

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
500 Fir Avenue W., Fergus Falls, MN  
Tuesday, May 1, 2007  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, May 1, 2007, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Dennis Mosher, Chair; Bob Block, Roger Froemming, and Everett Erickson present. Vice-Chair Syd Nelson was absent.

**Approval of Agenda**

Motion by Froemming, second by Block, and unanimously carried to approve the County Board Agenda of May 1, 2007, with the following addition:

10:15 a.m. – Discussion - Sale of Perham Highway Garage

**Approval of Minutes**

Motion by Froemming, second by Erickson, and unanimously carried to approve the County Board Minutes of April 24, 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.

**Visual Chaos Committee**

Members of the Visual Chaos Committee, John Bahma and Bill Stutsman, expressed concerns of property owners in Lida Township and others throughout the County, regarding the accumulation of junk, especially junk vehicles that have a negative effect on the beauty of the countryside. They stated that they have worked on this issue for the past two years and have found that there is a real concern by many residents of Otter Tail County. Pictures of piles of junk were presented. Committee members have sent letters to 75 lake associations and have circulated some petitions. They asked for County support in pursuing some type of regulation to clean up the countryside. Solid Waste Director, Mike Hanan, and County Attorney, David Hauser, will research options and report back to the VCC and the County Board.

**Shoreland Specialist Position**

EOTSWCD Manager, Darren Newville, introduced the new Shoreland Specialist, Garry Johanson. Mr. Newville and Mr. Johanson discussed funding and goals of the position. Mr. Johanson reported that he has already received calls for his technical expertise to protect shoreland and encourage conservation practices. He will also provide some presentations for various lake associations.

**City of Clitherall Community-Wide Clean Up**

Solid Waste Director, Mike Hanan, reported that the City of Clitherall has requested that the County designate a day at the landfill facility to give a discount to City of Clitherall citizens in conjunction with City of Clitherall Community Clean Up. The request is outside of past practice and was referred to the Solid Waste Committee.

**Perham Resource Recovery Facility**

Mr. Hanan discussed the situation with the proposed expansion of the Perham Resource Recovery Facility. Stearns County is planning to leave the project in 2009; however, the City of Perham still intends to move forward with an expansion of the facility. Mr. Hanan reported that Otter Tail County has identified some unresolved issues with an expansion project. Wadena County is not interested in the expansion project. Todd County is undecided. Lengthy discussion continued relative to Otter Tail County's position. Commissioners expressed concern with the large amount of risk that Otter Tail County would be responsible for with the proposed expansion project.

**Snowmobile Permit Resolution**  
**Otter Tail County Resolution No. 2007 - 39**

Commissioner Froemming offered the following and moved its adoption:

WHEREAS, the Commissioner of Transportation of the State of Minnesota has made available certain Trunk Highway right-of-way as shown in red on exhibit "A" in the Limited Use Permit, for the purpose of constructing, maintaining and supervising a snowmobile trail, and

WHEREAS, the County of Otter Tail desires to make available to its citizens and visitors, such an area for the aforementioned purposes, in harmony and keeping with its recreational plan, and

WHEREAS, the County of Otter Tail is willing to operate, maintain, and safeguard the facility as set forth in the Limited Use Permit, and

NOW THEREFORE, BE IT RESOLVED, that the Chairperson of the Board of County Commissioners execute the aforesaid Limited Use Permit.

Commissioner Erickson seconded the resolution which, upon being put to vote, was unanimously adopted.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Dennis R. Mosher, Board of Commissioners Chair

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

**Agreement for Snowmobile Trail Permit**

Motion by Block, second by Erickson, and unanimously carried to authorize the Chairman's signature to execute a Snowmobile Trail Permit Agreement between the County of Otter Tail and Trailbreakers, Inc. – Wadena Snowmobile Club to establish and maintain a snowmobile trail running along TH 29 South for approximately 3 miles.

**South Turtle Lake Storm Water System Update**

Highway Engineer, Rick West, updated the Board on the South Turtle Lake project. He reported that easement work should be completed soon, and then advertisement for bids will follow. Project completion date was estimated as August 1, 2007.

**Perham Highway Garage**

Mr. West recommended that the Highway Garage property be offered for sale to the City of Perham for \$1.00 per sq. ft. plus \$15,000.00 for the value of the buildings. Motion by Froemming, second by Erickson, and unanimously carried to authorize the Highway Engineer to draft a letter to the City of Perham to offer the above-described terms of sale.

