

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, December 18, 2007
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, December 18, 2007, at 9:31 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 Erickson, and unanimously carried to approve the County Board agenda of December 18, 2007, with the following additions:

Heartland Tourism

PARTNERS

Non-Union COLA

11:20 a.m. – Liquor License Violation Hearing – Canceled

10:45 a.m. – Recorder, Wendy Metcalf (Approval of Resolutions)

Closed Session for Labor Negotiation Strategies

Approval of Minutes

Motion by Nelson, second by Block, and unanimously carried to approve the County Board minutes of December 11, 2007, as presented.

Approval to Pay Bills

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

Perham Resource Recovery Project

Solid Waste Director, Mike Hanan, submitted a document dated December 5, 2007, regarding the Perham Resource Recovery Facility. The document identified five main issues that need to be addressed in order to make decisions on the governance of the project and/or expansion of the facility: 1) Bongard's Energy Agreement with PRRF - discussion took place regarding Bongard's current energy agreement with the facility, the recently completed Energy Audit, and consensus that a long term agreement with Bongards or other energy customer is important for the financial stability of the facility; 2) Additional bonded debt – if the facility is expanded, an additional 9 to 10 million dollars will be expended with 2.8 million available from the State and the remaining dollars coming from the project participants. The County currently owes about 4 million dollars; 3) Additional contract term – if additional debt is incurred, there would be an additional 8 years of debt added to the project; 4) Adding additional partners (in addition to Otter Tail, Wadena, & Todd) – Stearns County is a partner until September of 2009 and then, they may opt out of the project. The three existing project partners are not aware of Stearns County's intentions; 5) Waste management options – if the PRRF is expanded and Stearns County does not continue as a partner, there is not enough waste to deliver to the facility. The other options for waste disposal are the Dakota Landfill at Gwinner, ND, and Clay County if they expand their landfill and become a regional facility. Lengthy discussion continued regarding the governance of the PRRF with a Joint Powers Board being recommended by Mr. Hanan. Consensus of the County Board was that the governance issue needs to be resolved before the remainder of the questions can be answered. Continued discussion will take place during upcoming County Board meetings.

Otter Tail Drainage System No. 25 Continued Public Hearing

At 10:02 a.m., Chairman Mosher opened the continued Public Hearing from November 26, 2007, for the purpose of considering the petition for the use of Otter Tail County Drainage System No. 25 as an outlet for Little McDonald, Kerbs and Paul Lakes. Chairman Mosher opened the floor to new comments that had not been discussed on November 26, 2007. He referred to a Memo from Otter Tail County Ditch Inspector, Randy Wasvick, and requested his comments.

Mr. Wasvick submitted a Memo dated December 12, 2007, with a recommendation that an alternative to using Ditch No. 25 as an outlet would be to pump water out of Little McDonald with a pipe to the Otter Tail River.

Chairman Mosher opened the floor to the public for comments in favor of the petition:

Ardell Wiegandt, Chairman of the Little McDonald, Kerbs and Paul Lake Improvement District, spoke in favor of the project, which has been in process for seven years to obtain an outlet for Little McDonald Lake. The LID does not want to create a problem downstream, but petitioned for an outlet to Ditch No. 25 to release water at times when Big McDonald Lake is 1½ ft. below the OHWL. He stated that by releasing water a little at a time, it may eliminate the damage the high water has caused. This is why the LID hired Houston Engineering and has developed an Operation Plan so the release of water would be handled properly.

John Kolb, Attorney representing the LID, commented on several issues. He stated that Big McDonald Lake currently has a fairly stable water level that is about 1½ ft. below the OHWL and Randy Wasvick has pointed out that this level is necessary in order to prevent damage on that lake. He also noted that Ditch No. 25 is not working to its designed capacity or its "as constructed" capacity and over time, it will continue to degrade, which will cause an issue on Big McDonald Lake. Mr. Kolb stated that it may be in the best interest of the Drainage Authority to look more broadly at this situation. This could be an opportunity to manage Ditch No. 25 and have additional funds to maintain the Ditch. The LID is proposing to manage the discharge of water and manage the Ditch, put an outlet control on Big McDonald so water level is not lost and manage the lake level to protect properties and property values.

Brent Johnson, Project Engineer with Houston Engineering, stated that he has been working with the LID. He reviewed the purpose of the Operating Plan and agreed that Big McDonald Lake is not capable of handling all water from Little McDonald Lake at all periods. The Operating Plan recommends using the ditch when available. He stated that if it would be more comfortable to drain when the level is 1 ft. or 1½ ft. below the OHWL, the LID would probably be willing to change that in the Plan as necessary.

