

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 Fir Avenue W., Fergus Falls, MN
Tuesday, November 7, 2006
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, November 7, 2006, at 9:31 a.m., at the Otter Tail County Government Services Center with Commissioners Roger Froemming, Chair; Dennis Mosher, Vice-Chair; Syd Nelson, and Bob Block present.

Approval of Agenda

Motion by Froemming, second by Block, and unanimously carried to approve the County Board agenda of November 7, 2006, with the following additions:

Physical Plant Manager – Project Reports
Insurance Recommendation
County Auditor Requests

Approval of Minutes

Motion by Nelson, second by Mosher, and unanimously carried to approve the County Board minutes of October 31, 2006, as mailed.

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.

County Ditch No. 41

Ditch Inspector, Randy Wasvick, reported that he has spoken with wetland officials and they are not concerned with removing beavers in Ditch No. 41. Ditch No. 41 has a fund balance and the funds can be used for removing beavers. He also briefed the Board on two beaver dams that should be removed; however, further research needs to be completed relative to location of one of the dams by railroad tracks.

Letter of Support

Motion by Mosher, second by Froemming, and unanimously carried to authorize the Human Services Board Chairman to sign a Letter of Support for the need to develop a women's faith-based halfway house and treatment program in Otter Tail County. The site of the program would be in Fergus Falls and named Sarah's Place.

New York Mills Heating System

Physical Plant Manager, Rick Sytsma, briefed the County Board regarding issues with the current heating system equipment in the New York Mills building. The old system is approximately 45 years old; therefore, Mr. Sytsma recommended replacement with a high efficiency hot water boiler system. He estimated a 6-7 year payback on the boiler based on savings in annual heating expenses. Motion by Block, second by Nelson, and unanimously carried to authorize purchase of a new high efficiency heating system subject to following the current County policy regarding the quotation/bid process for the boiler and installation expenses.

OSHA Report

Mr. Sytsma reported that an OSHA official investigated the law library and law enforcement areas for air quality concern(s). OSHA took air samples which Mr. Sytsma reported as meeting all necessary guidelines. Mr. Sytsma recommended that a policy be developed which could be posted on an intranet for employees to follow in case of concerns.

RTC Site Investigation

Motion by Block, second by Mosher, and unanimously carried to authorize the Chairman's signature to execute an agreement between the County of Otter Tail and Shultz & Associates for Jail/Courthouse Planning Study #0550, RTC Site Investigation, in the amount of \$2,500.00.

Tuition Assistance Agreement

Motion by Nelson, second by Mosher, and unanimously carried to approve the Otter Tail County Highway Department Seasonal Employee Tuition Assistance Agreement between the County of Otter Tail and Ryan D. Anderson and Wade J. Bugbee for Technician Certification training in Bituminous, Concrete and Erosion Control.

Agreement to Maintain Facility Otter Tail County Resolution No. 2006 – 77

Commissioner Mosher offered the following and moved its adoption:

WHEREAS: The Federal Highway Administration (FHWA) requires that states agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right of way acquired without prior approval from the FHWA; and

WHEREAS: Transportation enhancement projects receive federal funding from the Surface Transportation Program (STP) of the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

WHEREAS: The Minnesota Department of Transportation (Mn/DOT) has determined that for projects implemented with transportation enhancement funds, this requirement should be applied to the project sponsor; and

WHEREAS: Otter Tail County is the project sponsor for the transportation enhancement project identified as **County Highway No. 1 Trail**.

THEREFORE BE IT RESOLVED THAT: The Project Sponsor hereby agrees to assume full responsibility for the operation and maintenance of property and facilities related to the aforementioned transportation enhancement project.

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

Reduction in Retainage for Highway Project

Motion by Froemming, second by Mosher, and unanimously carried to approve a reduction in retainage to 1% for Structural Specialties of Hutchinson, MN, relative to the Aurdal Township Bridge on 245th Street; S.P. 56-599-53.

Highway Contract Approval

Motion by Mosher, second by Block, and unanimously carried to approve a Highway Construction Project Contract between the County of Otter Tail and Central Specialties, Inc. of Alexandria, MN, for S.P. 56-682-07, CSAH 82 from TH 59 to Junction of Norway Pine Road, West of Dalton, MN, contingent upon the approval of the County Attorney.

Speed Zone Study – CSAH 31

Highway Engineer, Rick West, reported that the speed zone study on CSAH No. 31 between Franklin and Crystal Lakes was completed and MnDOT has responded that the speed limit authorization of 45 miles per hour reflects the proper speed limit for the area.