**Maplewood State Park Entrance Road**

Motion by Erickson, second by Block, and unanimously carried to approve a Contract Amendment for the Maplewood State Park Entrance Road project between the County of Otter Tail and the State of Minnesota DNR. The contract amount is increased not to exceed a total of \$334,500.00, for design work to be completed by Otter Tail County.

**Engineering Technician Promotion**

Mr. West reported that Engineering Technician II, Jeff Kerr, has met the departmental standards for a promotion to Engineering Technician III.

**Application for Exempt Permit**

Motion by Erickson, second by Block, and unanimously carried to approve with no waiting period, the LG220 Application for Exempt Permit as submitted by the Pelican Rapids Area Chamber of Commerce for an event scheduled for Saturday, October 13, 2007, at The Club.

**Liquor License Applications**

Motion by Block, second by Erickson, and unanimously carried, to approve the following applications for license:

Lakeside Market Battle Lake, MN	Off-Sale 3.2 Liquor
Ten Mile Lake Resort Inc. Dalton, MN (Approval is subject to the review of the OTC Attorney's Office and Sheriff's Office)	On/Off-Sale 3.2 Liquor On-Sale Wine
Terron Incorporated dba The Pickle Factory Bar and Grill Vergas, MN (Subject to submission, by the applicant, of the appropriate fees, insurance certificate and review and approval of the OTC Attorney's Office and Sheriff's Office.)	Liquor and Sunday Liquor
Zorbaz on Pelican Lake Inc. Pelican Rapids, MN	Seasonal Liquor and Sunday Liquor

**Preferred Pricing for Bonding**

Motion by Froemming, second by Erickson, and unanimously carried to authorize the County Auditor's signature on Moody's Application for Preferred Pricing.

**Premise Permit**

**Otter Tail County Resolution No. 2007 - 40**

Commissioner Block offered the following and moved its adoption:

WHEREAS, the responsibility for the regulation of lawful gambling and the issuance of licenses and permits for the conduct of lawful gambling lies with the Minnesota Gambling Control Board; and

WHEREAS, the VFW Post 612, Fergus Falls, MN, has made an application to the Gambling Control Board for the purpose of conducting lawful gambling at Elks Point, located at 20970 Elks Point Road in Dane Prairie Township of Otter Tail County; and

WHEREAS, Minnesota Statute 349.213 provides that the Gambling Control Board may not issue a premise permit unless they receive a resolution from the Otter Tail County Board of Commissioners approving the application for a permit; and

WHEREAS, the Otter Tail County Board of Commissioners is aware of no reason to oppose the conduct of lawful gambling by the VFW Post 612, Fergus Falls, MN, at Elks Point, located at 29070 Elks Point Road in Dane Prairie Township of Otter Tail County.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners hereby approves the conduct of lawful gambling by VFW Post 612, Fergus Falls, MN, at Elks Point, located at 20970 Elks Point Road in Dane Prairie Township of Otter Tail County, provided the applicant meets all the necessary criteria for the licenses and permits as required by the Gambling Control Board.

IT IS FURTHER RESOLVED, that notice of this application and approval shall be provided to the Township of Dane Prairie by sending them a copy of this resolution.

Commissioner Erickson seconded the resolution which, upon being put to vote, was unanimously adopted.

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

By: \_\_\_\_\_  
Dennis R. Mosher, Board of Commissioners Chair

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

### **Financing/Bonding Documents**

Motion by Froemming, second by Erickson, and unanimously carried to authorize the appropriate County officials' signatures to execute the necessary documents (and all related documents) for financing/bonding completed at the April 24, 2007, Board meeting. Documents submitted for signature are as follows:

"Otter Tail County, Minnesota Subordinate Exempt Facility Revenue Bonds (Otter Tail Ag Enterprises, LLC Ethanol Plant Project) Series 2007A, TRUST INDENTURE Dated as of May 1, 2007, Otter Tail County, Minnesota to U.S. Bank National Association, as Trustee"

"Resolution Approving The Issuance And Sale Of Subordinate Exempt Facility Revenue Bonds, Series 2007A (Otter Tail Ag Enterprises LLC Ethanol Plant Project), And Authorizing Execution And Delivery Of Documents"