George Borgerding, McDonald Lake, submitted a letter to the Board regarding the quality of the water of Little McDonald Lake. The quality is clearer than the water in Big McDonald Lake. Because they are sending good water, Mr. Borgerding is in favor of helping the people with high water issues on Little McDonald and therefore, spoke in favor of the project.

Dennis Sazuma, spoke in opposition of the project as he noted that Ditch No. 25 cannot handle the extra water without putting a lot of money into it and he also stated that the mercury in Little McDonald is a factor.

Donald McGuire, landowner on Paul Lake, talked about high water marks and spoke in favor of the project to protect the current properties without harming those downstream.

Chairman Mosher requested comments from the public who are opposed to the proposed Ditch No. 25 project that were not expressed in the previous Public Hearing:

Scott Dierks, Attorney for the Berger Family, who own property on Berger and McDonald Lakes, stated that, based on Randy Wasvick's comments, it has been shown that Ditch No. 25, as it currently exists, does not have capacity for additional water. Ditch No. 25 is not like the Otter Tail River that flows during the winter months. He spoke in opposition of the proposed project and in favor of pumping to the Otter Tail River as an alternative and more reasonable solution.

David Anderson, Chairman of Berger Lake Association, reaffirmed the Lake Association's opposition to the project.

Keith Brokke, Edna Township and resident of Big McDonald Lake, reviewed the background of several solutions to the high water in Little McDonald Lake. He stated that Ditch No. 25, where it leaves Big McDonald Lake, has been a problem area for quite some time. Now, volunteers go out and remove the beaver dams that are continually built. There is no way to remove these beaver dams except manually. Mr. Brokke also discussed a previous attempt/plan to prevent the beaver dams from being built that the DNR denied. Based on these criteria, Mr. Brokke, opposed moving the water to Big McDonald Lake.

Roger Fenstad, President of Big McDonald Lake Association, expressed opposition to the project because there is not enough capacity to handle more water.

DNR Hydrologist, Terry Lejcher, stated that more information needs to be available to know whether or not the Ditch has the capacity for more water. He stated that the outlet issues could be addressed by an improvement proceeding through the County Board. More data as to where the control is or where the lake stops running out and additional elevation data around the lake are needed. The high water on Little McDonald and Paul Lakes is not good and there is a need to continue to look at the situation to make a good decision.

Land & Resource Director, Bill Kalar, agreed with Terry Lejcher that more information is needed. He expressed concern regarding variable control structures that are subject to operation and maintenance plans and referred to the issues that have occurred with the Jewett Lake outlet.

A written comment in opposition to the project, dated December 17, 2007, was received from Jeffrey & Connie Mackner.

Discussion continued. A motion was offered by Erickson and seconded by Froemming, to deny the Petition for the use of Otter Tail County Drainage System No. 25 as an outlet for Little McDonald, Kerbs and Paul Lakes because, based on the current facts presented, Ditch No. 25 does not have the capacity for additional water at this time. Chairman Mosher called for a roll call vote:

| | <u>Yea</u> | <u>Nay</u> | <u>Abstain</u> |
|------------------------|------------|------------|----------------|
| Commissioner Erickson | X | | |
| Commissioner Froemming | X | | |
| Commissioner Block | X | | |
| Commissioner Nelson | | X | |
| Commissioner Mosher | X | | |

Motion carried 4 – 1. The County Attorney was directed to draft a written order of findings.

**RESOLUTION FOR USE BY COUNTIES THAT WERE NOT PILOT COUNTIES
UNDER THE TASK FORCE CREATED BY LAWS 2000, CHAPTER 391
Otter Tail County Resolution No. 2007 – 87**

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

Pursuant to Laws 2005, Chapter 156, Article 2, Sections 40 and 42, a resolution which constitutes a written certification of compliance with paragraph (b), clause (2) of each of those sections [which requires that the software used signed on behalf of the county board] and also signed by the county recorder is required as a condition of accepting electronic filings. The certification, once accepted by the Task Force, constitutes authority to implement and accept electronic filings.

The following resolution is suggested to satisfy that requirement.

RESOLVED

The Board of Commissioners of Otter Tail County, and the County Recorder of Otter Tail County, as evidenced by the authorized signatures below hereby declare:

- 1) That Otter Tail County intends to implement electronic filing of those real estate documents permitted in pilot projects authorized by the task force created by Laws 2000, chapter 391; and
- 2) That Otter Tail County will comply with the standards adopted by that Task Force for the electronic filing of real estate documents.

