

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, February 5, 2008
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, February 5, 2008, at 9:31 a.m. at the Otter Tail County Government Services Center with Commissioners Syd Nelson, Chair; Everett Erickson, Vice-Chair; Bob Block, Roger Froemming and Dennis Mosher present.

Approval of Agenda

Motion by Froemming, second by Block, and unanimously carried to approve the County Board agenda of February 5, 2008, with the following addition:
800 MHZ Radio Discussion

Approval of Minutes

Motion by Froemming, second by Erickson, and unanimously carried to approve the County Board minutes of January 22, 2008, as presented.

Approval to Pay Bills

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

Project Updates

Physical Plant Manager, Rick Sytsma, updated the Board on the progress of current projects including the Ottertail Operations Center, the Chemical Dependency Facility, and the remodeling for the DWI Court. The pipe freezing incident at the 505 Building was also discussed, as well as potential upcoming projects.

Wetland Easement

U.S. Fish & Wildlife Realty Specialist, Chad Raitz, requested certification of waterfowl easements on property owned by Ronald F. Gohman. Motion by Erickson, second by Mosher, and unanimously carried to certify the following waterfowl management easements as requested:

T. 134 N., R. 42 W., 5th P.M.

Section 11, Government Lot 5, W $\frac{1}{2}$ SW $\frac{1}{4}$ EXCEPT that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows: Commencing at the south quarter corner of said Section 11; thence North 88 degrees 56 minutes 08 seconds West (Assumed Bearing) along the south line of said Section 11 a distance of 1313.24 feet to the southeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence continuing North 88 degrees 56 minutes 08 seconds West along the south line of said Section 11 a distance of 400.97 feet, said point being the point of beginning; thence North 00 degrees 34 minutes 57 seconds East a distance of 545.03 feet; thence North 88 degrees 56 minutes 08 seconds West a distance of 910.04 feet to the west line of said Section 11; thence South 00 degrees 49 minutes 02 seconds East, along the said west line of Section 11, a distance of 545.02 feet to the southwest corner of said Section 11; thence South 88 degrees 56 minutes 08 seconds East a distance of 912.27 feet to the point of beginning. Containing 11.40 acres, more or less.

AND EXCEPT:

That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 described as follows: Commencing at the south quarter section corner of said Section 11; thence North 88 degrees 56 minutes 08 seconds West (Assumed Bearing) along the south line of said Section 11 a distance of 1313.24 feet to the southeast corner of

said SW¼SW¼, said point being the point of beginning; thence continuing North 88 degrees 56 minutes 08 seconds West along the south line of said Section 11 a distance of 400.97 feet; thence North 00 degrees 34 minutes 57 seconds East a distance of 545.03 feet; thence South 88 degrees 56 minutes 08 seconds East a distance of 400.97 feet to the east line of said SW¼SW¼; thence South 00 degrees 34 minutes 57 seconds West along said east line a distance of 545.03 feet to the point of beginning. Containing 5.02 acres, more or less. Subject to an easement for County Road Number 22.

Veterans Service Updates

Veteran Service Officer, Jourdan Sullivan, updated the Board on the VSO Enhancement Grant and the Office of the Legislature Auditor's Report.

Boat and Water Agreements

Motion by Froemming, second by Block, and unanimously carried, to authorize the Chairman's signature to execute a Grant Agreement between the State of Minnesota DNR and Otter Tail County which authorizes \$58,476 for boat and water safety funding for FY2008.

Motion by Erickson, second by Mosher, and unanimously carried, to authorize the Chairman's signature to execute a Grant Agreement between the State of Minnesota DNR and Otter Tail County which authorizes \$5,000 for boat and water safety funding for FY2008. This grant will help cover overtime wages.

Federal Annual Certification Report

Motion by Block, second by Erickson, and unanimously carried to authorize the Chairman's signature on the Federal Annual Certification Report.