County Participation – Cascade Street Bridge

Motion by Block, second by Nelson, and unanimously carried to approve participation in the Cascade Street Bridge Project (near Otter Tail Power's Corporate Offices) in the amount of \$80,000 as recommended by the Highway Engineer.

Update – South Turtle Lake Public Hearing

Mr. West reported that the field survey work has been completed and has been sent to Townsend Engineering for a detailed cost estimate. Mr. West would like the cost estimate from Townsend Engineering before the Public Information Hearing is scheduled.

Voting Delegates Confirmed for CY2007

The County Coordinator verified that the Association of Minnesota (AMC) Counties voting delegates are: all seated Commissioners; Highway Engineer, Rick West; Human Services Director, John Dinsmore; and County Coordinator, Larry Krohn.

He verified the Minnesota Counties Insurance Trust (MCIT) voting delegates as Commissioner Roger Froemming and alternate as Commissioner Syd Nelson.

Land Surveyor's Certificate of Correction to Plat

Motion by Nelson, second by Froemming, and unanimously carried to approve the attached Land Surveyor's Certificate of Correction to the Plat of "THE POINT AT RIVERS BEND" (Attachment B), which is located in Section 6 of Otto Township on the Otter Tail River.

Budget Modification

Motion by Block, second by Mosher, and unanimously carried to approve the following Calendar Year 2006 Budget Modifications:

Add Line Item 01-122-131-0001-6369 – Blue Heron Bay EIS Costs – Budget Increase of \$60,444.00 and Increase Line Item 01-5990 from \$450,444 to \$510,888

Capital Improvement Expenditure Request

Motion by Mosher, second by Froemming, and unanimously carried to approve payment to Multiple Concepts Interiors Carpet One, in the amount of \$6,642.00, from Account Number 14-112-113.6688 for costs invoiced to Otter Tail County on August 31, 2006, for goods and services which were ordered July 17, 2006, for the Otter Tail County District Court remodeling project.

Tax Forfeited Land Sale Fund

Motion by Block, second by Nelson, and unanimously carried to approve payment to the Otter Tail County Solid Waste Department, in the amount of \$433.80, from the Tax Forfeited Land Sale Fund, for cost associated with the general cleanup of a parcel of tax forfeited property located at 45913 441st St. in Perham Township.

Election Worker Appreciation
Otter Tail County Resolution No. 2006 – 78

Commissioner Nelson offered the following and moved its adoption:

WHEREAS, on November 7, 2006, many citizens served in the process of conducting our County's election;

WHEREAS, these election workers represent every facet of our society and communities and provide a tangible link between the voting public and the election process;

WHEREAS, election workers provide an invaluable function to our county and country and are one of this County's most valuable resources;

WHEREAS, election workers volunteer to serve their fellow citizens with distinction and provide an invaluable service to their communities;

WHEREAS, election workers span the generation gap from high school students to senior citizens and mirror the amazing diversity of their communities and American society as a whole; and

WHEREAS, election workers are the backbone of American democracy and their dedicated service allows our democracy to flourish; and

WHEREAS, the County Auditor and all other election workers are recognized in Otter Tail County for their role in the election process;

NOW, THEREFORE, BE IT RESOLVED that the Otter Tail County Board of Commissioners in concert with other election jurisdictions of the United States proclaims the week of November 5 – 11, 2006 as "**Election Worker Appreciation Week**".

Commissioner Mosher 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

Date Scheduled for Blue Heron Bay CUP Request

Discussion took place regarding the process for Blue Heron Bay. The County Board requested that the Conditional Use Permit request for Blue Heron Bay be scheduled on Tuesday, December 5, 2006, at 11:00 a.m.

Dental Insurance Approval

Motion by Nelson, second by Block, and unanimously carried to accept the low quotation of Assurant Employee Benefits for Otter Tail County's Dental Program effective January 1, 2007, as presented.

Adjournment

At 11:32 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners adjourned until Tuesday, November 14, 2006.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

11/07/2006 OTTER TAIL COUNTY AUDITOR IFD66
 11:07:52 PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56
 WARRANTS FOR PUBLICATION PAGE 1

