

**ADJOURNED MEETING OF THE COUNTY BOARD
MARCH 18, 2008**

The Board of County Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m., on Tuesday, March 18, 2008. Members present: Belshan, Nelson, Behrends, Mathiason, and Shoff.

Commissioner Shoff offered the following motion:

MOVED, to approve the March 4, 2008 Board Meeting Minutes.

Motion seconded by Commissioner Behrends.

After discussion, a vote was taken and the Chair declared the motion approved.

Commissioners reported on meetings attended.

Commissioner Belshan offered the following resolution:

**RESOLUTION 08-037
COUNTY DITCHES**

RESOLVED, that the County Board does hereby authorize and instruct the County Ditch Inspector to engage the necessary labor and equipment to make repairs on County Ditch #49 and County Ditch #65.

Resolution seconded by Commissioner Nelson.

Chairman, Commissioner Mathiason asked for any public comments. There were none.

After discussion, a vote was taken and the Chair declared the resolution was unanimously adopted.

Commissioner Belshan offered the following motion:

MOVED, to set a public hearing for the Final Hearing on the Redetermination of Benefits of County Ditch 36 for April 15, 2008 at 8:45 a.m.

Motion seconded by Commissioner Shoff.

After discussion, a vote was taken and the Chair declared the motion approved.

Commissioner Behrends offered the following motion:

MOVED, to set a public hearing for the Final Hearing on the Redetermination of Benefits of County Ditch 49 for April 15, 2008, at 8:45 a.m.

Motion seconded by Commissioner Nelson.

After discussion, a vote was taken and the Chair declared the motion approved.

Dan Dorman, Director of the Albert Lea Economic Development Agency, addressed the Board to advise them of the new Tax Increment Financing district for Freeborn Lumber's construction of new facilities on Plaza Street in the City of Albert Lea. Mr. Dorman advised the Board of his intention to provide updates on ALEDA activities regularly to inform the Board of Commissioners and answer any questions they may have.

Environmental Services Administrator Randy Tuchtenhagen requested guidance from the Board on renewal of the recyclables collection contract, currently with Waste Management, which expires December 1, 2008. Mr. Tuchtenhagen asked the Board to advise if they want him to

negotiate the contract renewal with Waste Management, or if they want him to requests bids for these services.

Commissioner Belshan offered the following motion:

MOVED, to authorize Environmental Services Administrator Tuchtenhagen to negotiate with Waste Management for renewal of the recyclables collection contract, and to instruct Administrator Tuchtenhagen to simultaneously publicize and accept bids for this contract from all interested parties.

Motion died for lack of second.

Commissioner Behrends offered the following motion:

MOVED, to authorize Environmental Services Administrator Tuchtenhagen and County Administrator John Kluever to negotiate with Waste Management for renewal of the recyclables collection contract and bring the results back to the Board for consideration in May, 2008.

Motion seconded by Commissioner Nelson.

After discussion, a vote was taken and the Chair declared the motion approved with Commissioners Shoff, Behrends, Nelson and Mathiason voting aye and Commissioner Belshan voting no.

Commissioner Belshan offered the following motion:

MOVED, to instruct Environmental Services Administrator Tuchtenhagen to contact Mike Peterson, who has expressed interest in providing the recycling collection services to the County, and negotiate a contract with him to compare to the contract to be negotiated with Waste Management, and to bring that information back to the Board for consideration in May, 2008.

Motion seconded by Commissioner Nelson.

After discussion, a vote was taken and the Chair declared the motion approved with Commissioners Belshan, Shoff and Nelson voting aye, and Commissioners Behrends and Mathiason voting no.

Commissioner Nelson offered the following resolution:

RESOLUTION 08-038
CONDITIONAL USE PERMIT-CHRISTENSEN FARMS

RESOLVED, that pursuant to the provisions of the County of Freeborn Zoning Ordinance No. 15, Article 23 and Article 17, a Conditional Use Permit is hereby granted to Christensen Farms for the construction of a 71' X 332' total confinement barn with slats over a 71' X 332' X 8' reinforced poured concrete pit to house 3300 swine between 55 and 300 lb. A total of 990 animal units are proposed for this site. This will be located on the following described property:

SE ¼ of the SE ¼ of Section 31 of Mansfield Township, Freeborn County, Minnesota

BE IT FURTHER RESOLVED, that said Conditional Use Permit be subject to the conditions herein set forth:

1. Owner/operator shall schedule a pre-construction meeting with the owner/operator, engineer(s), concrete contractor(s), perimeter tile installer(s) and the Environmental Services Department 3 days prior to start of the construction.

