

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
500 Fir Avenue W., Fergus Falls, MN  
Tuesday, August 7, 2007  
9:30 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, August 7, 2007, at 9:30 a.m. at the Otter Tail County Government Services Center with Commissioners Dennis Mosher, Chair; Syd Nelson, Vice-Chair; Bob Block, Roger Froemming, and Everett Erickson present.

**Approval of Agenda**

Motion by Froemming, second by Nelson, and unanimously carried to approve the County Board Agenda of August 7, 2007, with the following addition:

Release of Highway Easement – Oakwood Shores

**Approval of Minutes**

Motion by Erickson, second by Block, and unanimously carried to approve the County Board Minutes of July 31, 2007, as presented.

**Approval to Pay Bills**

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

**Equipment Replacement**

Motion by Nelson, second by Erickson, and unanimously carried to authorize the GIS Coordinators to purchase new GPS Equipment to replace the old equipment at a cost of approximately \$42,000 (not to exceed \$50,000) to be paid out of the Compliance Fund Account. The old equipment will be traded-in.

**Equipment Discussion**

Physical Plant Manager, Rick Sytsma, briefed the Board on the situation with the failure of the cooling unit at the Courthouse location. A rental unit has been brought in which is cooling the building. Bid opening for a new cooling unit will take place August 8<sup>th</sup> and then it will be 8-10 weeks for the equipment to arrive.

**Correspondence Acknowledged**

Chairman Mosher read a letter from the Pine Lakes Improvement District thanking the County for the financial support for the East Otter Tail Lake Specialist position.

**Deed for Conveyance of the Perham Highway Garage Property**

Motion by Nelson, second by Erickson, and unanimously carried to add the following language on the Deed conveying the County's Highway Garage Property located in Perham to the City of Perham as follows: "There is no well on the property."

**Perham Resource Recovery Facility**

Solid Waste Director, Mike Hanan, briefed the Board and provided handouts regarding the governance of the Perham Resource Recovery Facility. He explained that participating counties have been meeting and identified three options for future governance of the Facility. Lengthy discussion took place regarding the three options. A Joint Powers Board

arrangement was the preferred option of the Board; however, continued discussions will take place and a new agreement would need to be established.

Chairman Mosher was absent from the meeting at 10:25 a.m. Vice-Chair Nelson, presided over the meeting.

**Ditch No. 39**

Ditch Inspector, Randy Wasvick, stated that, at the recent Ditch No. 39 Public Informational Meeting, most property owners wanted something done to alleviate the flooding problems. Mr. Wasvick suggested shooting some elevations and then referred to a map of the areas that may need clean out. He estimated total cost to be about \$10,000. Motion by Block, second by Erickson, and unanimously carried to approve obtaining the elevations for Ditch No. 39 and return to the Board with a recommendation. Chairman Mosher returned to the Board of Commissioners' meeting at 10:30 a.m.

**Otter Tail County Extension Committee**

Motion by Froemming, second by Erickson, and unanimously carried to reappoint the following members to the Otter Tail County Extension committee effective January 1, 2007, for a three year term: Willis Roehl & Sandy Dombeck

**Application for License & Exempt Permit**

Motion by Block, second by Nelson, and unanimously carried to approve the following application for license:

BPO Elks #1093  
Fergus Falls, MN

Temporary On-Sale Liquor  
Dates: Sunday, August 19, 2007  
Sunday, September 23, 2007  
Sunday, October 28, 2007

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 River Pheasants Forever for an event scheduled for Saturday, September 15, 2007, at The Club located at the intersection of Highway 59 and County Road 4.

**Payment Approvals**

Motion by Nelson, second by Erickson, and unanimously carried to approve payment, in the amount of \$655.85, to Perham Memorial Hospital and Home for the costs of medical examination services provided per the provisions of Minnesota Statute 609.35.

