

**MINUTES OF THE
OTTER TAIL COUNTY BOARD OF COMMISSIONERS
Government Services Center, Commissioners' Room
500 W. Fir Avenue, Fergus Falls, MN
Tuesday, February 2, 2010
9:30 a.m.**

Call to Order

The Otter Tail County Board of Commissioners convened Tuesday, February 2, 2010, at 9:30 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners, Roger Froemming, Chair; John Lindquist, Vice-Chair; Everett Erickson, Doug Huebsch and Lee Rogness present.

Approval of Agenda

Motion by Lindquist, second by Erickson, and unanimously carried to approve the Board of Commissioners agenda of February 2, 2010 with the following addition:

10:10 a.m. – Facilities Operations Manager, Rick Sytsma

Approval of Minutes

Motion by Lindquist, second by Erickson, and unanimously carried to approve the Board of Commissioners meeting minutes of January 26, 2010 as mailed.

Approval to Pay Bills

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

DWI Court Grant Application Approval

Probation Director, Chuck Kitzman, and Human Services Director, John Dinsmore, met with the Board to discuss a U.S. Department of Justice Program Grant that must be submitted by February 11, 2010. Documentation including an overview of the available funding was provided. Mr. Kitzman stated that Otter Tail County is eligible for the enhancement grant under the program. Mr. Dinsmore reviewed the highlights of the grant noting that the purpose of the enhancement grant is to expand DWI Court program services. County match requirements were discussed. Motion by Rogness, second by Lindquist, and unanimously carried to authorize the submission of an enhancement grant application for Otter Tail County's DWI Specialty Court program through the Federal Bureau of Justice to seek no more than \$200,000 with a 25% (including in-kind) match requirement. The grant funding will allow DWI Drug Court to serve more clients.

Optional Forms of County Government

County Attorney, David Hauser, briefed the Board on Minnesota Statute 375A which explains alternative forms of county government. Discussion followed regarding the information.

Final Payment – C.P. 05:12 OUTLET

Motion by Lindquist, second by Erickson, and unanimously carried to approve Final Payment, payable to Feldt Plumbing, LP of Detroit Lakes, MN, in the amount of \$8,757.84 pursuant to Estimate #14 for a temporary pumping system for the Johnson Lake project.

Final Payment – Ottertail Operations Center

Motion by Huebsch, second by Rogness, and unanimously carried to approve Final Payment, from the Construction Fund to Pro Landscapers LLC, in the amount of \$2,044.12, for landscaping at the Ottertail Operations Center.

**CLASSIFICATION OF TAX FORFEITED LANDS
AND
REQUEST FOR DNR APPROVAL
Otter Tail County Resolution No. 2010 – 08**

WHEREAS, The County Board of Commissioners of the County of Otter Tail, State of Minnesota, desires to offer for public sale, government acquisition (public use or private) and/or private sale to adjacent owners certain parcels of land that have forfeited to the State of Minnesota for non-payment of taxes, and

WHEREAS, Said parcels of land have been considered and/or viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01.

NOW, THEREFORE, BE IT RESOLVED, That the Otter Tail County Board of Commissioners hereby certifies that all parcels of land on the attached Exhibit A have been considered and/or viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subd. 8, 282.018 and other statutes that require the withholding of tax-forfeited lands from sale. The County Board of Commissioners hereby certifies that the East and West Otter Tail County Soil and Water Conservation Board will review, as required, the appropriate properties as listed on Exhibit A for the purpose of identifying any and all non-forested marginal lands and wetlands.

BE IT FURTHER RESOLVED, That the Otter Tail County Board of Commissioners hereby respectfully request approval from the Minnesota Department of Natural Resources for the public sale, government acquisition (public use or private) and/or private sale to adjacent owners of said lands identified in Exhibit A.