The Board of Commissioners of Otter Tail County, and the County Recorder of Otter Tail County, as evidenced by the authorized signatures below hereby further certify that Otter Tail County is in compliance with the requirement that Otter Tail County uses software validated by that task force for the electronic filing of real estate documents.

Chair, Otter Tail County Board

Otter Tail County Recorder

Dated: _____

Dated: _____

**MACO eCounties Marriage Database
A County's Commitment to the Future – 2008
Otter Tail County Resolution No. 2007 – 88**

Upon motion by Erickson, second by Block, and unanimously carried, the following resolution was adopted:

WHEREAS, each Local Registrar in the State of Minnesota is responsible for maintaining their county's marriage records independently from other counties throughout the State, and

WHEREAS, the Local Registrars of Minnesota are aware of a need for a statewide marriage index to share their information with other counties to assist customers in obtaining a certified copy of their marriage record, and

WHEREAS, at the September 5, 2007, MACO Board meeting, MACO adopted a resolution directing a MN Official Marriage Database be created and linked to the MACO website to benefit all MN Counties, and

WHEREAS, I understand, if my county agrees to participate, the cost of providing our county index (in an acceptable format) will be at the cost to my county. There will be a one time initial signing cost of \$2,000.00 along with yearly maintenance cost to my county (\$1,000.00 for year 1 and 2). Maintenance fees will be reviewed in two years for additional years, but are not expected to exceed 50% of your initial start-up fee, and

WHEREAS, the marriage data voluntarily entered into the MN Official Marriage Database will be part of and remain in the official database even in the event of a participating county's involvement withdrawal.

THEREFORE, the Otter Tail County Board of Commissioners agrees to participate in said MN Official Marriage Database according to the above-stated terms and further authorize the Local Registrar of Otter Tail County to sign MN Official Marriage Database documents.

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis R. Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

Recess & Reconvene

At 11:00 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 11:04 a.m.

Planning Commission Recommendations

Conditional Use Permit – Arnold & Martha Miller:

Land & Resource Director, Bill Kalar, stated that a proposal to open a commercial business for sales and storage for new and used recreational products was denied by the Planning Commission. Applicant, Jerome Kotalik, represented the application. He explained that there was misguided information at the Planning Commission meeting regarding outside storage of docks and lifts and he stated that there is commercial property across the road from this location. Laverne Norman spoke on behalf of residents of Dunn Villa Condominiums, who feel this proposal would be unsightly for this beautiful area and would adversely affect the surroundings. He stated that the buildings referred to by the applicant are not commercial property. They are garages for the condominiums. He submitted pictures of the area, for the record. County Attorney, David Hauser, suggested that the original application was too open-ended and did not specify what products would be sold or stored. Taking into consideration that the recommendation from the Planning Commission was unanimous, a motion was offered by Nelson, seconded by Block, and carried with Erickson abstaining, to deny a Conditional Use Permit for a commercial business for the reasons as identified in the December 12, 2007 Planning Commission minutes.

Planning Commission Reappointments

Motion by Nelson, second by Block, and unanimously carried to reappoint the following Planning Commission members effective January 1, 2008, for a three year term:

- District 3 – Bert Olson
- District 5 – Rick Wilson
- District 1 – Rod Boyer

Final Plat Modification

Mr. Kalar identified a problem relative to a condition that required that a culvert be placed in the drainage area of the plat entitled "Wood Haven On Loon". Motion by Erickson, second by Block, and unanimously carried to approve a modification to one of the conditions of approval for the plat of "Wood Haven On Loon" in Section 35 of Candor Township. The modification is to remove the requirement to place a culvert in the drainage area as the decision regarding needed culvert(s) should be established when the land is developed.

Final Plat Extension

Motion by Erickson, second by Nelson, and unanimously carried to extend the filing date for filing the Final Plat entitled "Pinke's East Loon Heights" until April 1, 2008, because of pending title work. The plat is located in Section 1 and 2 of Dora Township; Loon/Sybil Lakes.

After-the-Fact Conditional Use Permit Fee

Motion by Erickson, second by Block, and carried with Mosher opposed, to charge Dennis Tuel Sr. the after-the-fact Conditional Use Permit fee of \$600.00 relative to the installation of a Wind Tower within 1,000 ft. of a lake.

Approval of Property Tax Refund

Motion by Nelson, second by Froemming, and unanimously carried to refund payable 2005 – 2007 Property Taxes for Parcel No. 63-000-50-0004-018 to Goldfish Development, Inc. Goldfish Development had been incorrectly billed for these taxes and no longer owned this property.

