

**ADJOURNED MEETING OF THE COUNTY BOARD**  
**January 20, 2009**

The Board of County Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m., on Tuesday January 20, 2009 Members present: Mathiason, Shoff, Belshan, Tuttle, Excused: Nelson.

Commissioner Tuttle offered the following motion;

**MOVED**, to approve the January 6, 2009 Board meeting and January 13, 200 Workshop meeting.

Motion seconded by Commissioner Belshan.

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

Public Comments:

Jerry Hickmann addressed the board on the progress for the Blazing Star Trail from Albert Lea to Hayward. There should be a meeting in February to update everyone on the activities and development of the area that needs to start since the 1.5 million dollars are still available.

Commissioner Belshan offered the following resolution;

**RESOLUTION 09-017**  
**RESOLUTION AUTHORIZING CONDITIONAL USE PERMIT FOR JOHN BUTLER**

**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 John Butler for an increase in swine animal units from 650 to 900, on the following described property;

NW ¼ of the NW ¼ of Section 29 of Newry Township, Freeborn County, Minnesota

Be it further resolved, that said Conditional Use Permit be subject to the conditions herein setforth:

1. 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.
2. All manure generated at this facility shall be injected into agricultural ground at recommended agronomic rates. There are 420 acres available for manure application. All manure application setback distances shall be followed. Inclement weather shall be the only exception to this manure application method.
3. Owner/operator shall notify Freeborn County Environmental Services Department prior to removing manure from a manure storage area.
4. This facility shall comply with the MPCA Rules 7020, and Article 6 and Article 17 of the Freeborn County Zoning Ordinance.
5. This facility shall not be extended or expanded without review and approval of the Freeborn County Board of Commissioners.
6. 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.

Resolution seconded by Commissioner Mathiason.

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

Commissioner Mathiason offered the following motion;

**MOVE**, setting public hearing date and time on changes to Ordinance #15 for March 3, 2009 at 8:45 a.m.

Motion seconded by Commissioner Tuttle.

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

Commissioner Belshan offered the following motion:

**MOVED**, setting the public hearing date and time on changes to Ordinance No. 22 for March 3, 2009 at 8:45 a.m.

Motion seconded by Commissioner Mathiason.

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

Commissioner Belshan offered the following motion;

**MOVED**, changing one position in the Public Health Department from a 32 hour per week position to a 20 hour per week position.

Motion seconded by Commissioner Tuttle.

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

Commissioner Mathiason offered the following resolution;

**RESOLUTION 09-018  
RESOLUTION APPROVING THE SENTENCE TO SERVE CONTRACT FOR 2009**

**WHEREAS**, Freeborn County is financially responsible for all cost related to contracts approved by the Freeborn County Board of Commissioners, and

**WHEREAS**, Freeborn County is in need of a Sentence to Service Program for non-dangerous offenders Court ordered to perform Community work services, and

**WHEREAS**, Freeborn County has had on on-going contractual relationship with the State of Minnesota for providing the service of a Sentence to Service Crew leader for Freeborn County, and

**WHEREAS**, Freeborn County wishes to continue to contract with the State of Minnesota for the service of Sentence to Service Crew Leader as stated, therefore,

**BE IT RESOLVED**, that the Freeborn County Board of Commissioners approves the Income Contract between the State of Minnesota and Freeborn County for the services of Sentence to Service for the terms of fiscal years 2009 and 2010 (calendar year terms effective July 1, 2009 to June 30, 2011).

Resolution seconded by Commissioner Tuttle.

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

John Ford from the Albert Lea Housing and Development Authority addressed the Commissioners and requested that the initiative funding for 2009 be withdrawn from consideration at this time, to relieve the stress from the budget process. He would ask that they Board continues to support the Minnesota Cities Participation Program that is extremely effective mortgage tool for families. It would have a \$200 dollar application fee and a \$5000 refundable bonding fee.