On February 2, 2010, Commissioner Erickson moved the adoption of the above resolution. Commissioner Lindquist seconded the motion to adopt said resolution. The question was on the adoption of the resolution, and there were 5 YEAS and 0 NAYS as follows:

OTTER TAIL COUNTY BOARD OF COUNTY COMMISSIONERS	YEA	NAY	OTHER
Lee Rogness	X		
Doug Huebsch	X		
John Lindquist	X		
Everett Erickson	X		
Roger Froemming	X		

Adopted this 2nd day of February, 2010.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

County Board Pictures

Physical Plant Manager, Rick Sytsma requested authorization to upgrade old County Board pictures, store them in a high quality digital scan, and mat and frame them to hang on the northeast wall of the Otter Tail Lake room in the Government Services Center building. Motion by Erickson, second by Rogness, and unanimously carried to authorize the Plant Manager to display County Commissioner Board pictures as described at an approximate cost of \$1,500.00.

Recess & Reconvene

At 10:22 a.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners recessed for committee meetings. The meeting was reconvened at 11:12 a.m.

Closed to the Public

Chairman Froemming 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, Nursing, and Facilities Maintenance collective bargaining unions. Present were all five seated Commissioners, County Attorney, County Coordinator and Board Secretary. At 11:37 a.m., upon completion of the closed session, Chairman Froemming reconvened the meeting in open session.

Equitable Sharing Agreement and Certification

Motion by Erickson, second by Huebsch, and unanimously carried to authorize the appropriate County officials' signatures to execute an Agreement between the County of Otter Tail Sheriff's Office and the U.S. Department of Justice which facilitates distribution of funds resulting from drug task force seizures.

Recess

At 12:00 p.m., Chairman Froemming recessed the meeting of the Otter Tail County Board of Commissioners for lunch break.

Closed to the Public

At 1:15 p.m., Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners reconvened and closed to the public to discuss litigation in the matter of foreclosure proceedings relative to the Ethanol Plant. The closed session is authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were all five seated Commissioners, attorneys from Lindquist & Vennum via conference call, the County Attorney, County Coordinator and Board Secretary.

Recess & Reconvene

At 2:30 p.m., Chairman Froemming recessed the meeting of the Otter Tail County Board of Commissioners until Wednesday, February 3, 2010 at 6:15 p.m.

Closed to the Public

At 6:15 p.m., on Wednesday, February 3, 2010, Chairman Froemming declared the meeting of the Otter Tail County Board of Commissioners closed to the public to discuss litigation in the matter of foreclosure proceedings relative to the Ethanol Plant. The closed session is authorized by attorney-client privilege, Chapter 13D.05 Subd. 3b. Present were all five seated Commissioners and the County Attorney.

Adjournment

At 6:45 p.m., on February 3, 2010, Chairman Froemming adjourned the meeting of the Otter Tail County Board of Commissioners until Tuesday, February 9, 2010.

Dated: _____

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: _____
Roger Froemming, Board of Commissioners Chair