Motion by Erickson, second by Froemming, and unanimously carried to approve the following drainage system expenditures:

|               |  |          |
|---------------|--|----------|
| Bruce Hanstad | Beaver Removal – County Drainage System No. 21 | \$150.00 |
| Bruce Hanstad | Beaver Removal – County Drainage System No. 43 | \$100.00 |

Motion by Nelson, second by Block, and unanimously carried to authorize the County Auditor's signature on the agreement with National Business Systems for the preparation and mailing of the Payable 2008 Truth in Taxation at a cost of \$.1208 per statement plus postage, In-Line NCOA Fee of \$3.00 per thousand, and a \$200.00 administration fee.

### **Quote Request for GASB 45**

Motion by Erickson, second by Block, and unanimously carried to authorize the County Auditor to obtain a quote from Hildi Inc. for an actuarial valuation of Otter Tail County's Other Post-Employment Benefits (OPEB) to meet the reporting requirements of GASB 45.

### **Recess & Reconvene**

At 10:47 a.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 10:52 a.m.

### **Ag Issues and Green Acres**

Assessor, Bob Moe, provided an update regarding the ag market and corresponding sales ratios for Otter Tail County properties. Mr. Moe briefed the Board on legislative discussions regarding the Green Acres law. Green Acres is used in Otter Tail County for water influence or properties close to cities where development is occurring. The Legislative Auditor is looking at the expansion of the use of Green Acres, whereby properties would carry a high estimated market value and lower ag value because of outside influences. The Department of Revenue is completing a study with a work group of county Assessors, DOR staff, and legislative staff who have worked out a map showing five counties in the southwest corner of the State that have no outside influences and may be considered when valuing ag land in other areas of the State. Green Acres was originally developed to protect farmland around the Metro area and this may be expanding throughout the State.

### **Road along Norway Lake**

Sverdrup Township Supervisor, Rick Gronner, discussed the issue of a township road alongside Norway Lake that is washed out in one part of the road because when it was constructed, in a dry period of time, they failed to install a culvert. Lengthy discussion took place regarding the possibility of installing a culvert and the issue of the water flowing into Ditch No. 21. Chairman Mosher requested further research on this issue.

### **Release of Highway Easement Otter Tail County Resolution #2007 - 56**

This Release of Easement is with respect to highway right-of-way easements filed at the Otter Tail County Recorder's Office on August 8, 1941, in Book 201 of Deeds, Page 143, and on July 5, 1968, in Book 67 of Miscellaneous, Page 293.

WHEREAS, a portion of the servient estates of the above-referenced easements is owned by Secluded Land Company, LLC, a Wisconsin limited liability company which has received preliminary approval for the plat of Oakwood Shores on Silver Lake.

WHEREAS, the beneficiary of the above-referenced easements, Otter Tail County, no longer requires all of the easement for highway purposes, and necessary road right-of-way will be dedicated to the public for County State Aid Highway 83 as part of the plat of Oakwood Shores on Silver Lake. Otter Tail County now desires to release that portion of the above referenced easement, which affects the following described lands:

All that part of County State Aid Highway No. 83 right-of-way lying within Government Lots 2 and 3 of Section 17, Township 133 North, Range 40 West, Otter Tail County, Minnesota, which lies westerly and northerly of the following described line:

Commencing at the west quarter corner of said Section 17;

thence South 89 degrees 56 minutes 33 seconds East, assumed bearing, along the east-west quarter line of said Section, 1302.58 feet to the northwest corner of aforesaid Government Lot 2;

thence continuing South 89 degrees 56 minutes 33 seconds East, along the north line of said Government Lot 2, a distance of 1292.40 feet to the center line of County State Aid Highway No. 83, said point being the point of beginning of the line to be described;

thence South 00 degrees 02 minutes 36 seconds West, along said center line, 340.96 feet;

thence southwesterly, along said center line and along a tangential curve concave to the northwest, radius 954.93 feet, central angle 43 degrees 10 minutes 28 seconds, 719.57 feet to a point on a 624.00 foot radius curve, the center of said 624.00 foot radius curve bears North 35 degrees 50 minutes 41 seconds West from said point, said curve also being the northwesterly line of TALL OAKS, according to the recorded plat thereof;

thence southwesterly, along said 624.00 foot radius curve and along said northwesterly line of TALL OAKS, central angle 00 degrees 49 minutes 35 seconds, 9.00 feet;

thence South 54 degrees 58 minutes 54 seconds West, along tangent and along said northwesterly line of TALL OAKS and its southwesterly extension thereof, 1248.78 feet to the west line of aforesaid Government Lot 3 and there terminating;

