

ADJOURNED MEETING OF THE COUNTY BOARD
March 3, 2009

The Board of County Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, March 3, 2009. Members present: Shoff, Mathiason, Nelson, Belshan, and Tuttle.

Commissioner Belshan offered the following motion:

MOVED, approve the minutes from the February 17, 2009 regular board meeting and the February 24, 2009 workshop meeting.

Motion seconded by Commissioner Tuttle.

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

Commissioner Belshan offered the following resolution;

RESOLUTION 09-043
RESOLUTION AUTHORIZING APPLICATION FOR MINNESOTA HOUSING AND FINANCE
AGENCY FAMILY HOMELESS PREVENTION AND ASSISTANCE PROGRAM

WHEREAS, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide funds for Family Homeless Prevention & Assistance Projects; and,

WHEREAS, the Southeastern Minnesota Housing Network, working through; 1) Olmsted Community Action, 2) Semcac, 3) Y Link and 4) Three Rivers Community Action, has developed a renewal application for the Minnesota Housing Finance Agency Family Homeless Prevention and Assistance Program; and

WHEREAS, the Southeastern Minnesota Housing Network through Olmsted Community Action, Semcac, Y-Link and Three Rivers Community Action has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Family Homeless Prevention and Assistance Program;

NOW, THEREFORE, be it resolved that the Southeastern Minnesota Housing Network is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Family Homeless Prevention and Assistance Program in the County of Freeborn, in Minnesota.

Resolution seconded by Commissioner Tuttle.

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

Commissioner Nelson offered the following resolution;

RESOLUTION 09-044
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 Ditches J-25 and J-26.

Resolution seconded by Commissioner Mathiason.

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

A Public Hearing was held at 8:45 to take comment on proposed amendments to Ordinance No. 15 and Ordinance #22.. The Chair opened the public hearing and announced the Rules of Order. Wayne Sorenson, Planning/Zoning Officer introduced the proposed amendments. The Chair then asked for public comment. After hearing no comment, the Chair closed the Public Hearing.

Dennis Distad, Auditor-Treasurer addressed the Board requesting a date and time for a joint meeting with the Steel County Commissioners. A date and time was set for Thursday March 12, 2009 at 2 p.m. at the Steel County Government Center, Owatonna Minnesota.

Commissioner Belshan offered the following motion;

MOVED, table the approval for the amendments to Ordinance #22 until changes are made to reflect changes in state statute.

Motion seconded by Commissioner Mathiason.

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

Commissioner Mathiason offered the following resolution;

RESOLUTION 09-045
ORDINANCE NO. 15.077
AN ORDINANCE AMENDING THE FREEBORN COUNTY ZONING ORDINANCE TO CREATE
SETBACK REQUIREMENTS FROM DRAINAGE SYSTEMS WITHIN FREEBORN COUNTY

WHEREAS, Freeborn County is served by numerous drainage systems;

WHEREAS, Freeborn County is the Drainage Authority for drainage systems within the county;

WHEREAS, Freeborn County is the Zoning Authority for a significant portion of the county;

WHEREAS, Freeborn County is concerned that the current zoning requirements may impede maintenance and repair of drainage systems by allowing structures and signs to be located in close proximity to drainage systems which complicates access to the drainage system;

WHEREAS, Freeborn County is concerned that the current zoning requirements allow structures and signs to be located in close proximity to drainage systems and these structures and signs may affect the integrity and function of the drainage systems;

WHEREAS, Freeborn County finds that Article 21 of the current zoning ordinance appropriately regulates nonconformities in accordance with Minnesota Statute Section 394.36 and the creation of drainage system setbacks does not require an amendment to Article 21 of the current zoning ordinance;

WHEREAS, Freeborn County finds that Article 24 of the current zoning ordinance appropriately allows the Freeborn County Board of Adjustment to issue variances to avoid unnecessary hardships in accordance with Minnesota Statute Section 394.27 Subd. 7 and the creation of drainage system setbacks does not require an amendment to Article 24 of the current zoning ordinance;

WHEREAS, Freeborn County finds that setbacks from drainage systems will protect the integrity and function of drainage systems and ensure access to the drainage system for maintenance and repair; protect the county planning process; and is in best interest of the health, safety, and welfare of county citizens.