Attest: _____
Larry Krohn, Clerk

approved minutes

WARRANTS APPROVED ON 2/02/2010 FOR PAYMENT 2/02/2010

<u>VENDOR NAME</u>	<u>AMOUNT</u>
A-1 ENGRAVING	63.07
BRIAN ARMSTRONG	66.51
CALL ONE INC	432.90
COLLEGE WAY AUTO INC	436.19
COOPERS TECHNOLOGY GROUP	20.92
CULLIGAN WATER CONDITIONING	10.69
DACOTAH PAPER COMPANY	561.07
DAIRYLAND LABORATORIES INC	82.00
E & J PRESS	277.87
EGGE CONSTRUCTION INC	75.00
FERGUS ELECTRIC	536.93
CITY FERGUS FALLS	7,656.50
FRONTIER PRECISION INC	1,608.47
GALL'S INC	267.23
PATRICK GRIFFIN	115.08
HEPPNER CONSULTING INC	8,602.37
INNOVATIVE OFFICE SOLUTIONS	98.27
J C'S GENERAL STORE	29.99
JK SPORTS	70.00
KELLY SERVICES INC	525.12
MARCIE KNUDSEN	77.73
LAB SAFETY SUPPLY INC	1,166.16
LAKELAND MENTAL HEALTH CENTER	67.50
LEWIS WELDING & EQUIPMENT	7.18
LIND FAMILY FUNERAL SERVICE	460.00
LITTLE FALLS MACHINE INC	1,332.73
LOCATORS & SUPPLIES INC	187.27
LONG WEEKEND SPORTSWEAR	132.00
MARCO	904.75
MARCO INC ST LOUIS	232.06
STEWART MENSING	5.00
GEORGE MEYER	153.51
MID-CENTRAL EQUIPMENT INC	9.08
MINNKOTA	29.00
MN DEPT OF COMMERCE	375.00
MN DEPT OF HUMAN SERVICES	153.63
MN STATE AUDITOR	1,588.00
DEBORAH MORRIS	78.77
NAPA FERGUS FALLS	1.42
NATIONAL ASSOC OF COUNTY ENGIN	450.00
NELSON AUTO CENTER	11.44
NETWORK CENTER COMMUNICATIONS	355.00
CITY NEW YORK MILLS	373.66
NORTH AMERICAN SALT CO	28,976.17
NORTHLAND COMMUNITY & TECHNICA	302.50
OTIS ELEVATOR CO	113.04
OTTER TAIL CO EMPLOYEES COMMIT	988.60
OTTER TAIL CO PUBLIC HEALTH	265.81
OTTER TAIL CO TREASURER	35.00
OTTER TAIL TELCOM	534.35
OTTERTAIL TRUCKING INC	704.00
PERHAM SAND & GRAVEL	177.20
PITNEY BOWES	2,893.00
POLK CITY DIRECTORIES	175.00
PRODUCTIVE ALTERNATIVES INC	87.11
QUARTERMASTER	46.48
RAY'S OIL COMPANY	2,644.00
RELIABLE OFFICE SUPPLIES	167.42

OTC Board of Commissioners' Minutes
February 2, 2010
Attachment A, Page 2

SCHRADER'S LAW ENFORCEMENT SUP	21.29
VICKI SCHWANKE	145.00
SERVICE FOOD SUPER VALU	19.79
SHERATON BLOOMINGTON HOTEL	235.40
SIGNWORKS	573.22
SOUTHTOWN C-STORE	427.21
SPRINT	559.86
STEINS INC	328.60
STRAND HARDWARE & RADIO SHACK	6.39
STREICHERS	1,058.00
SUPERIOR SHORES RESORT & CONFE	431.43
T & K TIRE SERVICE	240.00
TOUTGES SANITATION	111.60
TRADEHOME SHOES	382.45
TRANQUILITY BUILDING SERVICES	454.22
CHRISTINE TUNGSETH	102.36
ULTEIG ENGINEERS	395.18
UNIFORMS UNLIMITED	75.23
VICTOR LUNDEEN COMPANY	32.83
VOSS LIGHTING	329.90
WADENA CO SHERIFF	159.30
WELLS ROAD GRADING	2,465.00
WEST PAYMENT CENTER	1,368.61
<u>**** FINAL TOTAL.....</u>	<u>\$77,719.62 ****</u>

approved minutes

**2010 Working List for Tax Forfeited Land Sale
 Public Sale, Private Sale and Government Acquisition
 (Private and/or Public)
 Exhibit A**

Aurdal Township				
Date	PID Property Address Legal Description	Value		Assessments Before Forfeiture
(1) 07/28/41	03-000-11-0073-001 (544) From Tax Rolls - Section 11 Township 133 Range 42 – Beginning at the southeast corner of Lot 1 Pleasure Point thence Southwesterly along road 1 rod, thence South to Lake, thence East 1 rod, North to beginning. From Book 171 Page 39 - Commencing at a point of the southeast cor of Lot One, in Pleasure Point according to the Plat thereof on file and of record in the office of the Register of Deeds of Otter Tail County Minnesota and being a part of the South Half of the Northwest quarter, (S½NW¼) Sec. Eleven, (11) in Township One hundred thirty – three, (133) Range forty two (42) west, thence southwesterly alo the road one rod, thence south to the lake shore, thence east along lake shore line one road, thence north to place of beginning.	Appraised –	90.00	0.00
		Specials After Forfeiture	0.00	
		-		
		Timber -		
		Basic Sale Price -		
Lida Township				
Date	PID Property Address Legal Description	Value		Assessments Before Forfeiture
(2) 09/06/08	37-000-99-0809-000 (548) Lida Shores Lot 1 Block 5	Appraised –	270.00	0.00
		Specials After Forfeiture	0.00	
		-		
		Timber -		
		Basic Sale Price -		