Commissioner Mathiason offered the following resolution;

**RESOLUTION 09-019  
RESOLUTION SUPPORTING VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT  
CLINIC**

**WHEREAS**, the Department of Veterans Affairs plans to open two new Community-Based Outpatient Clinics in Minnesota;

**WHEREAS**, one of the clinics is planned to be located in the south-central state border portion of Minnesota;

**WHEREAS**, the department of Veterans Affairs is committed to having this type of medical care assessable and closer to veterans;

**WHEREAS**, Freeborn County is located along both the Interstate 35 and Interstate 90 corridors in the south-central boarder portion of Minnesota;

**WHEREAS**, Freeborn County has a long history of supporting veterans and remains highly active in assuring that their medical needs are addressed in an effective and timely manner;

**WHEREAS**, Freeborn County recognizes the importance of allowing physicians to practice community-based medicine and the benefits this has for veterans;

**WHEREAS**, Freeborn County recognizes the need to work cooperatively with State and Local Veterans Affairs Officials, City of Albert Lea Officials and the local medical community to asuccessfully develop and maintain a Community-Based Outpatient Clinic;

**RESOLVED**, that the Freeborn County Board of Commissioners support the development of a Community-Based Outpatient Clinic in Freeborn County, Minnesota;

**RESOLVED**, that this resolution be sent to the United States Senate and Congressional Delegations of Minnesota, Dan Sparks- Minnesota State Senator, Robin Brown- Minnesota State Representative and the State of Minnesota Veterans Affairs Medical Center Director, Network Director and Medical Center Spokesman.

Resolution was seconded by Commissioner Belshan.

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

Commissioner Tuttle offered the following resolution;

**RESOLUTION 09-020**  
**RESOLUTION AUTHORIZING THE SUBMISSION OF THE 2008 PAY EQUITY REPORT**

**RESOLVED**, that the Freeborn County Central Services Supervisor submit the 2008 Pay Equity Report to the State as required.

Resolution seconded by Commissioner Mathiason.

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

Commissioner Tuttle offered the following resolution;

**RESOLUTION 09-021**  
**BOARD APPOINTMENTS TO VARIOUS COMMITTEES AND ORGANZATIONS**

**WHEREAS**, each year the Freeborn County Board of Commissioners must decide which of its members represents them on its various committees and to those organizations which require or desire their participation, and;

**WHEREAS**, the Rules of Procedure of the Freeborn County Board of Commissioners establishes several standing committees as well as the process for the establishment of temporary committee assignments;

**NOW, THEREFORE, BE IT RESOLVED**, that the following members of the Board of Commissioners are, hereby, assigned to the described committee until such assignment is changed by a subsequent action of this Board of Commissioners; to the:

Courthouse and Other County Property Committee  
Commissioners Nelson & Mathiason

Wage & Benefit Committee  
Chairman and Commissioner Tuttle

Extension Advisory Committee  
Chairman of the Board & Commissioner Nelson

Freeborn/Mower Solid Waste Joint Powers Authority  
Commissioners Tuttle & Nelson

Investment Committee  
Commissioner Shoff

Freeborn Co. Solid Waste Advisory Committee  
Commissioners Tuttle & Nelson

Freeborn County Housing and Redevelopment Authority  
All County Commissioners

Minnesota Community Health Services Advisory Board  
Commissioner Mathiason, Public Health Director Lois Ahern-alternate

Freeborn Co. Community Health Services Advisory Board  
Commissioners Mathiason & Tuttle

Freeborn County Planning Advisory Commission  
Vice-Chairman Freeborn County Board of Commissioners, Nelson-alternate

Southern Minnesota EMS Joint Powers Board  
Commissioners Belshan & Mathiason

Workforce Development, Inc Joint Powers Board  
Commissioners Belshan & Tuttle

Greater Blue Earth River Basin Alliance Joint Powers Board  
Commissioners Mathiason & Belshan