NOW, THEREFORE, pursuant to Minnesota Statute Sections 394.21 and 394.24, Freeborn County ordains:

SECTION 1:

The following changes shall be made to the Freeborn County Zoning Ordinance. A. Article 2, Definitions, Section 2 of the Freeborn County Zoning Ordinance is amended by adding the following definition as new Subdivision 26:

DRAINAGE SYSTEM. A system of ditch or tile, or both, to drain property, including laterals, improvements, and improvements of outlets, established and constructed by a drainage authority. “Drainage system” includes the improvement of a natural waterway used in the construction of a drainage system and any part of a flood control plan proposed by the United States or its agencies in the drainage system.

B. The current Subdivision 26 in Article 2, Section 2 shall be renumbered as Subdivision 27, and all subsequent subdivisions in Article 2, Section 2 shall be renumbered accordingly.

C. Article 2, Definitions, Section 2 of the Freeborn County Zoning Ordinance is amended by changing the definition of “Setback” in Subdivision 88 (formerly 87) to read as follows:

SETBACK. The minimum horizontal distance between a structure, sewage treatment system, or other facility and an ordinary high water level, sewage treatment system, top of a bluff, road, highway, public drainage system, property line or other facility.

D. Article 4, Signs, Section 17 of the Freeborn County Zoning Ordinance is amended by adding the following as Subdivision 2, Item J:

J. No sign or portion thereof shall be located within thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

E. Article 6, “A” Agricultural District, Section 5 of the Freeborn County Zoning Ordinance is amended by adding the following as Subdivision 2, Item D:

D. Setbacks from Drainage Systems

1. There shall be a minimum setback of thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

F. Article 7, “RH” Rural Housing District, Section 5 of the Freeborn County Zoning Ordinance is amended by adding the following as Subdivision 2, Item D:

D. Setbacks from Drainage Systems

1. There shall be a minimum setback of thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

G. Article 8, “R-1” Residential District, Section 5 of the Freeborn County Zoning Ordinance is amended by adding the following as Subdivision 2, Item D:

D. Setbacks from Drainage Systems

1. There shall be a minimum setback of thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

H. Article 9, “R-2” Residential District, Section 5 of the Freeborn County Zoning Ordinance is amended by adding the following as Subdivision 2, Item D:

D. Setbacks from Drainage Systems

1. There shall be a minimum setback of thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

I. Article 10, “U” Urban Expansion District, Section 5 of the Freeborn County Zoning Ordinance is amended by adding the following as Subdivision 2, Item D:

D. Setbacks from Drainage Systems

1. There shall be a minimum setback of thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

J. Article 11, “B-1” General Business District, Section 6 of the Freeborn County Zoning Ordinance is amended by adding the following as Subdivision 2, Item D:

D. Setbacks from Drainage Systems

1. There shall be a minimum setback of thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

K. Article 12, “B-2” Highway Business District, Section 6 of the Freeborn County Zoning Ordinance is amended by adding the following as Subdivision 2, Item D:

D. Setbacks from Drainage Systems

1. There shall be a minimum setback of thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

L. Article 13, “I” Industry District, Section 6 of the Freeborn County Zoning Ordinance is amended by adding the following as Subdivision 2, Item D:

D. Setbacks from Drainage Systems

1. There shall be a minimum setback of thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

M. Article 14, Wind Energy Conversion Systems, Section 6 of the Freeborn County Zoning Ordinance is amended by changing Subdivision 8, Item b., to read as follows:

There shall be a minimum setback of thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

The current Subdivision 8, item B. in Article 14, Section 6 shall be renumbered as Subdivisions 8, item C. and a subsequent item numbers be renumbered accordingly.

N. Article 17, Feedlot and Manure Management, Section 5 of the Freeborn County Zoning Ordinance is amended by adding the following to Subdivision 10 as new item F:

F. No new animal feedlots or manure storage area shall be closer than thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

O. The current Item F. in Subdivision 10 of Article 17, Section 5 shall be renumbered as Item G.

P. Article 18, Essential Services, Section 2 of the Freeborn County Zoning Ordinance is amended to read as follows:

Required maintenance or rebuilding of any major or minor essential service facility, when such maintenance or rebuilding does not change, expand the capacity or change the capability or location of the existing facility, shall be exempt from the regulation of this Article so long as the integrity and function of the drainage system is not impaired and public safety and protection do not require compliance.

Q. The statutory citation in the second sentence of Article 18, Essential Services, Section 3 of the Freeborn County Zoning Ordinance is outdated and the sentence is amended to read as follows:

Pipelines as defined in Minnesota Statutes 216G.01, subdivision 3 shall conform to procedures identified in Minnesota Statutes Chapters 216G and 299J in addition to this ordinance.