Upon the motion of Froemming, seconded by Erickson, on the 7<sup>th</sup> day of August, 2007, and passed on a 5-0 vote, the County's road easement on the above-described property is hereby vacated effective upon the filing of the plat of Oakwood Shores on Silver Lake, dedicating to the public the necessary County State Aid Highway 83.

Adopted this 7<sup>th</sup> day of August, 2007.

OTTER TAIL COUNTY

By \_\_\_\_\_  
Dennis R. Mosher, Chairman  
Board of Commissioners Chairman

ATTEST:

\_\_\_\_\_  
Larry Krohn, Clerk

**Bid Award – S.A.P. 56-601-46**

After previously advertising for bids, Highway Engineer, Rick West, opened bids for the Reconstruction of CSAH No. 1 at 1:00 p.m. on August 1, 2007, as follows:

|   |  |
|---|--|
| Riley Bros. Const., Inc.<br>Morris, MN              | \$1,998,346.80                                   |
| Kern & Tabery, Inc.<br>Wadena, MN                   | \$2,226,793.73                                   |
| Minnerath Construction Co., Inc.<br>Cold Spring, MN | \$2,248,043.20                                   |
| Midwest Contracting, LLC<br>Marshall, MN            | \$2,279,358.90 (Corrected Amount-\$2,269,358.90) |
| Sellin Bros., Inc.<br>Hawley, MN                    | \$2,566,028.28                                   |
| Central Specialties, Inc.<br>Alexandria, MN         | \$2,650,877.53                                   |
| Hoffman Construction Co.<br>Black River Falls, WI   | \$2,667,376.15                                   |

Motion by Mosher, second by Block, and unanimously carried to award S.A.P. 56-601-46, CSAH No. 1 Reconstruction, to Riley Bros. Construction Inc. of Morris, MN as the low bidder at the bid price of \$1,998,346.80.

**Bid Award – Four Snowplow Dump Trucks**

After previously advertising for bids, Highway Engineer, Rick West, opened bids for 4 Tandem Axle Snowplow Dump Trucks at 1:00 p.m. on August 1, 2007, as follows:

|   |  |
|---|--|
| RDO Mack Sales & Service, Inc.<br>Fargo, ND | \$266,958.00                                   |
| RDO Truck Center<br>Fargo, ND               | \$266,991.62 (Corrected Amount - \$266,991.60) |
| Fargo Freightliner<br>Fargo, ND             | \$267,000.00                                   |
| Nelson International<br>Fargo, ND           | \$287,664.00                                   |
| Twin City Mack & Volvo<br>Roseville, MN     | \$303,940.00                                   |
| Wallwork Truck Center<br>Fargo, ND          | \$307,324.00                                   |

Motion by Nelson, second by Erickson, and unanimously carried to award the purchase of four(4) tandem axle snowplow dump trucks to RDO Mack Sales & Service Inc. of Fargo, ND as the low bidder, in the bid amount of \$266,958.00.

**Final Payment – S.A.P. 56-604-13 & Etc.**

Motion by Nelson, second by Block, and unanimously carried to approve Final Estimate No. 8, in the amount of \$59,824.99, for completion of county wide sealcoat project to Morris Sealcoat & Trucking, Inc. of Morris, MN, as recommended by the Highway Engineer.

**South Turtle Lake Storm Water System**

Motion by Mosher, second by Erickson, and unanimously carried to authorize the Chairman's signature to execute a contract between the County of Otter Tail and Mark and Brenda Construction (dba Delzer Construction) for C.P. 07:S Turtle SWS.