Payment Requests

Motion by Block, second by Erickson, and unanimously carried to approve payment, in the amount of \$17,956.00, from the General Fund to the Association of Minnesota Counties (AMC) for Otter Tail County's 2008 annual membership dues.

Motion by Froemming, second by Erickson, and unanimously carried to approve payment, in the amount of \$6,407.89, from the General Fund to National Business Systems (NBS) for payable 2008 Proposed Statement Printing and Mailing.

Motion by Erickson, second by Block, and unanimously carried to approve payment, in the amount of \$2,000.00, from the General Fund to US Bank for the acceptance fee related to the Otter Tail HRA Public Project Revenue Bonds Series 2007E, Chemical Dependency Building.

Motion by Mosher, second by Erickson, and unanimously carried to deny payment, in the amount of \$250.00, from the General Fund to Minnesota Heartland Tourism Association for 2008 membership fees.

Motion by Block, second by Erickson, and unanimously carried to approve payment, in the amount of \$4,327.58, from the Capital Improvement Fund to Young & Associates for professional services provided to Project No. 0601 (Chemical Dependency Health Center).

Motion by Nelson, second by Froemming and unanimously carried to approve payment, in the amount of \$322,782.38, from the Construction Fund to Comstock Construction Inc. of MN for the Otter Tail County 60-Bed State Operated Inpatient Chemical Dependency Treatment Facility as detailed on Payment Request No. 1.

Motion by Froemming, second by Block, and unanimously carried to approve payment, in the amount of \$498,986.82, from the Construction Fund to Comstock Construction Inc. of MN for the Ottertail Operations Center as detailed on Request No. 6.

Motion by Block, second by Erickson, and unanimously carried to approve payment, in the amount of \$5,812.50, from the Construction Fund to Shultz & Associates, LTD for construction administration for Project #0603; Ottertail Operations Center.

Motion by Nelson, second by Froemming, and unanimously carried to approve payment, in the amount of \$17,790.01, from the Capital Improvement Fund to Comstock Construction Inc. for replacement of the concrete steps on the east side of the Courthouse.

Motion by Erickson, second by Froemming, and unanimously carried to approve payment, in the amount of \$5,456.25, from the Capital Improvement Fund to Comstock Construction Inc. for replacement of the concrete slab in the mechanical room of the Government Services Center on the north/east side of the building by the cooling tower.

Board of Adjustment Reappointments

Motion by Nelson, second by Erickson, and unanimously carried to reappoint the following individuals to the Otter Tail County Board of Adjustment: Michael Harris, Paul Larson, Randall Mann, Steve Schierer, and Carl Zick.

Payment Requests

Motion by Froemming, second by Block, and unanimously carried to approve payment of Invoice No. 100, in the amount of \$3,983.20, from the General Fund to the WesMin Resource Conservation and Development Council for a special assessment as described in an August, 2007 letter from the organization.

Motion by Mosher, second by Erickson, and unanimously carried to deny payment, in the amount of \$400.00, from the General Fund to WesMin RC & D Council for Otter Tail County's 2008 membership dues. These dues were previously paid by the Soil & Water Conservation District.

WesMin RC & D Reappointment

Motion by Erickson, second by Nelson, and unanimously carried to reappoint Rod Wenstrom as Otter Tail County's member to the WesMin RC & D Council for 2008.

Payment Requests

Motion by Mosher, second by Froemming, and unanimously carried to approve payment, in the amount of \$8,430.00, from the County Drainage System No. 39 Account to Mark and Brenda Construction, Inc. (dba Delzer Construction) for repairs to County Drainage System No. 39.

Motion by Froemming, second by Mosher, and unanimously carried to approve advance payment, in the amount of \$8,430.00, from the General Fund to County Drainage System No. 39 for the purpose of funding the calendar year 2007 repair cost.

Resolution Adopting Assessment Order for County Drainage System No. 39 Otter Tail County Resolution No. 2007 – 89

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

WHEREAS, the County Board of Otter Tail County, acting as the County Drainage Authority, had authorized a cleanout of a portion of County Drainage System No. 39 on Tuesday, September 18, 2007, and

WHEREAS, the Otter Tail County Board of Commissioners has approved expenditures in the amount of \$8,430.00 for the cleanout of County Drainage System No. 39 as follows:

Mark and Brenda Construction, Inc. \$8,430.00 (Tuesday, December 18, 2007)

NOW THEREFORE, BE IT RESOLVED BY THE OTTER TAIL COUNTY BOARD OF COMMISSIONERS, that a special assessment in the amount of \$10,000.00 be levied against the benefited properties of County Drainage System No. 39, as listed in the Auditor's Tabular Assessment Statement dated June 23, 1911, a copy of which is on file in the County Auditor's office is hereby accepted and shall constitute a lien against the lands named therein, and each tract of land therein included is hereby found to be benefited by the repair/maintenance in the amount of the assessment levied against it as shown in the corresponding worksheet.