Squad Car Trade In

Motion by Block, second by Erickson, and unanimously carried to allow the Sheriff's Department to trade in two old squad cars for a new one.

Otter Tail County Sheriff's Department Year End Report

Sheriff Brian Schlueter and Chief Deputy Stacy Paulseth presented the Sheriff's Department Year End Report. Discussion followed.

800 MHZ Radio Board

There was a brief discussion regarding the 800 MHZ Radio Board meeting.

Proposed 2008 Highway and Bridge Projects

Highway Engineer, Rick West, reviewed the Proposed Highway and Bridge Projects for 2008.

Request for Return of Seasonal Employees

Motion by Mosher, second by Froemming, and unanimously carried to approve the request by Rick West of the return of Seasonal Employees.

Bid Award & Recommendation for Front End Loader

Motion by Erickson, second by Block, and unanimously carried to authorize the purchase of a Front End Loader from RDO Equipment Co. of Burnsville for the amount of \$106,317.88 subject to the recommendation of the Capital Improvement Committee.

Bid Award & Recommendation for Tilt Trailer

Motion by Mosher, second by Froemming, and unanimously carried to authorize the purchase of a Tilt Trailer from RDO Equipment Co. of Burnsville for the amount of \$20,635.46 subject to the recommendation of the Capital Improvement Committee.

Contract Renewal

Motion by Block, second by Mosher, and unanimously carried to approve contract renewal with the Community Addiction Recovery Enterprise (CARE) Program.

Shoreland Management Ordinance Proposed Amendments Discussion

Land and Resource Director, Bill Kalar, discussed with the Board several questions regarding the language in the Proposed Amendments to the Shoreland Management Ordinance including:

1. Resort Definition
2. Impervious Surfaces
3. Districts
4. Temporary Recreational Camping Unit
5. Sensitive Area

Recess & Reconvene

At 12:07 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for a Land & Resource Committee meeting and a lunch break. The meeting was reconvened at 1:14 p.m. for the remainder of the scheduled agenda items.

Closed to the Public

At 1:15 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners closed to the public for the purpose of evaluating the performance of Highway Engineer, Rick West, pursuant to M.S. Chapter 13D.05 Subd. 3. Commissioners Mosher, Nelson, Froemming, Block, and Erickson were present for the evaluation. A summary of performance conclusions will be provided at the next regular County Board meeting.

US Bank Building Property Sale/Bid Opening

County Auditor, Wayne Stein, received and opened the following bids:

US Bank	\$575,000
John Bloom & David Wenzel	\$200,000
Blue Sky Properties	\$100,000
Kent Mattson (Representing a Client)	\$800,000

County Attorney, David Hauser asked if anyone was interested in bidding higher. There was no interest and the Bidding was officially closed. Discussion regarding the building followed. Mosher made a motion to accept the bid of \$800,000. Motion died due to the lack of a second.

Closed to the Public – Consideration of Sale of Real Estate

At 1:53 p.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners closed to the public for consideration of the sale of real estate in reference to the U. S. Bank Building located on Cavour Avenue in Fergus Falls. The closed session is authorized under Chapter 13D.05 Subd. 3(c) (1). Present were Commissioners Mosher, Nelson, Froemming, and Erickson, the County Attorney, County Coordinator, County Auditor, Assessor, Physical Plant Manager, Operations Manager, Operations Supervisor, and Acting Board Secretary.

Open to the Public

At 2:05 p.m., Chairman Nelson declared the meeting open to the Public.

Bid Acceptance

Motion by Mosher, second by Block, and unanimously carried to accept the bid of \$800,000 from Kent Mattson.

Exempt Permit

Motion by Block, second by Froemming, and unanimously carried, to approve with no waiting period the LG220 Application for Exempt Permit as submitted by the East Otter Tail Deer Hunter's Chapter for an event scheduled for Friday, March 28, 2008 at the Playtime Bar and Grill located at 43974 380th Street, Perham, MN.