2. Owner/operator shall register this facility with the Minnesota Pollution Control Agency (MPCA). This registration shall be updated every 4 years. A Freeborn County Feedlot Permit shall also be obtained and maintained.
3. All manure generated at this facility shall be injected or immediately incorporated in agricultural ground at recommended agronomic rates. All manure application setback distances shall be followed. There are approximately 315 acres available for manure application. Inclement weather shall be the only exception to this manure application method.
4. Owner/operator shall notify Freeborn County Environmental Services Department prior to removing manure from a manure storage area.
5. This facility shall comply with the MPCA Rules 7020, and Article 6 and Article 17 of the Freeborn County Zoning Ordinance.
6. This facility shall not be extended or expanded without review and approval of the Freeborn County Board of Commissioners.
7. The Permit may be revoked by the Freeborn County Board of Commissioners at a public hearing to be held after 30 days notice is given for failure to comply with the provisions of the Permit.
8. The facility shall obtain and maintain an NPDES permit before construction.
9. Feedlot owner shall cooperate with the affected road authority in regards to upkeep and maintenance of roads utilized by the facility.
10. The facility shall install the windbreak that is included with the application.
11. Owner/operator shall verify well(s) on the abandoned farm site are properly capped as per Minnesota Department of Health Rules.

Resolution seconded by Commissioner Behrends.

Chairman, Commissioner Mathiason asked for any public comments. There were none. After discussion, a vote was taken and the Chair declared the resolution was unanimously adopted.

Commissioner Belshan offered the following motion:

MOVED, to set a public hearing for the proposed amendments to Freeborn County Zoning Ordinance 15.074 for May 6, 2008, at 8:45 a.m.

Motion seconded by Commissioner Shoff.

After discussion, a vote was taken and the Chair declared the motion approved.

Commissioner Belshan offered the following motion:

MOVED, to reappoint William Goette, Gordon Toenges and Frank Gjersvik to the Freeborn County Planning Commission for 3 year terms expiring 12/31/10.

Motion seconded by Commissioner Shoff.

After discussion, a vote was taken and the Chair declared the motion approved.

Commissioner Behrends offered the following motion:

MOVED, to appoint Art Smith and Bill Danielsen to serve on the Freeborn County Planning Commission for 3 year terms expiring 12/31/10.

Motion seconded by Commissioner Shoff.

Commissioner Belshan offered the following motion:

MOVED, to table the motion for appointment of Art Smith and Bill Danielsen until the next regular meeting of the Board of Commissioners on April 1, 2008.

Motion seconded by Commissioner Mathiason.

After discussion, a vote was taken and the Chair declared the motion approved, with Commissioners Belshan, Shoff, Nelson and Mathiason voting aye, and Commissioner Behrends voting no.

Commissioner Belshan offered the following resolution:

**RESOLUTION 08-039
AUTHORIZING FINAL PAYMENT ON SAP24-599-32**

WHEREAS, that the County of Freeborn has been designated the road authority for Carlston Township Road T-157 for the purpose of bridge construction, and,

WHEREAS, that the work by Kimball Excavating, Inc. of 320 State 76, Houston, MN 55943, SAP 24-599-32 has been completed in a satisfactory manner.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor-Treasurer is hereby authorized to make final payment in the amount of \$2,465.98.

Resolution seconded by Commissioner Shoff.

Chairman, Commissioner Mathiason asked for any public comments. There were none. After discussion a vote was taken and the resolution was unanimously adopted.

Commissioner Behrends offered the following resolution:

**RESOLUTION 08-040
AUTHORIZING FINAL PAYMENT ON SAP24-599-38**

WHEREAS, the County of Freeborn has been designated the road authority for Alden Township Road T-1 for the purpose of bridge construction, and,

WHEREAS, the work by Kimball Excavating, Inc. of 320 State 76, Houston, MN 55943, SAP 24-599-38 has been completed in a satisfactory manner.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor-Treasurer is hereby authorized to make final payment in the amount of \$7,273.76.

Resolution seconded by Commissioner Nelson.

Chairman, Commissioner Mathiason asked for any public comments. There were none. After discussion a vote was taken and the resolution was unanimously adopted.

Commissioner Nelson offered the following resolution:

**RESOLUTION 08-041
AUTHORIZING FINAL PAYMENT OF 2007 ROAD STRIPING**

WHEREAS, the County Board of the Count of Freeborn is the road authority and,

WHEREAS, the work by Traffic Marking Services, Inc. of Maple Lake, MN under Freeborn County's 2007 Road Striping Contract has been completed in a satisfactory manner.