BE IT FURTHER RESOLVED, that such assessments shall be payable in one installment. To this installment shall be added interest, at a rate of 6%, on the entire assessment from December 18, 2007 until December 31, 2008.

BE IT ADDITIONALLY RESOLVED that the owners of any of the benefited properties so assessed may, on or before Thursday, January 31, 2008, pay the entire assessment on such property to the County Auditor's office without interest.

Adopted this 18th day of December, 2007

Dated: _____ OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Dennis R. Mosher, County Board Chair

Attest: _____
Larry Krohn, Clerk

License Applications

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

- | | |
|--|---------|
| Bluffton Liquors, Inc. Bluffton, MN | Tobacco |
| Bluffton Oil Company Bluffton, MN | Tobacco |
| Erhard Municipal Liquor Store Erhard, MN | Tobacco |
| Koep's Clitherall Corner Clitherall, MN | Tobacco |
| Lakeland General Store, Inc. Pelican Rapids, MN | Tobacco |

NACE Conference

Motion by Block, second by Erickson, and unanimously carried to approve the attendance of the Highway Engineer at the annual National Association of County Engineers Conference in Portland, Oregon, scheduled for April of 2008.

PARTNERS

People Around Rothsay That Need Routine Services (PARTNERS) requested funding for their organization. County Attorney, David Hauser, advised the Board that, even though the organization does very good work, under the public purpose doctrine, counties are not free to provide funding to all organizations. There has to be statutory authority to fund for specific purposes. No action was taken.

Court Ordered Evaluation Services

Motion by Nelson, second by Block, and unanimously carried to authorize the Chairman's signature to execute a Purchase of Service Agreement for evaluation services for Otter Tail County Court Administration for the period of January 1, 2008 to December 31, 2008. Cost of psychological evaluation is \$178.00 per hour and psychiatric evaluation is \$348.00 per hour.

Aging Coordinator Contract

The County Coordinator reviewed a contract between the Land of the Dancing Sky Area Agency on Aging and Otter Tail County which provides some of the funding for the County's Aging Coordinator position. Motion by Block, second by Nelson, to authorize the Public Health Director to contract with the Area Agency on Aging for Purchase of Services for the Aging Coordinator position. Discussion followed. The motion was withdrawn and a motion was offered by Block, seconded by Nelson, and unanimously carried to table this request for additional information.

Vehicle Usage

The County Board directed the County Coordinator to gather information regarding County vehicles that are used for transportation to and from work. The State Auditor has a three part test that should be reviewed for the use of county vehicles.

County Board Meetings

Motion by Froemming, second by Erickson, and unanimously carried to schedule two regular County Board of Commissioners' meetings for 2008 as follows:

Wednesday, January 2, 2008, starting at 9:30 a.m.

Tuesday, January 8, 2008, starting at 9:30 a.m.

Additional 2008 regular County Board meetings will be scheduled at the first meeting of the year.

Closed to the Public – Labor Negotiation Strategies

At 2:15 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 relative to all Collective Bargaining Units except the Highway Maintenance Workers. Present were the five seated County Commissioners, the County Attorney, County Coordinator, Human Services Director, and Board Secretary.

Open to the Public – Law Enforcement Agreements

At 2:45 p.m., upon completion of the closed session, Chairman Mosher declared the meeting of the Otter Tail County Board of Commissioners opened to the public. Motion by Block, second by Nelson, and unanimously carried to approve the concept of a three year Collective Bargaining Agreement with a 3% COLA each year and benefit employer contribution dollar increases of \$50.00 the first year of the contract, \$75.00 the second year of the contract and \$75.00 the third year of the contract for two Law Enforcement Units.

Non-Union COLA for 2008

Motion by Froemming, second by Block, and unanimously carried to approve a 3% COLA for non-union employees effective January 1, 2008, and to approve two additional days of vacation per year effective the 27th year of employment rather than waiting until the 30th year of employment.