R. Article 18, Essential Services, Section 3, Subdivision 3 of the Freeborn County Zoning Ordinance is amended by replacing “drainage facilities” with “drainage systems.”

S. Article 18, Essential Services, Section 4, Subdivision 2, Item A of the Freeborn County Zoning Ordinance is amended by replacing “drainage facilities and patterns” with “drainage systems.”

T. Article 18, Essential Services, Section 4 of the Freeborn County Zoning Ordinance is amended by adding the following to Subdivision 2 as new item G:

G. All essential services shall be setback thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

U. The current Item G. in Subdivision 2 of Article 18, Section 4 shall be renumbered as Item H .

V. Article 18, Essential Services, Section 4 of the Freeborn County Zoning Ordinance is amended by changing Subdivision 2, Item H. 1. (formerly G. 1.), to read as follows:

All public and private roads in use and being maintained shall be bored unless the Board of County Commissioners approves an alternate procedure, but those unpaved roads that are infrequently used and not regularly maintained may be cut, backfilled and compacted with material to the County Highway Engineer’s specifications. **All open ditches that are part of a public drainage system shall be bored.**

W. Article 18, Essential Services, Section 4 of the Freeborn County Zoning Ordinance is amended by changing Subdivision 2, Item H. 3. (formerly G. 3.), to read as follows:

If at any time Freeborn County, acting through its Board of County Commissioners, shall deem it necessary or desirable to make any improvements or changes on all or any parts of the right of way of the county highway **or drainage system**, including changes made for purposes of providing drainage, or within 100 feet of the highway right of way which affect the major essential service facility; then and in such event, the owner shall within 45 days after written notice from the Board of County Commissioners or its authorized agent, proceed to alter, change, vacate or remove said major essential service facility from the county highway right of way **or drainage system** so as to conform to said county highway or drainage system changes and as directed by the Board of County Commissioners. In the event of relocation of a road, road right of way, **or drainage system** that requires relocation or other change in the major essential service facility thereof, all costs for relocation or other changes shall be paid by the owner.

X. Article 18, Essential Services, Section 4, Subdivision 2, Item H. 6. (formerly G. 6.) of the Freeborn County Zoning Ordinance is amended by replacing “county or judicial ditch” with “drainage systems.”

Y. Article 18, Essential Services, Section 4, Subdivision 2, Item H. 7. (formerly G. 7.) of the Freeborn County Zoning Ordinance is amended by replacing “ditch authority” with “drainage authority.”

Z. Article 18, Essential Services, Section 4 of the Freeborn County Zoning Ordinance is amended by deleting Item H.8 of Subdivision 2 (formerly G. 8.) and all subsequent parts of Item H shall be renumbered accordingly.

AA. Article 18, Essential Services, Section 4 of the Freeborn County Zoning Ordinance is amended by changing Subdivision 2, Item H. 9. (formerly G. 10.), to read as follows:

The pipeline shall be installed to accommodate future installations of drain tile at location and depths as shown on title plans given to the major essential service facility by the landowner **or by the drainage authority**. **If a public or private drainage system** shall later be established, improved or repaired or additional lines installed to effect proper

drainage, the major essential service facility shall reimburse the **drainage** authority or landowner for any necessary additional installation expenses incurred which are directly attributed to the presence of the pipeline.

BB. Article 18, Essential Services, Section 4, Subdivision 2, Item H. 10. (Formerly G. 11.) of the Freeborn County Zoning Ordinance is amended by replacing “ditch authority” with “drainage authority.”

CC. Article 18, Essential Services, Section 4, Subdivision 2, Item H. 13. (Formerly G. 14.) of the Freeborn County Zoning Ordinance is amended by replacing “ditch system have cause” with “drainage authority have caused.”

DD. The second sentence of Article 18, Essential Services, Section 5, Subdivision 1 of the Freeborn County Zoning Ordinance is amended to read as follows:

In any easement granting right of way for a pipeline over agricultural land, the grantor of the easement may waive the minimum depth of cover established in Figure 1 with respect to all or part of the pipeline to be buried under that land, **except that the depth between a pipeline and a drainage system may not be waived without express written consent by the drainage authority.**

EE. Article 18, Essential Services, Section 5, Subdivision 3 of the Freeborn County Zoning Ordinance is amended by replacing “drainage facilities” with “drainage systems.”

