

**ADJOURNED MEETING OF THE COUNTY BOARD
JUNE 17, 2008**

The Board of County Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m., on Tuesday, June 17, 2008. Members present: Belshan, Nelson, Behrends, Mathiason and Shoff.

Commissioner Shoff offered the following motion:

MOVED, to approve the June 3, 2008 Board Meeting Minutes with the following change, Recycling Resolution was motioned by Commissioner Behrends and seconded by Commissioner Shoff.

Motion seconded by Commissioner Belshan.
After discussion, a vote was taken and the Chair declared the motion approved.

Commissioners reported on meetings attended.

Wayne Sorenson presented past members of the Planning and Zoning Board members with plaques for recognition for past years service. The following members were presented: Kevin Lukes, Jerome Hickman, Ken Hough, and Larry Ness.

Lindsey Thomas, MD the County Medical Examiner gave a presentation to the Board on the services that her and her staff provide, report of how many investigations, cremations and post-mortem exams provided the county so far this year.

During the public forum, there were 4 residents that addressed the board in regards to issued being discussed at the board meeting.

There was no Public Hearing during today's meeting.

Commissioner Belshan offered the following resolution:

**RESOLUTION 08-100
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 minor repairs on County Ditch J-22.

Resolution seconded by Commissioner Nelson.
After discussion, a vote was taken and the Chair declared the resolution was unanimously adopted.

Commissioner Behrends offered the following resolution:

**RESOLUTION 08-101
CONDITIONAL USE PERMIT FOR ADAMS MINNESOTA FARMS, LLC.**

RESOLVED, that pursuant to the provisions of the County of Freeborn Zoning Ordinance No. 15, Article 6. Section 3, Subd. 1 a Conditional Use Permit is hereby

granted to Adams Minnesota Farms LLC. For a 51' x 392' total confinement hog barn with 51' x 392' x 8' poured reinforced concrete manure storage pit. This building will house 2,400 pigs between 55 and 300 pounds, on the following described property.

SW ¼ of the NW ¼ of Section 20 of London Township, Freeborn County, MN

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

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 into agricultural ground at recommended agronomic rates. All manure application setback distances shall be followed. There are approximately 813 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 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. Feedlot owner shall cooperate with the affected road authority ~~township~~ in regards to upkeep and maintenance of roads utilized by the facility.

Commissioner Nelson offered the following motion:

MOVED, to table the decision on issuing the Conditional Use Permit to Adams Farm Minnesota LLC. until next month after more information on the road is reviewed. Motion failed for lack of a second.

After discussion, a vote was taken and the Chair declared that the resolution failed due to lack of majority vote. Vote: Behrends, Mathiason vote yes, and Belshan, Shoff and Nelson voting no.

Commissioner Shoff offered the following resolution:

RESOLUTION 08-102
CONDITIONAL USEP PERMIT FOR J.P. PROPERTIES, DBA PETERSON
EXCAVATING

RESOLVED, THAT PURSUANT TOT THE PROVISIONS OF THE County of Freeborn Zoning Ordinance No. 15., Article 13, Section 3, a Conditional Use Permit is hereby granted to J.P. Properties, DBA Peterson Excavating, to screen and stockpile

black dirt; crush recycled concrete blend into gravel and stockpile, stockpile blacktop milling and crush into and blend into gravel, for the next five (5) years, on the following described area;

NW ¼ of the SE ¼ Section 21 Bancroft Township.

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

1. The hours of operation for crushing will be from 7:00 a.m. to 7:00 p.m. – Monday through Saturday.
2. Calcium Chloride 3 times a year on 300' of road for dust control or as needed, to be determined by Environmental Services;
3. The facility may not be extended or expanded without review and approval of the Freeborn County Board of Commissioners.
4. 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 this permit.
5. Crusher shall not operate with a predominately north/northeast wind.

Resolution seconded by Commissioner Belshan.

After discussion, a vote was taken and the Chair declared the resolution adopted, with Commissioner Nelson abstaining.

Commissioner Belshan offered the following motion:

MOVED, to approve the driveway as requested to be constructed at no cost to the county and allowing the existing driveway to remain as is.

Motion was seconded by Commissioner Nelson.

After discussion, a vote was taken and the Chair declared that the motion did not pass. The reason for failure is that it didn't meet the county's policy for field drives, which would require him to remove they existing driveway. Commissioner Belshan, Commissioner Nelson voted yes, Commissioners Shoff, Behrends and Mathiason voted no.

Commissioner Belshan offered the following resolution:

RESOLUTION 08-103
RESOLUTION REQUESTING A PRESIDENTIAL DECLARATION OF A
MAJOR DISASTER

WHEREAS, the County of Freeborn has sustained severe losses of major proportion, caused by Flooding on the date(s) of June 11, 2008; and

WHEREAS, Freeborn County is a public entity within the State of Minnesota; and

WHEREAS, substantial damage has been sustained to public and private property, as outlined in the attached damage assessment forms; and

WHEREAS, the cost of recovery from this disaster is beyond the resources available within the county, and state and federal resources are necessary;

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, for and on behalf of the citizens of Freeborn County, request the Governor of the State of Minnesota to petition the President of the United States to

declare the County of Freeborn Minnesota, to be a major disaster area, through appropriate channels.