Clarification to the County Board Minutes of November 20, 2007

Motion by Mosher, second by Block, and unanimously carried to correct the minutes of November 20, 2007, Page 5 under the Heading of "Contract Approval for Railroad Improvement", which reads as follows:

Motion by Mosher, second by Erickson, and unanimously carried to authorize the Highway Engineer to enter into a contract relative to a railroad crossing improvement in the City of Pelican Rapids. The estimated cost of the project is \$26,621.00 with the County's share of the funding at 80%.

And, is corrected to read as follows:

Motion by Mosher, second by Erickson, and unanimously carried to authorize the Highway Engineer to enter into a contract relative to a railroad crossing improvement on CSAH 10. The estimated cost of the project is \$26,621.00 with the County's share of the funding at 80%.

Mileage Reimbursement

The Otter Tail County mileage reimbursement will increase to \$.505 per mile, effective January 1, 2008, which is consistent with the IRS mileage rate. The previous motion of December 19, 2006 authorizes Otter Tail County's mileage rate to increase or decrease based on the IRS rate.

Adjournment

At 3:13 p.m., Chair Mosher declared the meeting of the Otter Tail County Board of Commissioners adjourned until Wednesday, December 26, 2007.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Dennis R. Mosher, County Board Chair

Attest: _____

Larry Krohn, Clerk

WARRANTS APPROVED ON 12/18/2007 FOR PAYMENT 12/18/2007

| <u>VENDOR NAME</u> | <u>AMOUNT</u> |
|-------------------------------|---------------|
| A-1 LOCK & KEY LLC | 26.63 |
| A'VIANDS LLC | 6,820.43 |
| AMERICAN INSTITUTIONAL SUPPLY | 696.17 |
| AMERICAN TOWER CORPORATION | 87.75 |
| AMERICAN WELDING-WILLMAR FIRE | 5.75 |
| ANDERSON HOWE & LANGLIE INC | 1,667.50 |
| CHERI ANDERSON | 6.00 |
| ARK & SPARK | 6.95 |
| ASSOCIATION OF MN COUNTIES | 1,400.00 |
| AUTO VALUE FERGUS FALLS | 140.25 |
| BARNA GUZY & STEFFEN LTD | 429.00 |
| BARRETT EMS TRAINING | 450.00 |
| BATTLE LAKE AUTO PARTS | 117.40 |
| BCA TRAINING & DEVELOPMENT | 540.00 |
| MARK BECKER | 141.79 |
| BECKLUND OIL CO | 3,381.38 |
| DAVID BERG | 34.99 |
| BEYER BODY SHOP INC | 4,329.49 |
| BLUFFTON OIL COMPANY | 2,204.55 |
| BOB BARKER COMPANY INC | 210.16 |
| BOB'S STANDARD BULK SERVICE | 259.28 |
| BRANDON COMMUNICATIONS INC | 754.58 |
| BRAUN VENDING INC | 21.49 |
| BRIGGS CORPORATION | 264.82 |
| CIT TECHNOLOGY FIN SERV INC | 189.86 |
| CO OP SERVICES INC | 5,118.86 |
| COMMERS | 285.42 |
| CONVERGENT STORAGE SOLUTIONS | 200.00 |
| COOPERS TECHNOLOGY GROUP | 593.27 |
| CREATIVE FORMS & CONCEPTS INC | 1,106.89 |
| CULLIGAN WATER COND | 65.37 |
| CULLIGAN WATER CONDITIONING | 10.65 |
| DAKOTA CLINIC FARGO | 1,288.57 |
| DAKOTA PRINTER REPAIR LLC | 116.40 |
| DENZEL'S REGION WASTE INC | 2,697.93 |
| ECOLAB | 75.32 |
| CHUCK EHRENBERG | 65.39 |
| EVERGREEN EQUIPMENT INC | 54.26 |
| EVERTS LUMBER CO | 34.53 |
| FARMERS CO OP OIL ASSN | 4,998.80 |
| FARNAM'S GENUINE PARTS INC | 351.89 |
| FERGUS FALLS MEDICAL GROUP | 1,161.25 |
| FERGUS FALLS NEWSPAPERS INC | 411.48 |
| FERGUS POWER PUMP INC | 95.00 |
| FERRELLGAS | 139.12 |
| FLEET SERVICES | 17,729.69 |
| FOTH & VAN DYKE | 37,595.21 |
| GARAGE DOOR STORE | 516.13 |
| GEOCOMM | 3,140.00 |
| GODFATHERS EXTERMINATING INC | 132.06 |
| GOODIN COMPANY | 187.94 |
| GOPHER STATE ONE CALL | 13.05 |
| GR GRAPHICS INC FARGO | 58.01 |
| TROY HAARSTICK | 185.51 |
| HEISLERS COUNTRY OIL | 6,237.00 |
| HENNING AUTO PARTS INC | 653.95 |