FF. Article 18, Essential Services, Section 7, Subdivision 3, Item B. of the Freeborn County Zoning Ordinance is amended to read as follows:

The applicant constructing the minor essential service is to take into consideration contemplated widening, regrading, or relocation of a County Highway or County State Aid Highway **and repair, maintenance, and improvement of drainage systems.**

GG. The statutory citation in Article 18, Essential Services, Section 8 of the Freeborn County Zoning Ordinance is outdated and the sentence is amended by replacing “1161.06, Subdivision 8” with “216G.07.”

HH. Article 20, “PD” Planned Development District, Section 4 of the Freeborn County Zoning Ordinance is amended by adding the following as Subdivision 2, Item D:

1. There shall be a minimum setback of thirty (30) feet from the center line of any buried public drain tile or fifty (50) feet from the top edge of an open public ditch.

II. Article 2, General Provisions, Section 3, Subdivision 80, previously Subd. 79, of the Freeborn County Zoning Ordinance is amended by to read as follows:

Subd. 80. PUBLIC WATER. Any waters as defined in Minnesota Statutes, Section ~~405.37, Subdivisions 14 and 15.~~ **103G.005 subdivisions 15 and 15a.** However, no lake, pond, or flowage of less than ten (10) acres in size in municipalities and twenty-five (25) acres in size in unincorporated areas need be regulated for the purposes of parts 6120.2500 to 6120.3900. A body of water created by a private user where there was no previous shoreland may, at the discretion of the local government, be exempted from parts 6120.2500 to 6120.3900. The official determination of the size and physical limits of drainage areas of rivers and streams shall be made by the commissioner.

JJ. Article 4, General Regulations, Section 22, Subdivision 1, of the Freeborn County Zoning Ordinance is amended by to read as follows:

Subd. 1. Adoption by Reference of Certain Terms and Regulations for the Administration of the County Environmental Review Program. Pursuant to M.S.A. 394.25, Subdivision 8 the Freeborn County Board of Commissioners adopts by reference ~~6-MCAR 3.021 to 3.047 Rules for the Environmental Review Program~~ Minnesota Administrative Rules #4410. and the terms used in M.S.A. 116D State Environmental Policy. Provisions of these rules and terms shall be as much a part of this Ordinance as if they had been set out in full herein when adopted by this reference.

KK. Article 4, General Regulations, Section 22, Subdivision 2 E, of the Freeborn County Zoning Ordinance is amended by to read as follows:

- E. Agreements Concerning Cost of Preparation and Review. The applicants for a permit for any action for which an EAW or EIS is required and the County Board may, in writing, agree as to a different division of the costs of preparation and review of any EAW or EIS as provided in ~~6-MCAR 3.042~~ Minnesota Administrative Rules # 4410.

LL. Article 4, General Regulations, Section 22, Subdivision 3 A, of the Freeborn County Zoning Ordinance is amended by to read as follows:

Subd. 3. Administration.

- A. The Freeborn County Planning and Zoning Administrator shall be the person for determining whether an action for which a permit is required is an action for which an EAW is mandatory under ~~6-MCAR 3.024~~ Minnesota Administrative Rules #4410. The Administrator shall also determine those proposed actions for which an optional EAW may be required under the provisions of this Ordinance and shall notify the Planning Commission and the County Board of these proposed actions.

MM. Article 4, General Regulations, Section 22, Subdivision 3 B, of the Freeborn County Zoning Ordinance is amended by to read as follows:

- B. The Administrator shall be responsible for determining whether an action for which a permit is required is an action for which an EAW is mandatory under ~~6-MCAR 3.024~~ Minnesota Administrative Rules #4410. The Administrator shall also determine those proposed actions for which an optional EAW may be required under the provisions of this Ordinance and shall notify the Planning Commission and the County Board of these proposed actions.

NN. Article 4, General Regulations, Section 22, Subdivision 3 E, of the Freeborn County Zoning Ordinance is amended by to read as follows:

- E. After an EAW is prepared, the Planning Commission shall review the EAW and recommend to the County Board whether or not it should require the preparation of an EIS. The County Board shall require an EIS when it finds under ~~6-MCAR 3.025~~ Minnesota Administrative Rules #4410. that an action is major and has potential for significant environmental effects.