Oak Valley Township				
Date	PID Property Address Legal Description	Value		Assessments Before Forfeiture
(3) 09/06/08	43-000-08-0072-002 (2155) Section 8 Township 133 Range 36 North 10 Rods of South 41 Rods of West 8 Rods of SW¼ SE¼ .50 of an Acre	Appraised – Specials After Forfeiture - Timber - Basic Sale Price -	2,670.00 0.00	0.00
Woodside Township				
Date	PID Property Address Legal Description	Value		Assessments Before Forfeiture
(4) 08/10/09	62-000-21-0172-000 (786) From Tax Rolls - Section 21 Township 132 Range 36 BEG 2 RDS E OF NW COR OF NW1/4 SE1/4 THEN W 2 RDS S 2 RDS NE TO BEG. (.01 of an acre) From Book 309 Page 333 - Beginning at a point two (2) rods due east from the northwest corner of the Northwest Quarter of the Southeast Quarter (NW¼ of SE¼) of Section Twenty-one (21) Township One Hundred Thirty-two (132) North, Range Thirty-six (36) West of the 5 th P.M., thence running west two (2) rods, thence south two (2) rods, thence northeasterly to the point of beginning, containing five hundred forty-four (544) square feet.	Appraised – Specials After Forfeiture– Timber – Basic Sale Price -	30.00 0.00	0.00

City of Battle Lake				
Date	PID Property Address Legal Description	Value		Assessments Before Forfeiture
(5) 08/10/09	63-000-99-0442-000 (542) From Tax Rolls - Section 4 Township 132 Range 40 RAILROAD ADDN – BL LOT 1 BLK 6 From Document No. 1007540 - Lot 1 (1), Block Six (6) of Railroad Addition to the City of Battle Lake, according to the recorded plat thereof.	Appraised – Specials After Forfeiture - Timber – Basic Sale Price -	2,300.00 0.00	1,935.00
City of Fergus Falls				
Date	PID Property Address Legal Description	Value		Assessments Before Forfeiture
(6) 08/10/09	71-004-99-0490-000 (544) Section 3 Township 132 Range 43 Nelson's Second Addition Lot 6 Block 3 Property Address – 1320 Vine St. S., Fergus Falls, MN	Appraised – Specials After Forfeiture - Timber - Basic Sale Price -	1,620.00 0.00	0.00

City of Urbank			
Date	PID Property Address Legal Description	Value	Assessments Before Forfeiture
(7) 09/06/08	81-000-30-0006-001 (547) From Tax Rolls – Section 30 Township 131 Range 38 West 76.5' of East 175.5' of North 130' of South 460' of SE ¼ SW ¼ except Northwest 10' by 10' (.37 of an Acre) From Recorded Document – All that part of the SE1/4 SW1/4 described by metes and bounds as follows – Beginning at a point 20 rods North and 6 rods West of the southeast corner of the SE1/4 SW1/4 of Section 30 Township 131 Range 38, thence North 130' , thence West 66½ feet, thence South 10 ft., thence West 10 feet thence South 120 feet thence east 76½ feet to point of beginning. Property Address – 65 Central Ave N., Urbank, MN	Appraised – 2,910.00 Specials After Forfeiture 85.00 - Timber - Basic Sale Price –	261.25
(8) 08/10/09	81-000-99-0025-003 (547) Per Tax Rolls (Pay 2009) Section 30 Township 131 Range 38 Urbank South 67' of the North 267' of Lot 1 Block 2 Per Deed (Book 380 Page 437) South 67 feet of the North 267 feet of Lot One (1), Block Two (2), Townsite of Urbank.	Appraised – 690.00 Specials After Forfeiture 0.00 - Timber - Basic Sale Price -	0.00