

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, November 4, 2008
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, November 4, 2008, at 9:37 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, 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 Board of Commissioners agenda of November 4, 2008, with the following addition:
Discussion Regarding the Fort Juleson Property

Approval of Minutes

Motion by Froemming, second by Erickson, and unanimously carried to approve the Board of Commissioners meeting minutes of October 28, 2008, as presented.

Approval to Pay Bills

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

Forgiveness of Penalty

Motion by Block, second by Froemming, and unanimously carried to deny the request of CBM of Perham for forgiveness of tax penalty, in the amount of \$48.32 for Parcel No. 77000990085000 because the postmark was October 17, 2008, which is after the tax due date. The late payment was not caused by an error by the County.

Motion by Mosher, second by Block, and unanimously carried to deny the request of Comfort Inn of Fergus Falls for forgiveness of tax penalty, in the amount of \$972.76, for Parcel ID Nos. 71003500195009, 71003991466000, & 7100399146700. The late payment was not caused by an error by the County.

Discussion – Fort Juleson

Commissioner Mosher opened discussion regarding the Fort Juleson property. County Attorney, David Hauser, reviewed a letter dated September 30, 2008 that was sent to the property owner's attorney. There has not been a response back regarding the letter. Items of discussion included an appraisal request with an historical value and a proposed parking lot for the site. Commissioners requested that the Friends of Fort Juleson attend the next Board meeting for further discussion.

Credit Card Approval

Motion by Mosher, second by Block, and unanimously carried to authorize the issuance of an Otter Tail County Credit Card with a 30 day limit of \$750.00, to Social Worker, Elizabeth Bakken, as requested.

License Application

Motion by Erickson, second by Mosher, and unanimously carried to approve the following application for license:

Elizabeth General Store	Tobacco
102 W. Broadway	
Elizabeth, MN 56533	

Transfer of Funds

Motion by Erickson, second by Mosher, and unanimously carried to approve a reimbursement to the Otter Tail County Road and Bridge Fund, in the amount of \$389,891.58 from the Otter Tail County Capital Improvement Fund for the following capital expenditures:

C.P. 08:126B – Tight Blade, Wear Course, Etc.	\$355,255.49
Equipment Rental	18,145.27
C.P. 07:SALT – Battle Lake Salt Shed	12,023.14
IPF720 Canon Color Plotter	<u>4,467.68</u>
Total	\$389,891.58

RESOLUTION

Otter Tail County Resolution No. 2008 - 61

RESOLUTION ACCEPTING RESPONSIBILITY AS THE SPONSORING AGENCY

Commissioner Erickson offered the following and moved its adoption:

BE IT RESOLVED THAT: Otter Tail County act as sponsoring agency for a "Transportation Enhancements" project identified as **Phelps Mill Bridge Restoration – Bridge No. L0885** and acknowledges herewith that it is willing to be the project sponsor; knowing full well that such sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations.

BE IT FURTHER RESOLVED THAT: Richard K. West, P.E., County Engineer is hereby authorized to act as agent on behalf of this applicant.

Commissioner Froemming seconded the motion and upon being put to vote, the resolution was unanimously adopted:

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Syd Nelson, Board of Commissioners Chair

Attest: _____

Larry Krohn, Clerk

RESOLUTION

Otter Tail County Resolution No. 2008 - 62

AGREEMENT TO MAINTAIN FACILITY

Commissioner Erickson 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 **Phelps Mill Bridge Restoration – Bridge No. L0885.**

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 Froemming seconded the motion and upon being put to vote, the resolution was unanimously adopted:

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____

Syd Nelson, Board of Commissioners Chair

Attest: _____

Larry Krohn, Clerk

Agreement with Braun Intertec

Motion by Froemming, second by Erickson, and unanimously carried to authorize the Highway Department to enter into an agreement between the County of Otter Tail and Braun Intertec to perform a hazardous material inspection, at an estimated cost of \$900 per bridge for Bridge No. 56502 over the Otter Tail River and Bridge No. L0944 over the Leaf River.

Reduction in Retainage for Highway Project

Motion by Mosher, second by Froemming, and unanimously carried to authorize reduction of retainage to 1% for the Reconstruction Project of CSAH 67 from New York Mills to CSAH 58. The contractor for the project is Central Specialties, Inc.

Recess & Reconvene

At 10:29 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for a Highway Committee meeting. The Board of Commissioners' meeting was reconvened at 10:50 a.m.

**General Discussion
Recess & Reconvene**

Discussion took place regarding the recent Board of Equalization workshop and the concept of grant availability to begin programs with no guarantee of funding down the road. At 11:32 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners recessed for a short break. The meeting was reconvened at 11:42 a.m.

Waterfowl Easement

Motion by Erickson, second by Mosher, and unanimously carried to certify the acquisition of lands by the U.S. Fish and Wildlife Service for wildlife habitat preservation as follows:
Upgren, Stephen R.

T.135N., R. 41 W., 5th P.M.
Section 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Government Lot 7, Government Lot 8.