**Award of Mower for Phelps Mill Park**

The following quotations were received for a 2007 Mower purchase for the Phelps Mill Park.

| <b>Vendor</b>  | <b>John Deere X724 All-Wheel Steer Garden Tractor with a 62 inch Mower Deck</b> | <b>Trade (2005 John Deere X485)</b> | <b>Quote including Sales Tax</b> |
|--|---|-------------------------------------|----------------------------------|
| Evergreen Equipment, Inc.<br>Wadena, MN                | \$11,329.00   | \$8,379.00                          | \$3,141.75                       |
| Northern Irrigation<br>Contractor's Inc.<br>Perham, MN | \$10,250.00   | \$6,650.00                          | \$3,834.00                       |
| Interstate Inc.<br>Fergus Falls, MN                    | \$8,978.20  | \$4,920.00                          | \$4,321.98                       |

Motion by Froemming, second by Block, and unanimously carried to award the mower purchase for the Phelps Mill Park to Evergreen Equipment, Inc. of Wadena, MN at the lowest quotation of \$3,141.75.

**MN DNR SUBGRANT AGREEMENT UNDER THE  
FEDERAL RECREATIONAL TRAIL PROGRAM  
Otter Tail County Resolution No. 2007 - 57**

Upon a motion by Nelson, second by Froemming, and unanimously carried, the following resolution was adopted:

WHEREAS, pursuant to Minnesota Statutes 84.026 and 471.59 subd. 10, the State is empowered to engage such assistance as deemed necessary and the State is in need of routine maintenance services on the Central Lakes Trail in Otter Tail County, AND

WHEREAS, Otter Tail County is agreeable to provide the routine maintenance services as described in the Grant Agreement for an annual rate of \$1,100.00 per mile.

BE IT RESOLVED, that Otter Tail County will provide the routine maintenance services as per the Grant Agreement expiring September 30, 2008 at the annual rate of \$1,100.00 per mile on the Central Lakes Trail.

BE IT FURTHER RESOLVED, that the Otter Tail County Board of Commissioners hereby accepts the Federal Recreational Trails Program grant in the amount of \$9,625.00, and;

BE IT FURTHER RESOLVED, the County Board Chair and the County Board Clerk are hereby authorized and directed for and on behalf of the County of Otter Tail to execute and

enter into an agreement with the MN Commissioner of Natural Resources prescribing the terms and conditions of same Grant Agreement for the routine maintenance of the Central Lakes Trail expiring September 30, 2008, and;

BE IT FURTHER RESOLVED, the County Board designates Otter Tail County Auditor, Wayne Stein, located at 510 Fir Ave W, Fergus Falls, MN 56537, as the Fiscal Agent for said Federal Recreational Trails Program grant funds.

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

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

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

**Central Lakes Trail Maintenance Amendment**

Motion by Froemming, second by Erickson, and unanimously carried to authorize the appropriate County officials' signatures to execute Grant Amendment No. 1 to B01280 for Central Lakes Trail Maintenance, Project Number D004-06-1B.

**Closed to the Public**

At 12:07 p.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners closed to the public to discuss pending litigation relating to a tax court matter. The closed session is authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were all five seated Commissioners, the County Attorney, County Coordinator, Board Secretary, and County Assessor.

At 12:25 p.m., Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners closed to the public for purposes of discussing labor negotiation strategies regarding the Sheriff's Department Supervisory Unit and the GSC Technical Unit. Present were all five seated Commissioners, County Attorney, County Coordinator, and Board Secretary. Commissioner Syd Nelson was absent at 12:46 p.m.

**Adjournment**

Upon completion of the closed session, at 1:06 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, August 14, 2007.