Albert Lea/Freeborn County Industrial/Commercial Emergency Planning Committee  
Commissioners Nelson & Tuttle

Albert Lea/Freeborn County Joint Emergency Planning Advisory Committee  
Commissioners Mathiason & Tuttle

Chemical Dependency Center Advisory Committee  
Commissioners Shoff & Mathiason

Greater Jobs Inc.  
Commissioner Shoff and County Administrator Kluever Ex-Officio Members

37 County Minnesota River Board (Joint Powers Committee)  
Commissioners Mathiason & Belshan

SEMREX JPA  
Commissioners Tuttle & Nelson

Interagency Early Intervention Committee  
Commissioners Shoff, Mathiason-alternate

Multi County Solid Waste Advisory Committee  
Commissioners Tuttle & Nelson

CVCC/DIATP  
Commissioners Shoff & Nelson

Mental Health Advisory Committee  
Commissioners Shoff & Mathiason

South Country Health Alliance (Joint Powers)  
Commissioners Mathiason, Shoff-alternate

SEMCAC  
Commissioners Tuttle & Shoff

Highway Department Advisory Committee  
Commissioners Belshan and Nelson

Shell Rock River Watershed Common Cause Committee  
Commissioners Nelson & Mathiason-alternate

Albert Lea Housing and Redevelopment Authority Ex Officio Member  
Vice Chairman Freeborn County Board of Commissioners, Tuttle-alternate

CVB Advisory Committee  
Commissioner Shoff

Resource Sharing Committee with City of Albert Lea  
Commissioner Belshan, Tuttle

Resource Sharing Committee with City of Albert Lea  
Commissioner Belshan, Tuttle

Economic Development Committee  
Commissioner Belshan & Shoff

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

Commissioner Tuttle offered the following resolution;

**RESOLUTION 09-022**  
**RESOLUTION APPROVING THE ADDENDUM OF MEMORANDUM OF AGREEMENT WITH**  
**THE UNIVERSITY OF MINNESOTA PROVIDING EXTENSION PROGRAMS LOCALLY AND**  
**EMPLOYING COUNTY EXTENSION STAFF**

**RESOLVED**, that this addendum replaces Table A in the Memorandum of Agreement. This addendum will remain in place for the term of the Memorandum of Agreement and will be effective as of January 4, 2009.

Freeborn County agrees to provide the funds identified below to support the following Extension programs and positions;

<u>Program</u>	<u>Price</u>	<u>Funding to Support</u>
.80 FTE 4-H Program Coordinator	\$51,920	Program Coordinator working Exclusively in Freeborn County
.80 FTE 4-H Program Coordinator	\$51,920	Program Coordinator working Exclusively in Freeborn County
Total \$103,840		

The parties by their respective authorized agents or officers have executed this addendum.

Resolution seconded by Commissioner Belshan.

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

Brian Buhmann request out-of-state travel for two employees, motion failed for a lack of motion and second.

Commissioner Belshan discussed the following items;

request that when Highway Engineer does not attend a board meeting that she send someone to represent the department,

snow plowing on County Road #46 by the truck stops the snow is not being removed in a timely manner,

Bridge Ave and Hawthorne intersection maybe experiment with a 4-way flashing light to see if the traffic moves more efficiently

Discussed at budget workshop to cross train the staff in Environmental Services

Commissioner Tuttle

if they do the cross training and certifications needed to be done that this also would need to be paid for

maybe the Tribune could print a clarification that the Commissioners did not take a pay raise in 2009.

Commissioner Mathiason

League of Cities meeting tonight at the City of Freeborn at 7 p.m

If dual licenses are received in Environmental Services there may be a cost to the county in what the person's pay scale would be at with the multiple licenses.

Commissioner Shoff

Administrator to contact the City of Albert Lea and see what the agreement with snow removal is on County Road #46

Administrator to get names of the employees who could do the tasks and what the cost would be to cross train in Environmental Services, and if they have a dual license what the raise would be in their step-grade.