Annual Dues Payment

Motion by Froemming, second by Block, and unanimously carried, to approve payment in the amount of \$1,100.00 to the Minnesota Rural Counties Caucus (MRCC) for 2008 annual membership dues.

Ditch 39

Motion by Mosher, second by Erickson, and unanimously carried, to approve a reallocation of \$1,915.75 from the Pay 2007 WPA Settlement (General Fund) to the Otter Tail County Ditch No. 39 account.

Payment Approvals

Motion by Block, second by Froemming, and unanimously carried to approve payment in the amount of \$167,841.98 from the Construction Fund to Comstock Construction Inc. of MN for Otter Tail County Operations Center Payment Request No. 7 as detailed below:

Original Contract	\$4,451,000.00
Change Orders	61,927.74 (1.4%)
Adjusted Contract	4,512,927.74
Total Completed as of 12/24/2007	3,445,834.48
5% Retainage	172,291.80
Less Previous Payments	3,105,700.00
Current Payment Due	167,841.98
Balance to Finish	1,239,385.06

Motion by Froemming, second by Erickson, and unanimously carried, to approve payment in the amount of \$177,272.26 from the Construction Fund to Comstock Construction Inc. of MN for Otter Tail County 60 Bed State Operated Inpatient Chemical Dependency Treatment Facility Payment Request No. 2 as detailed below:

Original Contract	\$5,037,400.00
Change Orders	0.00
Adjusted Contract	5,037,400.00
Total Completed as of 12/24/2007	526,373.33
5% Retainage	26,318.69
Less Previous Payments	322,782.38
Current Payment Due	177,272.26
Balance to Finish	4,537,345.36

Change Order (1) – Request for County Office Access to Siemans System	\$15,972.00
Change Order (2) – Request for Lawn Irrigation System	\$30,140.00
Change Order (3) – Toilet accessories were revised	\$ (343.00)
Change Order (4) – Request for Additional Silt Fence	\$ 1,800.00
Change Order (5) – Window Blind Deduct	\$ (1,404.00)
Change Order (6) – Request for Boiler Upgrade	\$10,502.00
Total Change Orders - 1.12% of Original Contract.	\$56,667.00

Motion by Erickson, second by Mosher, and unanimously carried, to approve payment in the amount of \$1,100.00 to Hildi Inc., for GASB 45 Actuarial Valuation services performed through December 31, 2007.

Motion by Erickson, second by Block, and unanimously carried, to approve the following payments from the Capital Improvement Fund:

SimplexGrinnell	Invoice No. 39886523	Fire Alarm Project - Jail	\$ 2,423.20
	Invoice No. 39871657	Fire Alarm Project - Jail	\$13,499.07

Motion by Froemming second by Mosher and unanimously carried, to approve payment in the amount of \$16,500.00 from the Construction Fund to Otter Tail Power Company for the cost associated with moving a power line at the Chemical Dependency Treatment Facility site.

Appointment

Chairman Sydney Nelson appointed Commissioner Roger Froemming to the Otter Tail Wadena Community Action Council Board.

At 2:25 p.m., Commissioner Block left to attend the Otter Tail Family Service Collaborative Executive Council meeting

Closed to the Public – Labor Negotiation Strategies

At 2:35 p.m., Chairman Nelson 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 Human Services Units and the GSC Technical Unit. Present were Commissioners Sydney Nelson, Everett Erickson, Roger Froemming, Dennis Mosher, the County Attorney, County Coordinator and Acting Board Secretary.