WARRANTS APPROVED ON 11/07/2006 FOR PAYMENT 11/07/2006

VENDOR NAME	AMOUNT
A-1 LOCK & KEY LLC	35.56
ANDERSON LAND SURVEYING INC	7,462.00
BRIAN ARMSTRONG	100.12
RUDOLPH AUCH	50.00
AUTO VALUE FERGUS FALLS	272.12
CITY BATTLE LAKE	2,397.42
BEAR GRAPHICS INC	505.34
BEN HOLZER UNLIMITED	25.77
BEYER BODY SHOP INC	170.41
BLACK HILLS AMMUNITION	129.50
BLUFFTON OIL COMPANY	1,900.81
CITY BLUFFTON	1,321.21
BOB'S STANDARD BULK SERVICE	190.81
BROCK WHITE COMPANY LLC	388.21
DOUG CANNELL	179.97
CARR'S LAKE COUNTRY SUPERMARKE	99.91
CHECKERS	27.17
CITY CLITHERALL	249.83
CO OP SERVICES INC	32.97
COOPERS TECHNOLOGY GROUP	251.96
CUTLER MAGNER COMPANY	10,673.55
DACOTAH PAPER COMPANY	88.46
DAKOTA PRINTER REPAIR LLC	1,625.00
CITY DALTON	499.66
DAVID ROMANN HAULING & LANDSCP	5,983.97
DEANS COUNTRY MARKET	13.48
CITY DEER CREEK	980.10
CITY DENT	432.47
DICK'S STANDARD SERVICE	58.58
DIVERSION AUTO	264.59
CITY ELIZABETH	600.55
CITY ERHARD	418.89
FARNAM'S GENUINE PARTS INC	58.87
FERGUS ELECTRIC	2,651.67
FERGUS FALLS NEWSPAPERS INC	4,162.19
FERGUS FALLS POLICE DEPT	466.84
FERGUS INTERNATIONAL INC	339.37
FERGUS POWER PUMP INC	5,280.00
FERGUS TIRE CENTER	786.95
FERRELLGAS	65.18
FRAZEE FORUM INC	516.98
GENERAL PARTS INC	45.80
GODFATHERS EXTERMINATING INC	202.36
GOODIN COMPANY	236.16
GR GRAPHICS INC ST LOUIS	751.52
GRAINGER INC	75.29
DIANE HANSON	385.55
NEILL HARDINA	40.00
HEDAHL'S HEADQUARTERS	102.24

11/07/2006 OTTER TAIL COUNTY AUDITOR IFD66
11:07:52 PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56
WARRANTS FOR PUBLICATION PAGE 2

WARRANTS APPROVED ON 11/07/2006 FOR PAYMENT 11/07/2006

VENDOR NAME	AMOUNT
HEISLERS COUNTRY GRAVEL & RENT	83.50
CITY HENNING	1,849.70
IMAGE TECH SERVICES	96.30
INNOVATIVE OFFICE SOLUTIONS	3,048.79
INSIGHT PUBLIC SECTOR	815.80
INTERSTATE INC	1,451.77
IVERSON GARAGE DOOR	742.00
J CRAFT DIV OF CRYSTEEL MFG IN	134.17
JOHN DEERE GOVERNMENT & NATION	61,690.66
ERWIN JOHNSON	80.00
JOHNSTON FARGO CULVERT INC	1,311.75
KELLEY'S GARAGE AND FUEL STOP	955.89
KELLY SERVICES INC	1,271.35
L & L SERVICE	155.17
LAKE REGION HEALTHCARE CORP	250.00
LAKE SUPERIOR COLLEGE	150.00
LAKE COUNTRY SERVICE CO OP	117.00
PAT LARUM	60.10
LOCATORS & SUPPLIES INC	15.00
THE LOUIS BERGER GROUP INC	3,738.93
M-R SIGN COMPANY INC.	1,207.86
MACAI	150.00
MATTHEW BENDER & COMPANY INC	103.70
MIDWEST PRINTING CO	69.23
MIDWEST TESTING LABORATORY	1,878.00
MN CO ENGINEERS ASSOC	400.00
MN FALL MAINTENANCE EXPO	375.00
MN MOTOR COMPANY	62.89
MN STATE AUDITOR	5,313.61
JIM MYHRE	292.14
NETWORK CENTER INC	141.25
NEW HILL SERVICES	125.95
NEW YORK MILLS HERALD	649.30
CITY NEW YORK MILLS	1,569.64
OFFICE DEPOT	145.52
OFFICEMAX CONTRACT INC	1,187.26
OK TIRE STORE	110.34
OLSON OIL CO INC	2,466.36
OTTER TAIL CO TREASURER	1,658.25
OTTERTAIL TRUCKING INC	5,202.00
OVERHEAD DOOR COMPANY	365.80
OVERLAND MECHANICAL SERVICES	111.54
CITY PARKERS PRAIRIE	1,259.84
PELICAN RAPIDS PRESS	100.70
CITY PELICAN RAPIDS	2,745.67
PERHAM ENTERPRISE BULLETIN	385.02
PERHAM SAND & GRAVEL	2,580.00
CITY PERHAM	81,588.05
PETE'S AMOCO	175.73

