

ADJOURNED MEETING OF THE COUNTY BOARD
October 7, 2008

The Board of County Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m., on Tuesday, October 7, 2008 Members present: Nelson, Mathiason, Shoff, Belshan, Behrends.

Commissioner Shoff offered the following motion:

MOVED, to approve the September 16, 2008 Board Meeting.

Motion seconded by Commissioner Nelson.

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

Commissioners reported on meetings attended.

Commissioner Nelson offered the following resolution:

RESOLUTION 08-156
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 #79 section 7 & 8, #79 section 6, J-22 and #71

Resolution seconded by Commissioner Behrends.

After discussion, a vote was taken and the Chair declared the resolution adopted, with Commissioner Belshan abstaining on Ditch #71.

Commissioner Bherends offered the following resolution:

RESOLUTION 08-157
HOUSEHOLD HAZARDOUS WASTE COLLECTION FEE

WHEREAS, the Freeborn County Environmental Services Department is charged with the responsibility of implementing a variety of federal, state and local solid waste programs to maintain a healthy environment, and

WHEREAS, Freeborn County's solid waste programs include a successful county wide recycling program and Household Hazardous Waste collection program that has continued to grow over the past 19 years,

WHEREAS, state and federal grant funding to oversee environmental manager services and maintain effective solid waste programs has steadily declined,

NOW THEREFORE BE IT RESOLVED, this 7th day of October, 2008 that Freeborn County adopts an annual solid waste fee of \$27 (rural 86%, apartment units 72% accordingly) beginning on January 1, 2009.

Resolution seconded by Commissioner Shoff.

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

Sheriff Harig updated the Commissioners on the new K-9 sign and facility in conjunction with Riverland College, the new trial Health Care Services agreement for the jail and the Turnkey Commissary upgrades for the detention center.

Scott Woitas, Information Services reported to the Commissioners on the cost associated with televising the board meetings. Since this was just a report, it will be added to the next agenda so action can be made on the quotes received for the project.

Commissioner Behrends offered the following motion;

MOVED, reconsideration of the original application for the Conditional Use Permit to build a confinement hog barn, by Adams Minnesota Farms LLC.

Motion seconded by Commissioner Mathiason.

After discussion, a vote was taken and the Chair declared the resolution adopted with the vote being; Ayes – Behrends, Nelson, Mathiason, and Nays – Belshan and Shoff.

Commissioner Behrends offered the following resolution;

Resolution 08-158

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 a 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 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. Feedlot owner shall cooperate with the affected road authority in regards to upkeep and maintenance of roads utilized by the facility.
9. Addition of a wind break on the south side of building.

Resolution seconded by Commissioner Mathiason.

Commissioner Shoff offered the following motion;

MOVED, to amend the resolution and refer the conditional use permit back to the planning commission.

Motion seconded by Commissioner Belshan.

After discussion, a vote was taken on the amendment and the Chair declared the amendment failed for lack of majority vote. The vote is as follows: Ayes – Belshan, Shoff and Nays – Behrends, Nelson and Mathiason.

After discussion, a vote was taken on the original resolution and the Chair declared it adopted. The vote is as follows; Ayes – Behrends, Nelson, Mathiason, and Nays – Belshan and Shoff.

The Chair recessed for a 10 minute break at 9:50 a.m.

The Chair called the meeting back in session at 10:00 a.m.

The Chair opened the meeting to the public for comments on County Hwy 19 bridge replacement. Those in favor of the Bridge/Dam Project presented by the Shell Rock River Watershed are: Larry Anderson, Ken Nelson, Michael Kennis, Tony Trow, Carol Bertelson, Don Sorenson, Harley Miller, Dave Mullenbach, Roger Nelson, Scott Hanna, Marlys Webber, Randy Kerr. Those against the project: Gordon Jensen

Commissioner Behrends offered the following resolution:

RESOLUTION 08-159
Approval of the Bridge/Dam Project

MOVED, to accept Shell Rock River Watershed's Bridge/Dam replacement project and move forward with the replacement of the bridge and dam.

Resolution seconded by Commissioner Shoff.

After discussion, a vote was taken and the Chair declared the resolution failed for a lack of a majority vote. The vote is as follows: Ayes – Shoff, Behrends and Nays – Belshan, Nelson and Mathiason.

Commissioner Belshan offered the following motion:

MOVED, have the County Engineer proceed with getting plans prepared for the repairs of bridge #815 on County Hwy 19.

Motion seconded by Commissioner Nelson.

After discussion, a vote was taken and the Chair declared the motion approved. The vote is as follows: Ayes – Belshan, Behrends, Nelson, Mathiason, and the Nays- Shoff.

The Chair recessed for a 10 minute break at 11:50 a.m.

The Chair called the meeting back in session at 12:00 p.m.

Commissioner Shoff offered the following motion;

MOVED, waive 30-day requirement proposed by the City of Albert Lea, requiring submission of the fiscal and economic implications and tax increment plan pertaining to the proposed establishment of the Tax Increment Financing District No. 5-20 for S.A.R. Inc.

Motion seconded by Commissioner Nelson.

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

Administrator Kluever updated the board on Project 610, the Extreme Makeover. He thanked everyone from the county staff that helped with the project and made it such a good operation.