BE IT FURTHER RESOLVED, that this request is for:

1. The Public Assistance (Infrastructure Support) and Human Service Programs as offered through P.L. 93-288 and 106.390.
2. The Hazard Mitigation Program, as offered through P.L. 93-288 and 106.390.

BE IT FURTHER RESOLVED, that the County Emergency Management Director is authorized to coordinate the same survey teams with local government, and assist in the administration of the disaster recovery process, as needed.

Resolution was seconded by Commissioner Shoff.

After a vote, the Chair declared the resolution unanimously adopted.

Commissioner Behrends offered the following resolution;

**RESOLUTION 08-104
INDIVIDUAL SEWAGE TREATMENT SYSTEM LOAN PROGRAM**

WHEREAS, Freeborn County Board of Commissioners adopted and implemented an Individual Sewage Treatment System Loan Program in 2007. and

WHEREAS, Freeborn County Board of Commissioners will require all sewage treatment system loan applicants to apply to an accredited lending institution for a sewage treatment system loan prior to applying for the Freeborn County Loan Program.

NOW, THEREFORE BE IT RESOLVED, that all Freeborn County Sewage Treatment Loan recipients shall receive a loan denial letter for the cost of installing a sewage treatment system on their property from an accredited lending institution in order to be considered for the issuance of a Freeborn County Sewer Loan.

Resolution was seconded by Commissioner Belshan.

After a vote, the Chair declared the resolution unanimously adopted.

Commissioner Shoff offered the following motion.

MOVED, that the Administrator and Personnel Director and himself put together a resolution for next months meeting in regards to the Boards support of a high speed rail from Minneapolis to Albert Lea.

Motion was seconded by Commissioner Mathiason.

After a vote, the Chair declared the motion approved with all the Commissioners voting yes, and Commissioner Behrends voting no.

Commissioner Shoff offered the following resolution:

**RESOLUTION 08-105
APPROVAL OF CLAIMS**

RESOLVED, that the following claims be allowed and paid on June 20, 2008.

| Fund | Amount | Name |
|------|--------------------|---------------------------|
| 01 | \$ 39,923.06 | General Fund |
| 03 | \$25,677.33 | County Road and Bridge |
| 31 | \$ 6,079.55 | Capital Improvements Fund |
| 40 | <u>\$15,056.05</u> | County Ditches |
| | \$86,735.99 | Total |

GENERAL FUND

Albert Lea Tribune 1,131.80, Alliant Energy 792.27, Alliant Energy IPL 7,088.00, Arrowwood Resort & Conference 322.69, City of Albert Lea 638.62, Cole Papers Inc 928.39, Computer Integration Technology 1,424.61, Continental Research Corp 311.76, County Inn & Suites Alexandria 459.90, D&T Ventures LLC 1,449.00, Express Personnel Services 2,014.67, Freeborn Co Shopper 496.00, Holiday Inn Hotel 380.56, Manpower Inc 380.21, MCCC MI 2,821.47, MCF-Red Wing 3,450.00, MN State Bar Association 642.00, MN Supreme Court 458.00, Olmsted County 500.00, Power 96 332.00, Quill Corp 800.55, RR Brink Locking Systems Inc 356.46, Schmidt Goodman Office Products 341.51, Semcac 1,000.00, St Cloud State University 425.00, Voice & Data Networks Inc 1,712.20, Waste Management 1,221.73, West Payment Center 1,940.28.

COUNTY ROAD & BRIDGE

Advanced Drainage Systems 338.37, Albert Lea Seed House Inc 830.00, Albert Lea Tribune 313.30, Bauer Built Tire Center 2,231.26, Freeborn County Coop Oil 11,785.01, Karl's CarQuest Auto 559.30, Metal Culverts Inc 1,707.83, Southern MN Construction Co. 744.51, Syverson Ford Inc 579.19, Ziegler Inc 5,470.41.

CAPITAL IMPROVEMENTS

MN Dept of Revenue 975.00, Timemark Inc 5,104.55

COUNTY DITCHES

Freeborn Construction Inc 11,433.30, Jensen Excavating & Trucking 1,381.00, Jones Haugh & Smith Inc 720.00, Larry Yost 844.60.

Number of claims not exceeding \$300.00 – 71
Dollar amount of claims not exceeding \$300.00 – \$6103.38

Resolution seconded by Commissioner Nelson.
After discussion, a vote was taken and the Chair declared the resolution unanimously adopted.

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

BY: _____ ATTEST: _____
Glen Mathiason John Kluever
Chairman of the County Board Administrator