Commissioner Belshan offered the following resolution;

**RESOLUTION 09-023  
APPROVAL OF CLAIMS**

**RESOLVED**, that the following claims be allowed and paid on January 23, 2009.

Fund	Amount	Name
01	\$ 176,090.89	General Fund
31	\$ 39,028.94	Capital Improvements Fund
34	\$ 113,477.50	Debt Ser-Turtle Creek Water
37	\$ 566,701.25	Jail GO Bond Debt Service
38	\$ 439,467.50	HRA-GO Debt Service
39	\$ 602,156.25	HRA-Lease Rev Debt Service
40	\$ 18,891.48	County Ditches
41	\$ 367,122.14	Ditch Debt Service
70	\$ 272.00	Trust and Agency Fund
	<b>\$ 2,323,207.95</b>	<b>TOTAL</b>

**GENERAL FUND**

Ahern Lois 404.61, Albert Lea Electric Co 1,083.63, Albert Lea Medical Center 598, Albert Lea School District 2,279.17, Alliant Energy IPL 7,088, American Tire Distributors 1,022.76, Arrow Printing Inc 355.18, Association of Mn Counties 11,955, Astrup Drug Inc 4,770.63, Barna Guzy Steffens Ltd 1,656.19, Beck Disaster recovery Inc 4,000, CDW Government Inc 528.10, Christian and Peterson PA 2,410, City of Albert Lea 4,947.79, Cole Paper Inc 491.49, Computer Integration Technology 430, D&T Ventures LLC 1,449, Express Services Inc 1,543.54, Freeborn Co Chemical Dependency 2,200, Goldman Sturtz & Halvorsen Ch 1,102, Himec 4,055.36, Kylo Jamie 1,255, Manpower Inc 511.20, MCCC MI 33 45,534.80, MDRA 414, MN Co Attys Assn 2,391, MN Dept of Correctins Sts 17,903, Mn Dept of Labor & Industry 1,269.60, MN Elevator Inc 487.81, Mn Office of Enterprise Techn 766.76, MN Sheriffs Association 2,511, Northland Business Systems 2,056.39, Paape Distributing Co Inc 338.05, Peterson Savelkoul & Benda 405.81, Power 96 348, Procter & Gamble 1,304.39, Riverside Psychological Services 680, Schroeder Kenneth 400, Semcac 560, Semrex 1,300, South Central Drug Invest Uni 6,500, State of Mn BCA 660, Sterling LTC Pharmacy 2,424.83, Teigen Paper and Supply Inc 435.76, Waste Management of Southern Mn 23,193.90, West Payment Center 2,387.16, Xerox Corp 598.19,

**CAPITAL IMPROVEMENTS FUND**

Freeborn Co Highway Dept 15,528.94, Motor Inn Co 23,500.

**DEBT SERV-TURTLE CREEK WATERSHED**

US Bank 113,477.50.

**JAIL GO BOND DEBT SERVICE**

Wells Fargo Bank NA 566,701.25.

**HRA-GO DEBT SERVICE**

Wells Fargo Bank NA 439,467.50

**HRA-LEASE REV DEBT SERVICE**

Wells Fargo Bank 602,156.25.

**COUNTY DITCHES**

Jones Haugh & Smith Inc 8,386.15, Olson Excavating 2,665, Wells Fargo Bank NA 7,515.33.

**DITCH DEBT SERVICE**

Wells Fargo Bank NA 367,122.14.

Number of claims not exceeding \$300.00 – 67

Dollar amount of claims not exceeding \$300.00 – 5,680.79

Resolution seconded by Commissioner Tuttle.

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

Chairman, Commissioner Shoff adjourned the meeting until 8:30 a.m., February 3, 2009.

BY: \_\_\_\_\_

Christopher Shoff  
Chairman of the County Board

ATTEST: \_\_\_\_\_

John Kluever  
Administrator