOBSON CONSTRUCTION	1,520.00
JK SPORTS	8.99
ERWIN JOHNSON	100.00
KELLY SERVICES INC	3,470.16
LAKE REGION HEALTHCARE CORP	627.65
LARRY OTT INC TRUCK SERVICE	520.00
PAT LARUM	66.18
LITTLE FALLS MACHINE INC	1,308.34
LOCATORS & SUPPLIES INC	177.70
MCCOLLOUGH WELDING	294.99
M MCGEE MD,PA	400.00
MICRO AGE	6,403.85
MICROPILOT INC	2,454.00
MIDWESTERN MAT RENTAL & SUPPLY	69.60
MN CO INSURANCE TRUST	71.00

MN DEPT OF COMMERCE	375.00
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
MN STATE AUDITOR	7,707.78
DEBORAH MORRIS	100.00
MY LITTLE BROWN HOUSE	1,172.00
NELSON DODGE GMC	20,148.49
NEWMAN TRAFFIC SIGNS	664.41
NORTHWEST SCALE INC	2,544.60
NOVA FIRE PROTECTION	35.00
OFFICE DEPOT	121.12
OFFICEMAX CONTRACT INC	63.54
OK TIRE STORES	35.00
OLYMPIC SALES INC	138.05
OTIS ELEVATOR CO	96.25
OTTER TAIL CO AUDITOR	1,357.15
OTTER TAIL CO PUBLIC HEALTH	227.41
OTTER TAIL CO TREASURER	6,562.51
OTTERTAIL TRUCKING INC	4,855.20
OVERHEAD DOOR COMPANY	119.59
PELICAN RAPIDS PRESS	66.12
PEPSIAMERICAS	191.52
PERHAM STEEL & WELDING	28.75
NORMAN PIERCE JR	87.43
PITNEY BOWES GLOBAL FINANCIAL	1,584.72
RAMSEY COUNTY	1,200.00
REED BUSINESS INFORMATION	402.80
REGIONS HOSPITAL	102.00
RINGDAHL AMBULANCE SERVICE	690.00
ROWEKAMP ASSOCIATES INC	1,500.00
RICK SHEILS 33.02	
SHERWIN WILLIAMS	47.72
PAUL SIMENGAARD	114.77
STEINS INC	1,785.48
STENERSON LUMBER	6.38
STREICHERS	21.24
RICK SYTSMA	52.87
THYSSEN KRUPP ELEVATOR CORPORA	719.73
U S POSTAL SERVICE	16,000.00
UGSTAD PLUMBING INC	963.34
UNIFORMS UNLIMITED	136.26
USPCA 2007 NATIONAL DETECTOR T	150.00
VICTOR LUNDEEN COMPANY	103.91
VIKING COCA-COLA	123.25
WALMART PHARMACY 10-1696	84.96
RANDY WASVICK	8.00
WELDING SUPPLIES & FIRE EQUIPM	44.84
WEST OTTER TAIL TOWNSHIP ASSOC	130.00
WEST PAYMENT CENTER	2,152.28
WILKIN CO HIGHWAY DEPT	662.21
YORK INTERNATIONAL CORPORATION	333.78
**** FINAL TOTAL.....	<u>\$229,471.92 ****</u>