Adjournment

At 11:58 a.m., Chairman Nelson declared the meeting of the Otter Tail County Board of Commissioners adjourned until Wednesday, November 12, 2008.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Syd Nelson, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

WARRANTS APPROVED ON 11/04/2008 FOR PAYMENT 11/04/2008

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A-1 LOCK & KEY LLC	60.00
A-1 TROPHY	73.80
A^VIANDS LLC	3,359.13
AMERICAN INSTITUTIONAL SUPPLY	78.51
AMERICAN LEGAL PUBLICATIONS	64.05
BEAR GRAPHICS INC	2,368.88
BEN FRANKLIN	11.03
BEYER BODY SHOP INC	10,188.98
BLESIEVANS COMPANY	167.28
BOB BARKER COMPANY INC	84.69
BUY-MOR PARTS & SERVICE LLC	90.41
CARR'S LAKE COUNTRY SUPERMARKE	184.72
CENTRAL DOOR & HARDWARE INC	54.34
CHARTER COMMUNICATIONS	65.55
CITY DIRECTORY INC	134.00
CLAY CO TREASURER	1,522.68
GORDON CLINE	694.93
COMMISSIONER OF TRANSPORTATION	150.00
COOPERS TECHNOLOGY GROUP	814.28
DAKOTA PRINTER REPAIR LLC	201.23
DAN'S TOWING & REPAIR	157.62
DEX EAST	372.00
ELECTION SYSTEMS & SOFTWARE IN	95.85
HELEN ERKENBRACK	40.42
FERGUS FALLS POLICE DEPT	713.70
CITY FERGUS FALLS	3,018.76
FRAZEE FORUM INC	674.85
GALL'S INC	195.16
GEOCOMM	3,293.00
GODFATHERS EXTERMINATING INC	138.66
GREENMAN TECHNOLOGIES OF MN IN	407.31
DALE HABERER	96.00
HANCOCK CONCRETE PRODUCTS CO	1,483.09
HINTERMEISTER INC	39.45
INNOVATIVE OFFICE SOLUTIONS	1,088.91
INSIGHT PUBLIC SECTOR	222.56
J EGGUM METALS & RECYCLING	15,171.00
JK SPORTS	36.00
JOHNSTON FARGO CULVERT INC	1,569.81
KELLY SERVICES INC	1,084.20
LAKE SUPERIOR COLLEGE	1,250.00
LARRY OTT INC TRUCK SERVICE	450.00
PAT LARUM	144.10
KOLTEN LEE	96.00
JERRY LEIN	134.95
M-R SIGN COMPANY INC.	438.46
MARCO	63.70
MARCO INC FARGO	1,681.68
MARCO INC ST LOUIS	225.21
WENDY METCALF	403.41
CHARLES MEYER	1,896.50
MIDWESTERN MAT RENTAL & SUPPLY	69.60
MN MOTOR COMPANY	63.68
MN TRANSPORTATION ALLIANCE	15.00
JIM MYHRE	164.71
NARDINI FIRE EQUIPMENT	142.14

NELSON AUTO CENTER	784.39
NORTH AMERICAN SALT CO	74,539.78
NOVA FIRE PROTECTION	730.00
OFFICEMAX INCORPORATED	500.51
RICHARD OLSON	4,312.02
OTIS ELEVATOR CO	107.77
OTTER TAIL CO EMPLOYEES COMMIT	132.00
OTTER TAIL CO PUBLIC HEALTH	64.00
OTTER TAIL CO TREASURER	14.50
OTTERTAIL TRUCKING INC	16,242.70
OUTDOOR RENOVATIONS LANDSCAPE	400.00
OVERHEAD DOOR CO OF FERGUS FAL	90.00
OVERLAND MECHANICAL SERVICES	321.15
PELICAN RAPIDS PRESS	1,471.48
PETE'S BODY SHOP & TOWING	216.73
CHERYL PETERSEN	131.98
PINE PLAZA TV APPLIANCE	21.28
RAY'S OIL COMPANY	3,617.47
RELIABLE OFFICE SUPPLIES	284.06
NATHAN SELANDER	20.55
SERVICE FOOD SUPER VALU	126.03
PAUL SIMENGAARD	121.46
SIMPLEXGRINNELL LP	3,173.70
SOUTH MILL SERVICE	14.86
STEINS INC	3,425.15
STREICHERS	192.18
STRINGER BUSINESS SYSTEMS INC	15.26
SYNERGY GRAPHICS	278.82
TEAM LABORATORY CHEMICAL CORP	106.50
THERM-AIR SALES CORPORATION	470.97
THYSSEN KRUPP ELEVATOR CORPORA	241.00
UNIVERSITY OF MN	120.00
VOSS LIGHTING	1,678.00
JO WEATHERLY	1,167.06
WEST OTTER TAIL TOWNSHIP ASSOC	260.00
<u>**** FINAL TOTAL.....</u>	<u>\$171,899.34****</u>