Administrator Kluever requested two dates from the commissioners for the 2009 Budget process to get finalized. The dates that have been set are October 28, 2008 and November 10, 2008 starting at 8:30 a.m. each date.

Commissioner Belshan offered the following motion;

MOVED, have a special meeting to discuss the budget instead of having a TNT meeting. The meeting will be December 4, 2008 at 6:00 p.m.

Motion seconded by Commissioner Nelson.

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

Commissioner Belshan offered the following motion:

MOVED, proceed with the proposed lighting project for the detention center.

Motion seconded by Commissioner Shoff.

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

Commissioner Behrends offered the following resolution;

RESOLUTION 08-160

RESOLVED, that the county will fund the entire premium increase for the VEBA plan for the year 2009.

Resolution seconded by Commissioner Nelson.

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

Commissioner Shoff offered the following resolution;

RESOLUTION 08-161 APPROVAL OF CLAIMS

RESOLVED, that the following claims be allowed and paid on October 10, 2008.

Fund	Amount	Name
01	\$ 138,264.17	General Fund
03	\$ 53,399.33	County Road and Bridge
31	\$ 10,869.79	Capital Improvements
40	\$ 31,106.02	County Ditches
80	\$ 24,833.58	Tax Collection Fund
85	<u>\$ 29,395.76</u>	Septic Loan Fund
	\$287,868.65	TOTAL

GENERAL FUND

Albert Lea HRA 9,900, Albert Lea Newspapers Inc 900, Albert Lea Tribune 775.50, American Solutions for business 427.77, Anoka County Corrections 19,653.46, Brown County Evaluation Center 308, Christian & Peterson PA 880, City of Albert Lea 686.80,

Computer Integration Technology 360.24, Crescent electric Supply Co 344.27, D&T Ventures LLC 582.75, Elections Systems & Software 4,139.16, Express Services Inc 2,470.04, Freeborn Co Chemical Dependency 1,500, Globalstar USA 782.11, Goldman Sturtz & Halvorsen 2,469.18, Gulf South Medical Supply Inc 663.44, Hanson Tire Service Inc 533.10, Harig Sheriff Misc Fund Mark 347.83, HIMEC 1,640, Hohm Press DBA 360.74, Litho Printing & Graphics 522.70, MCCC MI 33 3,615.67, MCF-Red Wing 7,130, Mid America Business Systems 478.31, MN County Attorneys Assoc 340, OfficeMax Inc 1,073.61, Overhead Door of Albert Lea 1,558, Power 96 414.72, Quill Corporation 3,903.72, Regents of the UofM 454.51, Regina Medical Center 16,900.50, Rowekemp Assoc 1,100, RS Eden 448.75, School District 241 2,503.37, Schroeder Kenneth 400, SEMCAC 760, Sheriffs Youth Program 4,819.22, South Pier Inn 590.10, Stanley Convergent Security 2,355, State of MN Office of the Auditor 26,773.72, Trimin 2,372.44, Voice & Data Networks Inc 3,169.34, West Payment Center 997.83, Woitas Scott 1,385.55

COUNTY ROAD & BRIDGE

Bauer Built Tire Center Inc 493.01, Com Tec Land Mobile Radio 2,319.75, Commissioner of Transportation 371.10, Erickson Engineering 7,480, Hanson Tire Service Inc 3,031.62, Jones Haugh & Smith Inc 350, Karls Carquest Auto 1,183.84, M R Sign 1,790.36, Metal Culverts Inc 5,194.48, Munsons Body Shop 400, South Minnesota Lubes 2,272.51, Southern MN Inspection Co 1,159.54, Syverson Ford Inc Dave 735.51, Ulland Bros Inc 8,477.70, Union Pacific Railroad 12,677.98, Zep Manufacturing Co Inc 1,148.17, Ziegler Inc 3,298.77.

CAPITAL IMPROVEMENTS FUND

Albert Lea Electric Co 1,939.73, Dell Marketing LP 2,370.07, Identisys 5,965.38, Kiker Brothers Inc 580.45.

COUNTY DITCHES

Christian and Peterson PA 10,334.25, Freeborn Construction Inc 7,134.76, Hutton Inc 3,106.50, Johnson Daniel E. 385.10, Jones Haugh & Smith Inc 5,122.63, Reed Business Information 411.84, Rognes Brothers Excavating 3,375, Vanwilgen Farm Drainage 365.20.

TAX COLLECTION FUND

Albert Lea Area Schools 5,299.63, School District 2168 1,400.92, School District 242 3,412.17, School District 2886 3,730.96, School District 492 1,316.73, Township of Albert Lea 884.31, Township of Bath 600, Township of Carlston 414.39, Township of Freeman 2,206.61, Township of Manchester 1,421.60, Township of Moscow 1,57.31, Township of Pickerel Lake 454.22, Township of Shellrock 401.05.

SEPTIC LOAN FUND

Hacker, Steven & Lorraine 12,431.81, Roberts Mildred 8,463.95, Soost Wayne E & Debra A 8,500.

Number of claims not exceeding \$300.00 – 60

Dollar amount of claims not exceeding \$300.00 - \$ 6,814.03

Resolution seconded by Commissioner Belshan.

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., October 21, 2008.

BY: _____

Glen Mathiason
Chairman of the County Board

ATTEST: _____

John Kluever
Administrator