11/07/2006 OTTER TAIL COUNTY AUDITOR IFD66
 11:07:52 PANELSON RECEIPTS AND DISBURSEMENTS SYSTEM COUNTY 56
 WARRANTS FOR PUBLICATION PAGE 3

WARRANTS APPROVED ON 11/07/2006 FOR PAYMENT 11/07/2006

VENDOR NAME	AMOUNT
PHELPS FAMILY FORD	406.47
PRODUCTIVE ALTERNATIVES INC	99.14
R & R READY MIX INC	1,727.63
REVIEW ENTERPRISES INC	250.05
CITY RICHVILLE	542.90
RICK LEITCH BACKHOE SRVC & PJ	2,890.50
CITY ROTHSAY	533.30
ROYAL TIRE INC	492.13
SCOTT HOFLAND CONSTRUCTION INC	10,890.00
SECRETARY OF STATE	40.00
SERVICE FOOD SUPER VALU	13.45
SEWER SERVICE	250.00
SHESHUNOFF INFORMATION SERVICE	589.90
BRENDA SHOEMAKER	10.79
SIGELMAN STEEL & RECYCLING INC	148.60
PAUL SIMENGAARD	67.31
SOUTH MILL SERVICE	1,523.38
STADUM PLUMBING & GRAVEL LLP	279.56
DAVID STADUM	10.60
STEINS INC	1,552.88
JAMES STEWART	72.28
STRINGER BUSINESS SYSTEMS INC	60.34
DAVID THOMPSON	120.00
TNT REPAIR INC	293.43
TODD CO SOLID WASTE	54,381.98
TOM'S BODY SHOP	213.00
TOOL CRIB OF THE NORTH	135.23
ULTEIG ENGINEERS	1,172.54
CITY UNDERWOOD	562.11
CITY URBANK	643.79
CITY VERGAS	898.42
VIKING COCA-COLA	195.75
VOSS LIGHTING	154.00
WASTE MANAGEMENT	506.12
WELDING SUPPLIES & FIRE EQUIPM	5.27
WEST PAYMENT CENTER	722.00
XEROX CORPORATION	139.67
ZEE SERVICE COMPANY	80.03
ZIEGLER INC	1,172.71

**** FINAL TOTAL..... \$327,883.15 ****

LAND SURVEYOR'S CERTIFICATE OF CORRECTION TO PLAT

Name of plat: THE POINT AT RIVERS BEND, according to the map or plat thereof on file and of record in the office of the County Recorder in and for Otter Tail County, Minnesota

Pursuant to the provisions of Chapter 505.174 Laws of Minnesota, 1957, the undersigned, a Professional Land Surveyor in and for the State of Minnesota, declares as follows:

- 1. That the plat of THE POINT AT RIVERS BEND, was signed September 11, 2006, filed on October 23, 2006, in the office of the County Recorder in and for Otter Tail County, Minnesota, in Book Q of Plats, page 955 and assigned Document Number 1007920
- 2. That said plat contains errors, omissions or defects in the following particulars, to wit: The common line between Section 1, Township 135 North, Range 39 West and Section 6, Township 135 North, Range 38 West (which is also the West line of subject property) was not properly labeled. The West side of said common line incorrectly reads "SECTION 6, TWN 135 N, RGE 38 W"
- 3. That said plat is hereby corrected in the following particulars, to wit: Proper designation for the section, township, and range on the West side of said common line should read "SECTION 1, TWN 135 N, RGE 39 W" Please see EXHIBIT A attached

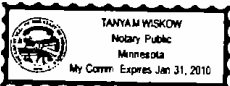
Dated this 2nd day of November, 2006

David S. Landecker
David S. Landecker, Professional Land Surveyor
Minnesota License No. 17008

STATE OF MINNESOTA
COUNTY OF CROW WING

The foregoing instrument was acknowledged before me this 2nd day of November, 2006 by David S. Landecker, Professional Land Surveyor, Minnesota License No. 17008

Tanya M. Wiskow
Notary Public, Crow Wing County, Minnesota
My Commission Expires 1-31-2010



The above Certificate of Correction to the plat of THE POINT AT RIVERS BEND has been approved by _____

OFFICE OF THE COUNTY RECORDER
COUNTY OF OTTER TAIL, MINNESOTA

I hereby certify that the within Instrument was filed in this office for record on the _____ day of _____ A.D. 20____ at _____ o'clock _____m and was duly recorded as Document No _____

County Recorder

DRAFTED BY:
Landecker & Associates, Inc
PO Box 120
Pequot Lakes, MN 56472