“Lease Agreement Between Otter Tail County, Minnesota And Otter Tail Ag Enterprises, LLC,  
\$20,000,000 Subordinate Exempt Facility Revenue Bonds, Series 2007 (Otter Tail Ag Enterprises,  
LLC Ethanol Plant Project) and \$6,010,000 General Obligation Tax Abatement Bond, Series 2007,  
DATED AS OF: MAY 1, 2007”

“BILL OF SALE dated as of May 1, 2007 from OTTER TAIL AG ENTERPRISES LLC to OTTER TAIL  
COUNTY, Minnesota”

“\$20,000,000 SUBORDINATE EXEMPT FACILITY REVENUE BONDS SERIES 2007A ARBITRAGE  
CERTIFICATE PURSUANT TO BOND PURCHASE AGREEMENT”

IRS Form 8038 “Information Return for Tax-Exempt Private Activity Bond Issues”

**Adjournment**

At 11:20 a.m., Chairman Mosher declared the meeting of the Otter Tail County Board of  
Commissioners adjourned until Tuesday, May 8, 2007.

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

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

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

Dennis R. Mosher, Board of Commissioners Chair

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

Larry Krohn, Clerk

CB/kd



<b>WARRANTS APPROVED ON 5/01/2007 FOR PAYMENT 5/01/2007</b>	
<b><u>VENDOR NAME</u></b>	<b><u>AMOUNT</u></b>
A'VIANDS LLC	7,095.11
AMERICAN INSTITUTIONAL SUPPLY	63.79
BATTLE LAKE STANDARD	8.63
BELMONT FUNERAL HOME	295.00
BOB BARKER COMPANY INC	269.28
STEVE BRANDNER	297.02
CITIZENS ADVOCATE	25.00
COOPERS TECHNOLOGY GROUP	1,463.46
ROBERT EHLERT	249.43
FASTENAL COMPANY	9.45
FERGUS ELECTRIC	2,029.77
FERGUS FALLS MEDICAL GROUP	4,308.00
BRENT FLODEN	19.27
GODFATHERS EXTERMINATING INC	321.08
GOVERNMENT FINANCE OFFICERS AS	570.00
GR GRAPHICS INC FARGO	791.15
GRAINGER INC	131.76
PATRICK GRIFFIN	90.00
DAVID HAUSER	362.78
SHELDON HOLM	224.97
TONYA HOLT	31.34
INNOVATIVE OFFICE SOLUTIONS	3,333.53
KELLY SERVICES INC	2,473.34
CINDY KUNZ	15.31
MCCC MI 33	3,437.75
MICRO AGE	133.13
MN GISLIS CONSORTIUM	435.00
MN MOTOR COMPANY	38.21
OFFICEMAX CONTRACT INC	387.56
OTIS ELEVATOR CO	96.25
OTTER TAIL CO TREASURER	10.00
OTTER TAIL TELCOM	92.02
OTTERTAIL TRUCKING INC	6,158.25
OUTDOOR RENOVATIONS LANDSCAPE	2,502.50
OVERHEAD DOOR COMPANY	4,865.00
OVERLAND MECHANICAL SERVICES	37,202.47
PELICAN RAPIDS PRESS	148.77
PEPSIAMERICAS	71.82
POWERPLAN	13.04
REED BUSINESS INFORMATION	488.37
VICKI SCHWANKE	92.16
SERVICE FOOD SUPER VALU	6.60
SHERWIN WILLIAMS	75.08
SIGELMAN STEEL & RECYCLING INC	303.27
SOUTH MILL SERVICE	44.05
STEINS INC	1,564.01
STREICHERS	69.52
STRINGER BUSINESS SYSTEMS INC	24.76
TEAM LABORATORY CHEMICAL CORP	105.44
TOWNSEND ENGINEERING	10,900.00
TRANQUILITY BUILDING SERVICES	452.63
UNIFORMS UNLIMITED	87.86
VICTOR LUNDEEN COMPANY	2,270.82
VOSS LIGHTING	371.16
WADENA CO SOCIAL SERVICES	300.00
WHITE BANNER UNIFORM SHOP	176.25
<b><u>**** FINAL TOTAL.....</u></b>	<b><u>\$97,402.22 ****</u></b>