OO. Article 5, Floodplain District, Section 5 Subd. 4 A 2 C. of the Freeborn County Zoning Ordinance is amended by to read as follows:

- ⊖. All areas of non residential structures including basements to be placed below the Regulatory Flood Protection Elevation shall be flood proofed in accordance with the structurally dry flood proofing classifications in the State Building Code. Structurally dry flood proofing must meet Minnesota Administrative Rules #1305, I.B.C. Chapter 16, Section 1612. ~~the FP 1 or FP 2 flood proofing classification in the State Building Code and this shall require making the structure watertight with the walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. Structures flood proofed to the FP 3 or FP 4 classification shall not be permitted.~~

PP. Article 5, Floodplain District, Section 12 Subd. 1 C, of the Freeborn County Zoning Ordinance is amended by to read as follows:

- D. Any alteration or addition to a nonconforming structure or nonconforming use which would result in increasing the flood damage potential of that structure or use shall be protected to the Regulatory Flood Protection Elevation in accordance with any of the elevation on fill or flood-proofing techniques (i.e., ~~FP-1 through FP-4 floodproofing classifications~~) allowable in the State Building Code, except as further restricted in Section 11, Subdivision 1, item C below.

QQ. Article 10 Urban Expansion Zone, Section 3, Subd. 11, of the Freeborn County Zoning Ordinance is amended by to read as follows:

Subd. 11. Prohibited Uses

1. UR #1 and UR #2 Districts :Wind Turbines over 44 feet in height. UR #3 Districts Turbines over 200' in height.

RR. Article 14, Wind Energy Conversion Systems, Section 6, Subd. 7 D. of the Freeborn County Zoning Ordinance is amended by to read as follows:

- b. Existing WECS located within the county shall be brought into compliance with Section 6, Subd. 7 within 1 year from adoption of this ordinance. **Compliance date is April 23, 2005.**

SS. Article 15 Excavation of Mineral Material, Section 3 of the Freeborn County Zoning Ordinance is amended by to read as follows:

The following uses shall require a Conditional Use Permit as per Ordinance 15, Article 23.

1. Excavations in a shoreline district.
2. Excavations within 100 feet of property line.
3. Crushing operation within 1000 ft of residence on neighboring property.
4. Any ready-mix or hot mix plant.
5. Any storage or accumulations of any amount of demolition materials, including cement, blacktop, brick, block, tile, or like materials whether temporary or permanent.

Uses non-conforming to Section 3 of this Article shall be brought into conforming status within 2 years of adoption of this amendment. **Compliance date is October 21, 2009.**

TT. Article 16, Management of Shoreland Areas, Section 6 Subd. 3 C 8, of the Freeborn County Zoning Ordinance is amended by to read as follows:

8. Any alterations below the ordinary high water level of public waters must first be authorized by the commissioner under Minnesota Statutes, Section ~~405.42~~-103.G.

UU. Article 16, Management of Shoreland Areas, Section 6 Subd. 10 B 3, of the Freeborn County Zoning Ordinance is amended by to read as follows:

3. A certificate of compliance, interim permit, or animal feedlot permit, when required by ~~MCAR~~ **Minnesota Administrative Rules**, parts ~~7020.0100~~ **0200** to 7020.1900, must be obtained by the owner or operator of an animal feedlot.

VV. Article 17, Feedlot and Manure Management Ordinance, Section 5 Subd. 5 6 C, of the Freeborn County Zoning Ordinance is amended by to read as follows:

- a. An existing open earthen or concrete manure slurry basin shall have eighteen (18) months after adoption this Ordinance to install a perimeter fence. **Compliance date is June 20, 2007.**

Resolution seconded by Commissioner Nelson.

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

Commissioner Belshan offered the following resolution;

**RESOLUTION 09-046
ORDINANCE NO. 15.078**

**AN ORDINANCE RE-ZONING CERTAIN PREMISES IN OAKLAND TOWNSHIP AND AMENDING
ORDINANCE 15**

The Board of County Commissioners of Freeborn County does ordain;

Those certain premises as described as follows;

Section-03-TWP-102 Range -19 5.00 Acres, Commencing SE corner NE corner ¼ Thence North 20 rods Thence west 40 Rods Thence South 20 rods Thence East 40 rods to point of beginning.

Oakland Township, Section 3, Freeborn County, Minnesota
Parcel #06.003.0060

Said premises are re-zoned to “Ag” Agriculture. Said premises were heretofore zoned “B-1” Highway Business District.

Resolution seconded by Commissioner Tuttle.