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

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

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



**WARRANTS APPROVED ON 8/07/2007 FOR PAYMENT 8/07/2007**

| <b><u>VENDOR NAME</u></b>      | <b><u>AMOUNT</u></b> |
|--------------------------------|----------------------|
| ABG MAINTENANCE INC            | 90.53                |
| ACTION TARGET                  | 1,049.24             |
| ARVIG COMMUNICATION SYSTEMS    | 330.00               |
| AUTO SAFETY SERVICE            | 24.00                |
| AUTO VALUE FERGUS FALLS        | 302.86               |
| BALLARD SANITATION INC         | 914.92               |
| BATTLE LAKE AUTO PARTS         | 69.57                |
| BATTLE LAKE TOWING             | 115.02               |
| BEN HOLZER UNLIMITED           | 31.52                |
| BLESIEVANS COMPANY             | 100.07               |
| BOB'S STANDARD BULK SERVICE    | 193.98               |
| BOUND TREE MEDICAL LLC         | 12.97                |
| BRANDT & MAGNUS P.A.           | 1,344.71             |
| CAREER TRACK                   | 99.00                |
| JAMES CARLSON                  | 3,798.81             |
| CATCO PARTS AND SERVICE        | 440.57               |
| CELLULAR ONE                   | 565.00               |
| CO OP SERVICES INC             | 109.75               |
| COMMISSIONER OF TRANSPORTATION | 2,290.04             |
| COMPUTER INFORMATION SYSTEMS   | 8,000.00             |
| COOPERS TECHNOLOGY GROUP       | 939.24               |
| CROP PRODUCTION SERVICES       | 92.60                |
| CRYSTEEL TRUCK EQUIPMENT INC   | 3,704.97             |
| CUTLER MAGNER COMPANY          | 19,638.16            |
| DACOTAH PAPER COMPANY          | 159.36               |
| DAKOTA PRINTER REPAIR LLC      | 116.40               |
| DIAMOND MOWERS INC             | 59.21                |
| DIAMOND VOGEL PAINTS           | 1,844.40             |
| EAST SIDE OIL COMPANIES        | 125.00               |
| ECONO SALES AND SERVICE        | 210.03               |
| ERGO IN DEMAND INC             | 789.90               |
| FARMERS ELEVATOR OF FERGUS FAL | 97.50                |
| FERGUS ELECTRIC                | 2,540.11             |
| FERGUS FALLS MEDICAL GROUP     | 227.00               |
| FERGUS FALLS NEWSPAPERS INC    | 724.56               |
| FERGUS FALLS POLICE DEPT       | 400.67               |
| CITY FERGUS FALLS              | 7,021.96             |
| FERGUS POWER PUMP INC          | 5,500.00             |
| FERGUS TIRE CENTER             | 1,062.92             |
| FERRELLGAS                     | 122.51               |
| FOTH & VAN DYKE                | 65,580.15            |
| FRAZEE FORUM INC               | 46.08                |
| G & R CONTROLS                 | 2,226.15             |
| GALL'S INC                     | 540.77               |
| GATEWAY COMPANIES INC          | 13,701.68            |
| GATOR H20                      | 33.00                |
| BEVERLY GERHARDSON             | 10,900.00            |
| GR GRAPHICS INC FARGO          | 58.08                |
| GR GRAPHICS INC ST LOUIS       | 688.23               |
| GRAINGER INC                   | 42.58                |
| GRAND VIEW LODGE               | 132.00               |
| GEORGE HAUSKE                  | 26.62                |
| HENNING LUMBER INC             | 28.28                |
| HENRY'S FOODS INC              | 846.54               |
| HOMESTEAD BUILDING SUPPLIES    | 3.50                 |
| HSBC BUSINESS SOLUTIONS        | 169.59               |
| INFORMATION SYSTEMS CORP       | 650.00               |
| INNOVATIVE OFFICE SOLUTIONS    | 968.57               |
| INTERSTATE INC                 | 436.50               |
| STEVEN JENSEN                  | 10,765.20            |
| KEEPRS INC CY'S UNIFORMS       | 121.99               |
| KELLY SERVICES INC             | 1,948.52             |
| L & L SERVICE                  | 153.10               |