NOW, THEREFORE, BE IT RESOLVED, that the County Auditor-Treasurer is hereby authorized to make final payment in the amount of \$3,337.56.

Resolution seconded by Commissioner Shoff.

Chairman, Commissioner Mathiason asked for any public comments. There were none. After discussion a vote was taken and the resolution was unanimously adopted.

Commissioner Belshan offered the following resolution:

**RESOLUTION 08-042
DISPOSAL OF PROPERTY**

WHEREAS, Freeborn County has recognized the existence of potential excess property items, of which disposal has been recommended by the County Administrator, and,

WHEREAS, elected and non-elected department heads have identified specific property items for which they recommend disposal.

NOW, THEREFORE, BE IT RESOLVED, that the Freeborn County Administrator is hereby authorized to proceed with the proper disposal of the following excess property items in accordance with Minnesota Statute 373.01 Subd. 1 (c):

- 1 Rubber tired roller
- 1 1970 Ford 200 Tractor (#32)
- 1 1970 Ford 8N Tractor (#36)
- 1 1952 15 KW Generator with 4 cylinder Ford engine
- 1 14 Foot trailer/no brakes
- 1 Sign truck air compressor
- 2 Pickup box trailers
- 1 Stairs from courthouse
- 1 1968 International 1200 ambulance 392 4WD
- 1 Cat VC60D fork lift
- 1 Pony blade
- 1 Wood post pounder
- 120 16' 4X4 wood posts
- 120 14' 4X4 wood posts
- 1 2002 Chevrolet Venture van 3.4 liter automatic (#327)
- 1 1998 Jeep Cherokee 4.0 liter automatic 4WD (#101)
- 1 1999 Dodge 1500 quad cab pickup 5.2 liter automatic 4WD (#959)
- 1 1999 Dodge 1500 quad cab pickup 5.2 liter automatic 4WD (#916)
- 1 2003 Ford Taurus SE 3.0 liter automatic (#338)
- 1 2002 Chevrolet 1500 Silverado extended cab PU 5.3 liter automatic 4 WD (#216)
- 1 2004 Ford Focus 4 door 2.0 liter automatic (#3401)
- 1 2004 Ford Focus 4 door 2.0 liter automatic (#3402)
- 1 2002 Chevrolet 2500 pickup 6.0 liter automatic 4 WD (#255)
- 1 2002 Chevrolet 1500 Silverado extended Cab pickup 5.3 liter automatic 4WD (#258)
- 1 2000 Sterling LT 9500 gravel truck Cat 3406 Engine 10 speed trans. w/14' box, plow, wing and underbelly (#4)
- 2002 Sterling LT 9500 gravel truck Cat 3406 engine 10 speed trans. w/14' box, plow, wing and underbelly (#12)

1998 Ford LT 9500 gravel truck Cat C-10 engine 10 speed trans. w/13' box, plow, wing (#805)
1 1998 Dodge 4X4 pick up (#805)
1 paper shredder
4 27" TV's (one remote)
1 computer table
1 metal barrister's bookcase
59 computer monitors
2 combination refrigerator/freezer, full size
1 under counter freezer
1 21" RCA TV with remote
1 RCA VCR with remote
1 15' Emerson portable TV with built in VCR player/recorder and carrying case
2 plastic pamphlet racks
1 Brother 1270e fax machine
3 ergonomic keyboards
1 black ergonomic keyboard and mouse
2 flat keyboards
1 1998 Ford Crown Victoria grey squad car, 4 door (#9519)
1 2001 Ford Crow Victoria tan squad car, 4 door (#0974)
1 1974 14' Lund Big Fisherman boat with 1974 10RL Johnson 9.9 hp engine and trailer
9 35mm cameras
1 35mm camera with assorted lens and carrying case

Resolution seconded by Commissioner Shoff.

Chairman, Commissioner Mathiason asked for any public comments. There were none. After discussion a vote was taken and the resolution was unanimously adopted.

Commissioner Behrends offered the following resolution:

**RESOLUTION 08-043
AUTHORIZING CREDIT CARD AGREEMENT**

WHEREAS, Freeborn County employees have need to travel out of the State of Minnesota for a variety of trainings and meetings, and

WHEREAS, the Board of Commissioners requires that out of state air travel be pre-approved and that no personal gain from such flights accrue to the traveling employee, and

WHEREAS, it is the intent of the Board of Commissioners to control the air travel arrangements to accomplish this requirement,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does hereby authorize the County Administrator to procure a travel credit card through Wells Fargo Bank, N.A. as proposed by the County Administrator for the purpose of purchasing out of state travel tickets.

Resolution seconded by Commissioner Shoff.