Adjournment

At 3:22 p.m., upon completion of the closed session, Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, February 12, 2008.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Syd Nelson, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

WARRANTS APPROVED ON 2/05/2008 FOR PAYMENT 2/05/2008

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A'VIANDS LLC	7,164.80
MARLYS ADAMS	74.53
ALL CREATURES VET HOSPITAL	78.70
AMERICAN INSTITUTIONAL SUPPLY	177.03
AMERIGAS	686.55
ANDERSON HOWE & LANGLIE INC	6,310.00
BRIAN ARMSTRONG	202.08
JEFFREY ARNDT	8.00
ARVIG COMMUNICATION SYSTEMS	230.00
BATTLE LAKE STANDARD	91.26
BCA TRAINING & DEVELOPMENT	50.00
BECKLUND OIL CO	6,464.55
TERRY BENNETT	8.00
BEYER BODY SHOP INC	284.41
BLIZZARD BLADE	183.95
BRANDON COMMUNICATIONS INC	301.40
BRAUN VENDING INC	31.70
BRIGGS CORPORATION	132.86
CERTIFIED AUTO REPAIR	299.18
CHAPTER II MSPS	25.00
CITIZENS ADVOCATE AND VERNDALE	83.48
CO OP SERVICES INC	66.52
COMMISSIONER OF TRANSPORTATION	994.62
CONVERGENT STORAGE SOLUTIONS	13.00
COOPERS TECHNOLOGY GROUP	7,745.05
CORPORATE TECHNOLOGIES	4,313.25
CUSTOM BUSINESS FORMS	106.50
CYBERNET	1,709.00
DACOTAH PAPER COMPANY	513.29
DAKOTA GYPSUM	19.87
DENZEL'S REGION WASTE INC	1,294.46
EAGLE POINT	3,190.95
MARK ELLENSON	8.00
FARGO GLASS AND PAINT CO	1,119.36
FERGUS ELECTRIC	1,823.48
FERGUS FALLS DAILY JOURNAL	710.10
FERGUS FALLS MEDICAL GROUP	5,668.00
CITY FERGUS FALLS	588.00
FERGUS TIRE CENTER	413.77
FERRELLGAS	152.31
FLOOR TO CEILING STORE	3,099.10
FOTH & VAN DYKE	14,637.19
GALL'S INC	133.38
GE CAPITAL (CA) 3	72.74
GENERAL PARTS LLC	1,212.47
GIRL SCOUT TROOP 360	250.00
GIRL SCOUT TROOP 899	250.00
GIRL SCOUT TROOP 981	250.00
GOPHER STATE ONE CALL	2.90
GR GRAPHICS INC FARGO	886.22
GR GRAPHICS INC ST LOUIS	685.77
MYRON GRAFF	8.00
GRAINGER INC	2.79
GREYSTONE CONSTRUCTION COMPANY	4,357.75
MIKE HANAN	122.21
NICOLE HANSEN	40.78
MARK HAUGE	8.00
BRUCE HAUGRUD	143.00
DAVID HAUSER	429.00