OTC Board of Commissioners' Minutes  
 August 7, 2007  
 Attachment A, Page 2

|                                 |                          |
|---------------------------------|--------------------------|
| LAKE REGION HEALTHCARE CORP     | 353.68                   |
| LARRY OTT INC TRUCK SERVICE     | 1,560.00                 |
| LOCATORS & SUPPLIES INC         | 322.30                   |
| MACO                            | 75.00                    |
| MACQUEEN EQUIPMENT INC          | 2,743.23                 |
| MARK SAND & GRAVEL CO           | 1,362.60                 |
| MCCC MI 33                      | 3,202.77                 |
| THE MIDWEEK                     | 176.40                   |
| MIDWEST TESTING LABORATORY      | 1,607.50                 |
| MN MOTOR COMPANY                | 337.66                   |
| MN SCIA                         | 160.00                   |
| ROBERT MOE                      | 25.00                    |
| DEBORAH MORRIS                  | 41.67                    |
| CHERYL MUCHOW                   | 55.00                    |
| NELSON BROS PRINTING            | 126.00                   |
| NELSON FORD LINCOLN MERCURY IN  | 1,862.88                 |
| NETWORK CENTER INC              | 91.23                    |
| NORTHERN SAFETY TECHNOLOGY INC  | 95.47                    |
| NUANCE COMMUNICATIONS           | 459.44                   |
| OTTER TAIL TELCOM               | 75.00                    |
| OTTERTAIL TRUCKING INC          | 6,847.60                 |
| OUTDOOR RENOVATIONS LANDSCAPE   | 247.50                   |
| OVERLAND MECHANICAL SERVICES    | 8,886.09                 |
| PAMIDA INC 008                  | 14.46                    |
| PEBBLE LAKE TAKE 5              | 55.80                    |
| PELICAN RAPIDS PRESS            | 131.16                   |
| PERHAM ENTERPRISE BULLETIN      | 235.20                   |
| PERHAM MEMORIAL HOSPITAL & HOM  | 15.00                    |
| CITY PERHAM                     | 91,165.77                |
| PETE'S AMOCO                    | 357.59                   |
| PETE'S BODY SHOP & TOWING       | 144.84                   |
| CHARLES PETERSON                | 4,974.27                 |
| RICK LEITCH BACKHOE SRVC & PJ   | 3,389.50                 |
| RYAN'S REPAIR                   | 556.47                   |
| CHERI SCHULTZ                   | 42.75                    |
| SCOTT HOF LAND CONSTRUCTION INC | 7,290.00                 |
| SEWER SERVICE                   | 250.00                   |
| SHERWIN WILLIAMS                | 11.44                    |
| SIGNWORKS                       | 2,781.68                 |
| PAUL SIMENGAARD                 | 69.67                    |
| SIMPLEXGRINNELL LP              | 851.25                   |
| SOUTH MILL SERVICE              | 31.38                    |
| STEINS INC                      | 1,583.10                 |
| STEVE'S SANITATION INC          | 171.99                   |
| STRAND ACE HARDWARE             | 280.24                   |
| STREICHERS                      | 397.20                   |
| STRINGER BUSINESS SYSTEMS INC   | 17.52                    |
| SUPER SEPTIC INC OF PELICAN RA  | 77.19                    |
| THYSSEN KRUPP ELEVATOR CORPORA  | 92.00                    |
| TOOL CRIB OF THE NORTH          | 112.34                   |
| UGSTAD PLUMBING INC             | 137.64                   |
| VERGAS ACE HARDWARE             | 29.82                    |
| VICTOR LUNDEEN COMPANY          | 218.64                   |
| CHUCK VIGEN                     | 149.95                   |
| VIKING COCA-COLA                | 221.85                   |
| TERRY WEBER                     | 74.99                    |
| WHITE BANNER UNIFORM SHOP       | 221.00                   |
| XEROX CORPORATION               | 139.67                   |
| 210 LUBE EXPRESS                | 55.98                    |
| <u>**** FINAL TOTAL.....</u>    | <u>\$322,389.56 ****</u> |