OTC Board of Commissioners' Minutes
December 18, 2007
Attachment A, Page 2

| | |
|--------------------------------|-----------|
| HENNING HARDWARE | 138.99 |
| HIGH PLAINS TECHNOLOGY | 57.51 |
| HILLTOP LUMBER INC | 977.55 |
| TERRY HOFF | 48.50 |
| HOLIDAY CREDIT OFFICE | 74.25 |
| SANDY HOLO | 97.06 |
| HOMESTEAD BUILDING SUPPLIES | 153.27 |
| HOUSTON ENGINEERING INC | 7,549.25 |
| INDEPENDENT EMERGENCY SERVICES | 54.86 |
| THE INDEPENDENT | 562.80 |
| INNOVATIVE OFFICE SOLUTIONS | 2,703.27 |
| INSIGHT PUBLIC SECTOR | 1,565.55 |
| INTERSTATE INC | 2,052.61 |
| J.P.COOKE CO | 71.65 |
| JJ'S COMPANY EXCAVATING LLC | 2,320.00 |
| JK SPORTS | 389.70 |
| DEAN JOHNSON | 180.00 |
| K-MART | 248.22 |
| KELLY SERVICES INC | 749.89 |
| LINDA KESKITALO | 288.90 |
| LAKE REGION HEALTHCARE CORP | 386.60 |
| LAKES COUNTRY SERVICE CO OP | 65.00 |
| LAKEWAY MARKET LLC | 2,396.26 |
| LANDFALL NAVIGATION | 788.85 |
| LARRY OTT INC TRUCK SERVICE | 2,150.00 |
| LARRY'S SUPERMARKET | 40.62 |
| LOCATORS & SUPPLIES INC | 132.89 |
| M-R SIGN COMPANY INC. | 8,243.76 |
| MANNY'S - ROCKY'S BAIT | 1,462.66 |
| MCCC MI 33 | 3,202.77 |
| MICHAEL MCGEE MD | 400.00 |
| MERIGEN MEDICAL | 239.93 |
| MICROAGE | 924.42 |
| THE MIDWEEK | 58.80 |
| MIDWESTERN MAT RENTAL & SUPPLY | 74.07 |
| MINNKOTA | 29.00 |
| MN CHAPTER IAAI | 140.00 |
| MN DEPT OF AGRICULTURE | 10.00 |
| MN MOTOR COMPANY | 107.76 |
| MN STATE AUDITOR | 1,123.50 |
| MN STATE LAW LIBRARY | 175.00 |
| MORTON SALT | 41,473.29 |
| NAPA STANDARD PARTS OF WADENA | 357.98 |
| NELSON DODGE GMC | 105.03 |
| NELSON FORD LINCOLN MERCURY IN | 1,868.20 |
| NETWORK CENTER COMMUNICATIONS | 4,700.76 |
| NORTHLAND REBUILDING | 225.00 |
| NORTHWEST DIVERS | 9.59 |
| OFFICEMAX CONTRACT INC | 172.65 |
| OLSON OIL CO INC | 513.77 |
| ONE CALL LOCATORS LTD | 102.56 |
| OTTER TAIL CO EMPLOYEES COMMIT | 52.00 |
| OTTER TAIL POWER COMPANY | 720.00 |
| OTTER TAIL TELCOM | 298.09 |
| OTTERTAIL TRUCKING INC | 6,038.40 |
| OVERHEAD DOOR COMPANY | 177.32 |
| PACE ANALYTICAL SERVICES INC | 3,391.00 |
| PAMIDA INC 008 | 5.94 |