Chairman, Commissioner Mathiason asked for any public comments. There were none. After discussion a vote was taken and the resolution was unanimously adopted.

Commissioner Nelson offered the following motion:

MOVED, to approve out of state travel for one Social Services Supervisor in Human Services for attendance at the 34th Annual North American Victim Assistance Conference in Louisville, Kentucky in late September or early October, 2008, with all expenses to be reimbursed by the Minnesota Office of Justice Programs..

Motion seconded by Commissioner Shoff.

After discussion, a vote was taken and the Chair declared the motion approved.

Commissioner Behrends offered the following motion:

MOVED, to approve out of state travel for two Financial Workers in Human Services for attendance at the Big 10 Food Support Conference in Indianapolis, Indiana in July, 2008, with all expenses to be reimbursed by the Food Support program.

Motion seconded by Commissioner Shoff.

After discussion, a vote was taken and the Chair declared the motion approved.

Commissioner Nelson offered the following resolution:

**RESOLUTION 08-044
APPROVAL OF CLAIMS**

RESOLVED, that the following claims be allowed and paid on March 21, 2008.

Fund	Amount	Name
01	\$ 98,497.01	County General Fund
03	\$337,450.02	County Road and Bridge
31	\$ 2,051.19	Capital Improvements Fund
40	\$ 23,371.15	County Ditches
70	\$ 375.73	Trust and Agency Fund
80	<u>\$ 15,360.74</u>	Tax Collection Fund
	\$477,105.84	Total

County General Fund

Aviands LLC 15,387.47; ACS 1,295.00; Albert Lea Area Schools 1,355.03; Albert Lea Electric 1,248.08; Albert Lea Tribune 3,904.10; American Solutions For Business 1,024.89; Anoka County Juvenile Center 4,205.00; Arrow Printing 822.57; Astrup Drug 4,847.92; Ban-Koe Systems 2,100.00; Barna Guzy Steffen 4,234.50; Brown County Evaluation Center 3,839.00; Cole Papers, Inc. 1,141.25; Computer Integrated Technologies 8,000.69; D&T Ventures 1,380.00; Executeam 319.55; Express Personnel Services 420.75; Greater Blue Earth River Basin 2,368.00; Himec 494.00; Nordean Krueger 11,040.00; LexisNexis 770.00; Manpower, Inc. 470.73; MCCC 2,851.47; MN Elevator 453.29; OfficeMax 790.72; Physician Sales and Service 775.47; Quill Corp. 915.76; Riverside Psychological Serv. 680.00; Royal Tire 1,640.36; James Schafer 1,003.62; Schmidt Goodman 414.82; Semcac 800.00; Sheraton Bloomington 375.86; Sheriffs Youth Programs 2,798.58; State of MN 3,980.14; Sterling Solutions 700.00 Tony Doom Supply Co. 2,189.30; Waste Management 1,161.61; Xerox Corp 534.71.

County Road & Bridge

Barr Engineering 8,347.50; Bauer Built Tire Center 555.30; Chemsearch 1,575.31; Cole Papers 883.42; Freeborn Co Coop Oil 11,417.87; Freeborn Lumber Co 482.94; Independent Salt Co 4,172.56; Karls Carquest Auto 1,270.96; M R Sign 5,330.42; Med-Compass 567.25; Northern Escrow

Inc 9,739.74; Raleighs Ace Hardware 793.29; Syverson Ford Inc 680.98; Traffic Marking Service 3,337.56; Truck Bodies & Equip. 260,069.82; Ziegler, Inc. 25,010.74.

Capital Improvement Fund

Computer Integration Technologies 986.19; Schraders Law Enforcement Supply 1,065.00.

County Ditches

Albert Lea Tribune 1,653.75; Michael Chicos 612.11; Chris Christianson 1,472.92; Robert Hansen 1,189.24; Daniel Johnson 402.96; Jones Haugh & Smith 16,705.30; Wesley Tennis 822.41; Waseca County Courthouse 427.50.

Trust and Agency Fund

Shell Rock River Watershed 375.73.

Tax Collection Fund

Albert Lea Area Schools 5,651.30; City of Albert Lea 9,709.44

Number of claims not exceeding \$300.00 – 90

Dollar amount of claims not exceeding \$300.00 - \$9062.09

Resolution seconded by Commissioner Behrends.

After discussion, a vote was taken the resolution was unanimously adopted.

Chairman, Commissioner Mathiason adjourned the meeting until 8:30 a.m., April 1, 2008.

BY: _____

Glen Mathiason
Chairman of the County Board

ATTEST: _____

John Kluever
Administrator/Clerk