HENNING LEAF LAKERS 4-H GROUP	250.00
HEPPNER CONSULTING INC	14,272.83
HIGHWAY TECHNOLOGIES	174.75
HITESMAN & ASSOCIATES PA	312.00
GERALD HOLO	8.00
HOUSTON ENGINEERING INC	5,132.50
INNOVATIVE OFFICE SOLUTIONS	2,952.53
INSIGHT PUBLIC SECTOR	678.41
INTERSTATE ENGINEERING INC	9,016.90
INTERSTATE INC	5,006.12
JK SPORTS	519.37
K.I.D.LEASING	256.44
KELLY SERVICES INC	1,583.42
KRIS ENGINEERING INC	9,346.95
LAKE REGION ELECTRIC CO OP	43,076.97
LAKE REGION HEALTHCARE CORP	3,227.64
LAKES COUNTRY SERVICE CO OP	69.23
LARRY OTT INC TRUCK SERVICE	925.00
PAT LARUM	71.26
LEAF RIVER SERVICES	910.40
JANET LINDBERG	46.55
KAREN LUNDIN	12.96
MARCO	320.93
MARRIOTT INTERNATIONAL	316.74
MATTHEW BENDER & COMPANY INC	289.35
MCCC MI 33	317.94
MIDWEST PRINTING CO	76.68
MIDWESTERN MAT RENTAL & SUPPLY	69.60
MIKE'S LOCK & KEY SERVICE	121.50
MINNESOTA LAW REVIEW	40.00
MN CO ATTORNEYS ASSOCIATION	1,000.00
MN CO ENGINEERS ASSOC	400.00
MN CO GIS ASSOCIATION	100.00
MN CO INSURANCE TRUST	161.00
MN DEPT OF PUBLIC SAFETY	190.00
MN OFFICE OF ENTERPRISE TECHNO	1,200.00
MN POLLUTION CONTROL AGENCY	420.00
MN SCIA	50.00
MN SHERIFFS'ASSOCIATION	4,671.00
MN SOCIETY OF PROFESSIONAL SUR	75.00
MN STATE BAR ASSOCIATION	575.00
DEBORAH MORRIS	100.00
STEPHANIE MORRIS	10.00
MORTON SALT	6,448.68
MRCC	70.00
NAPA FERGUS FALLS	73.35
NETWORK CENTER COMMUNICATIONS	45.00
NORDWALL MACHINE	35.00
NORTHERN SAFETY TECHNOLOGY INC	43.64
NORTHLAND REBUILDING	74.55
NORTHWEST DIVERS	35.00
NORTHWEST IRON FIREMEN INC	158.85
OFFICEMAX CONTRACT INC	482.92
GLEN OLIPHANT	89.97
KIRSTEN OLSON	62.52
OTIS ELEVATOR CO	101.91
OTTER TAIL CO EMPLOYEES COMMIT	84.00
OTTER TAIL CO PUBLIC HEALTH	64.00
OTTER TAIL CO TREASURER	321.48
OTTER TAIL TELCOM	830.49
OTTERTAIL TRUCKING INC	16,228.20

OTC Board of Commissioners' Minutes
February 5, 2008
Attachment A, Page 3

OTTO OTTERS 4-H CLUB	250.00
OVERHEAD DOOR COMPANY	159.78
PAMIDA PHARMACY	4,042.15
DONALD PEDERSON	8.00
PELICAN RAPIDS CUB SCOUTS	500.00
PEPSIAMERICAS	531.50
PERHAM SAND & GRAVEL	71.55
PERHAM TRUCK SERVICE INC	1,318.02
PITNEY BOWES	1,435.00
PRODUCTIVE ALTERNATIVES INC	72.78
RINGDAHL AMBULANCE SERVICE	1,152.00
RJ STAR INC	36.00
RON JENSEN ELECTRIC	394.54
ROYAL TIRE INC	2,475.57
CHERI SCHULTZ	8.60
SE MINNESOTA EMS	130.00
SHERWIN WILLIAMS	82.05
PAUL SIMENGAARD	56.71
SKILLPATH SEMINARS	227.70
SOUTH MILL SERVICE	78.67
SRF CONSULTING GROUP INC	2,204.99
ST JOHN'S ACT	250.00
STEINS INC	7,658.21
STREICHERS	91.41
SVERDRUP NON STOP 4-H	250.00
DEB TABBUT	230.76
THERM-AIR SALES CORPORATION	65.00
KELLY THOMAS	110.60
THYSSEN KRUPP ELEVATOR CORPORA	276.00
TNT REPAIR INC	316.40
TOOL CRIB OF THE NORTH	479.19
TOUTGES SANITATION	52.65
TRANQUILITY BUILDING SERVICES	452.63
TRI STAR RECYCLING	5,316.65
ULTEIG ENGINEERS	533.49
UNIFORMS UNLIMITED	104.00
VIKING COCA-COLA	288.77
VISIONS GLASS	70.00
VISUAL GOV SOLUTIONS LLC	234.00
VOSS LIGHTING	862.69
WADENA CO AUDITOR TREASURER	1,952.31
RANDY WASVICK	101.27
WEST PAYMENT CENTER	588.93
XEROX CORPORATION	139.67
ZIEGLER INC	599.38
210 LUBE EXPRESS	27.06

CB/kc