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|--------------------------------|--------------------------|
| PC MAGAZINE | 47.00 |
| PELICAN RAPIDS PRESS | 67.50 |
| PENROSE OIL COMPANY | 3,374.95 |
| PERHAM ACE HARDWARE | 19.65 |
| PERHAM ENTERPRISE BULLETIN | 54.00 |
| PERHAM SAND & GRAVEL | 1,035.00 |
| PERSONNEL EVALUATION INC | 16.00 |
| PETE'S AMOCO | 1,058.62 |
| PETE'S BODY SHOP & TOWING | 279.35 |
| PREMIUM WATERS INC | 5.66 |
| PRIME CONSTRUCTION CO | 675.00 |
| PRO AG FARMERS CO OP | 886.96 |
| PRODUCTIVE ALTERNATIVES INC | 76.56 |
| QUICK'S NAPA AUTO PARTS | 24.50 |
| RAMSEY COUNTY | 1,200.00 |
| RAYMOND LEE SAND GRAVEL & EXCA | 1,520.00 |
| RDO TRUCK CENTERS | 344.15 |
| REGIONS HOSPITAL | 158.00 |
| REVIEW ENTERPRISES INC | 45.10 |
| RINGDAHL AMBULANCE SERVICE | 120.00 |
| ROBERT B HILL CO | 706.93 |
| CHERI SCHULTZ | 48.86 |
| SIGELMAN STEEL & RECYCLING INC | 14.06 |
| STEINS INC | 108.54 |
| STENERSON LUMBER | 105.96 |
| STRAND ACE HARDWARE | 37.43 |
| STREICHERS | 1,388.48 |
| SUSAN ULSCHMID | 79.60 |
| UNIFORMS UNLIMITED | 107.70 |
| VERGAS ACE HARDWARE | 21.63 |
| VERGAS 66 | 1,345.69 |
| VICTOR LUNDEEN COMPANY | 9.88 |
| VIKING COCA-COLA | 131.26 |
| WADENA ASPHALT INC | 3,168.00 |
| WADENA CO AUDITOR TREASURER | 2,203.65 |
| WASTE MANAGEMENT | 42,189.70 |
| WELLS ROAD GRADING | 200.00 |
| WEST PAYMENT CENTER | 2,678.43 |
| WHITE BANNER UNIFORM SHOP | 76.99 |
| ZIEGLER INC | 448.19 |
| <u>**** FINAL TOTAL.....</u> | <u>\$278,301.45 ****</u> |

TEMPORARY SNOWMOBILE TRAIL EASEMENT

This Snowmobile Trail Easement is granted this 18th day of December 2007, by the Otter Tail County Auditor, under the provision of Minnesota Statute 282.04, Subdivision 4, to the Otter Trail Riders Snowmobile Club, for the purpose of establishing and maintaining a temporary seasonal use snowmobile trail across the following described tax forfeited property situated in the County of Otter Tail, State of Minnesota, to wit:

The East Half of the Southwest Quarter Except the West 10 Rods of the North 16 Rods, all in Section 34 of Township 136 Range 40 - (78 Acres).

That the Otter Tail County Auditor, per the provision of Minnesota Statute 282.04, Subdivision 4, in receipt of \$1.00, hereby grants an easement, for a period not to extend past December 31, 2008, over and across the above described tax forfeited property as shown on the attached drawing subject to the following conditions:

1. Upon a 90-day written notice this easement shall terminate and will be cancelled by a resolution of the Otter Tail County Board of Commissioners if,
 - a.) at any time the easement conflicts with any public use of the property,
 - b.) at any time the Otter Trail Riders Snowmobile Club should cease to exist,
 - c.) at any time the designated route is no longer used as a snowmobile trail,
 - d.) at any time the above described tax forfeited property is sold/conveyed, and
 - e.) at any time, any of the conditions stated in this document are in default.
2. The right-of-way of the snowmobile route shall be open to the general public only for snowmobile use.
3. The State of Minnesota and the County of Otter Tail shall at all times have the right to enter upon the above described property and upon said right-of-way for any purposes necessary for the performance of our lawful powers and duties.
4. The State of Minnesota and the County of Otter Tail shall have the right to close said right-of-way during any emergency. When practical the Otter Trail Riders Snowmobile Club will be notified.
5. This easement is for a 16' width over the route to use as a seasonal use snowmobile trail.
6. Signage by the Otter Trail Riders Snowmobile Club of the trail to direct the use and safety of the trail across the above referenced property is encouraged. If the temporary snowmobile trail easement is not renewed the Otter Trail Riders Snowmobile Club prior to December 31, 2008, must remove all signage or Otter Tail County shall have the right to remove the signs and the costs for such removal will be the responsibility of the Otter Trail Riders Snowmobile Club.
7. The Otter Trail Riders Snowmobile Club shall indemnify the County against any claim arising from the use of the property as a snowmobile trail and will maintain insurance, as required by the separate Snowmobile Trail Agreement held with the County.

Witness my hand and official seal this 18th day of December, 2007.

Wayne Stein, Otter Tail County Auditor

State of Minnesota)
)SS
County of Otter Tail)

Subscribed and Sworn to before me this 18th day of December, 2007.

Notary Public

For the Otter Trail Riders Snowmobile Club

Dated

State of Minnesota)
)SS
County of)

Subscribed and Sworn to before me this day of 2007.

Notary Public