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

Commissioner Tuttle offered the following resolution;

**RESOLUTION 09-047
RESOLUTION GRANTING AUTHORIZATION FOR COUNTY SHERIFF TO ENTER INTO AN INTER-
GOVERNMENTAL SERVICE AGREEMENT**

WHEREAS, Freeborn County Sheriff’s Office has a request for proposal for a DHS contract DROIGSA 90-0020 Inter-Governmental Service Agreement with Freeborn County; and

WHEREAS, the Freeborn County Sheriff has been authorized to negotiate a proposal for an ISGA with DHS; and

WHEREAS, the Freeborn County Board of Commissioners have authorized the Freeborn County Sheriff to negotiate this proposal negotiation;

NOW, THEREFORE, BE IT RESOLVED, the Freeborn County Sheriff is instructed to develop a participation plan for an ISGA with DHS to develop and reclassify a proposed contract for future service needs.

Resolution seconded by Commissioner Mathiason.

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

Commissioner Mathiason offered the following resolution;

**RESOLUTION 09-048
2009 CONTRACT BETWEEN THE COUNTIES OF CARVER, CHISAGO, DAKOTA, FILLMORE,
FREEBORN, GOODHUE, HOUSTON AND SCOTT AND REGINA MEDICAL CENTER
FOR MORGUE FACILITIES AND MEDICAL EXAMINER SUPPORT SERVICES**

This Contract is made and entered into between the County of Dakota, 1590 Highway 55, Hastings, MN 55033, on behalf of and pursuant to the joint powers agreement among the Boards of Commissioners of the Counties of

Carver, Chisago, Dakota, Fillmore, Freeborn, Goodhue, Houston, and Scott, hereafter "Counties" and Regina Medical Center, 1175 Nininger Road, Hastings, MN 55033, hereinafter "Regina."

WHEREAS, the Counties desire that a morgue be provided and equipped for use by the Medical Examiner appointed in each of them; and

WHEREAS, the Counties are obligated by Minn. Stat § 390.111 to provide the reasonable and necessary expenses of the Medical Examiner, assistants, investigators and other specialists, incurred for their official business; and

WHEREAS, Regina Medical Center desires to and is capable of providing and equipping a morgue and providing medical Examiner support services to the Counties.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the parties agreed to the terms and/or changes.

Resolution seconded by Commissioner Tuttle.

After discussion, a vote was taken and the Chair declared the resolution adopted. The vote being; Aye- Mathiason, Nelson, Tuttle and Shoff, the Nay- Belshan.

Commissioner Tuttle offered the following Resolution;

**RESOLUTION 09-049
RESOLUTION SETTING COUNTY EMPLOYEE RECOGNITION POLICY**

WHEREAS, it is the objective of the Freeborn County Board of Commissioners to recognize and reward employees for their service to the citizens of Freeborn County, and

WHEREAS, Minnesota State Statute §15.46 grants authority to counties to establish and operate a program of employee recognition, to provide staff, equipment and facilities, and to expend funds as necessary to achieve the objectives of the program.

NOW, THEREFORE, BE IT RESOLVED, that the Freeborn County Board of Commissioners hereby adopts the following Employee Recognition Policy.

FREEBORN COUNTY EMPLOYEE RECOGNITION POLICY

It is the intent of Freeborn County to recognize years of service provided by its employees. The County will provide such recognition annually for those employees who achieve length of service milestones during their employment with the County. Awards for employees reaching service milestones of 25 years or less shall be of uniform nature. Awards for employees reaching service milestones of 30 or more years shall be of an individualized nature. Recognition awards will be presented at an annual Recognition Dinner event, and Freeborn County will, in addition to the appropriate award, pay for the cost of the recognized employee's meal. The County will not provide meals for any employee not receiving an award or any guests. In addition, no expenditure of public funds will be allowed to purchase alcohol.

Length of service awards shall be based upon current continuous years of service to Freeborn County and the following criteria;

Years of Service Achieved	Award	Maximum Expenditure Allowed
5	Engraved Pen	\$10.00
10	Engraved Desk Set	\$30.00
15	Engraved Acrylic Paper Weight	\$50.00
20	Framed Historic Courthouse Print	\$70.00

25	Anniversary Clock	\$90.00
30	Award Selected by Office Staff	\$110.00
35	Award Selected by Office Staff	\$130.00
40	Award Selected by Office Staff	\$150.00
45	Award Selected by Office Staff	\$170.00

The office of the County Administrator shall be responsible for the overall administration and implementation of this policy.

Resolution seconded by Commissioner Nelson.

After discussion, a vote was taken and the Chair declared the resolution adopted. The vote being: Aye – Tuttle, Mathiason, Nelson and Shoff, and the Nay- Belshan. Commissioner Belshan stated he wasn't against the awards just that the cap should be set at \$20.00.

Commissioner Belshan offered the following resolution;

**RESOLUTION 09-050
RESOLUTION APPOINTING THE COUNTY ENGINEER AS EX-OFFICIO MEMBER OF BLAZING STAR TRAIL JOINT POWERS BOARD**

RESOLVED, appointing the County Engineer, Sue Miller as Ex-Officio member of the Blazing Star Trail Joint Powers Board.

Resolution seconded by Commissioner Mathiason.

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

Commissioner Belshan requested that the Personnel Rules and Regulations Policy page 34, dealing with disciplinary action for Alcohol and drug free be worded as: "Drug and Alcohol Free Work Place".

Commissioner Belshan offered the following resolution;

**RESOLUTION 09-51
APPROVAL OF CLAIMS**

RESOLVED, that the following claims be allowed and paid on March 6, 2009.

<u>Fund</u>	<u>Name</u>	<u>Amount</u>
01	General Fund	\$125,423.43
03	County Road and Bridge	\$ 31,350.42
31	Capitol Improvements Fund	\$ 3,947.29
34	Debt Ser-Turtle Creek Watershed	\$ 230.00
37	Jail GO Bond Debt Service	\$ 250.00
38	HRA- GO Debt Service	\$ 250.00
39	HRA- Lease Rev Debt Service	\$ 250.00
40	County Ditches	\$ 19,733.48
41	Ditch Debt Services	\$ 250.00
	Total	\$181,684.62

GENERAL FUND

A Viands LLC 13,615.95, Albert Lea Medical Center 346, Albert Lea Tribune 381, Americinn of Albert Lea 462, Anoka County JC Corrections 5,429.81, Arrow Printing Inc 361.19, Brown County Evaluation Center 1,738, Christian and Peterson PA 540, Com Tec Land Mobile Radio 559.89, Evercom Systems Inc 3,825, Express Computer Products 3,295, Goldman Sturtz & Halvorsen 960, Greater Blue Earth River Basin 2,368, Health Professionals 51,512.23, Jones Haugh & Smith 6,200, Kyllo Jamie 355, Lawhead Law Offices 1,417.30, League of

MN Citites 2,295, MAAO 950, Mail Expeditors 1,182.91, Manpower Inc 849.87, Nelson Odean 850, Northland Chemical Corp 306.15, OfficeMax Inc 464.90, Paragon Financial Group 1,022.99, Professional Service & Supply 486.42, Quill Corp 325.74, RS Eden 487.48, Schmidt Goodman Office Products 930.11, State of MN 798.75, State of MN Office of the Auditor 3,967.06, Steeles Body Shop 1,819.39, Streichers 1,990.31, Summit Fire Protection 360, TSG4,792.50, Uniforms Unlimited Inc 954.23, Walz Lund Enterprises Inc 450.

COUNTY ROAD & BRIDGE

Air Gas North Central 430.38, City of Clarks Grove 2,937.50, Cole Paper Inc 491.86, Goodpointe Technology 2,250, Little Falls Machine Inc 3,688.86, Minncor 13,951.50, RDO Equipment Co 368.40, Rihm Kenworth Albert Lea 314.42, SRF Consulting Group Inc 3,586.86, Ziegler Inc 1,886.65.

CAPITAL IMPROVEMENTS FUND

Com Tec Land Mobile Radio 2,349.68, Schraders Law Enforcement Supplies 457.95, Streichers 891.66.

COUNTY DITCHES

Behrends Mark 2,138.24, Callahan Kelly 690, Christianson Chris 2,491.22, Dahl Thomas L 1,915.20, Hansen Robert M 1,651.88, Jones Haugh & Smith Inc 6,405, Steele County Treasurer 4,207.32.

Number of claims not exceeding \$300.00 – 69
Dollar amount of claims not exceeding \$300.00 - \$9,929.86

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

Chair, Commissioner Shoff adjourned the meeting until 8:30 a.m., March 17, 2009

BY; _____
Christopher Shoff
Chairman of the County Board

ATTEST: _____
John Kluever
Administrator