

ADJOURNED MEETING OF THE COUNTY BOARD
April 7, 2009

The Board of County Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, April 7, 2009, Members Present: Mathiason, Shoff, Belshan, Nelson, Tuttle.

Commissioner Tuttle offered the following motion;

MOVED, approve the minutes from the March 17, 2009 regular meeting and March 20, 2009 special meeting.

Motion seconded by Commissioner Mathiason.

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

Report of the Commissioners on meetings attended.

During the public forum; Brian Bashan commented on the requirements for the commissioners during the election process.

Brian Nasi, Chief Executive Officer for South Country Health Alliance gave an update on their organizations activities.

Public Hearing on the Completion of the Repair and Improvement of County Ditch No. 16. Dennis gave an overview of the project. County Chair opened the hearing for

Proponent and Neutral parties:

Gloria Hall addressed the board in regards to drainage problems after the work was done.

MR Nelson asked what the final expense was for the project

Steve from Jones Haugh and Smith stated what the bid was for and the amount for the contracted services on the job, without engineering and attorney fees. He also stated that the burms were not part of this project.

Opponents: none

The Chair closed the Public Hearing at 9:30 a.m.

Wanda Mausehuend from the US Fish and Wildlife informed the County Board of the acquisition of the property owned by Dorothy Weir in Nunda Township.

Commissioner Belshan offered the following motion:

MOVED, accepting the following contract;
STATE OF MINNESOTA

COUNTY OF FREEBORN

BEFORE THE BOARD OF
COUNTY COMMISSIONERS OF
FREEBORN COUNTY, MINNESOTA

In the Matter of the Repair and Improvement
of a Separable Part of Freeborn County Ditch
No. 16, Freeborn County, Minnesota.

ORDER ACCEPTING CONTRACT

The Engineers, Jones, Haugh and Smith, Inc., having reported to the Board of County Commissioners that the contractor has completed its contract and having shown the work performed thereunder, the contract price thereof, the amounts paid on partial certificates and the balance unpaid, and the County Auditor-Treasurer having fixed a time and place for hearing on said report and having given notice of the hearing, the said hearing was duly held pursuant to said notice at 9:00 o'clock a.m., on the 7th day of April, 2009, in the Commissioners Room at the Freeborn County Government Center, 411 Broadway Avenue S., in the City of Albert Lea, Minnesota.

The Engineers, Jones, Haugh and Smith, Inc., appeared at said hearing.

It is, therefore, ordered that the balance due the contractor, Hodgman Drainage Company, Inc., in the amount of \$22,506.35, shall be paid immediately.

Motion seconded by Commissioner Tuttle.

After discussion, a vote was taken and the Chair declared the motion approved. Vote being, Aye; Mathiason, Belshan, Shoff and Tuttle. Commissioner Nelson abstained.

Commissioner Mathiason offered the following resolution:

RESOLUTION 09-060
RESOLUTION ACCEPTING CONTRACT FOR REPAIRS AND IMPROVEMENT FOR COUNTY
DITCH #16

Resolved, to approve an order in the Matter of the Repair and Improvement of a Separable Part of Freeborn County Ditch No. 16, Freeborn County, Minnesota.

ORDER ACCEPTING CONTRACT

The Engineers, Jones, Haugh and Smith, Inc., having reported to the Board of County Commissioners that the contractor has completed its contract and having shown the work performed thereunder, the contract price thereof, the amounts paid on partial certificates and the balance unpaid, and the County Auditor-Treasurer having fixed a time and place for hearing on said report and having given notice of the hearing, the said hearing was duly held pursuant to said notice at 9:00 o'clock a.m., on the 7th day of April, 2009, in the Commissioners Room at the Freeborn County Government Center, 411 Broadway Avenue S., in the City of Albert Lea, Minnesota.

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It is, therefore, ordered that the balance due the contractor, Hodgman Drainage Company, Inc., in the amount of \$22,506.35, shall be paid immediately.

Resolution seconded by Commissioner Belshan.

After discussion, a vote was taken and the Chair declared the resolution adopted. Vote being; Aye: Mathiason, Nelson, Shoff and Tuttle. Commissioner Nelson abstained.

Commissioner Tuttle offered the following resolution;

RESOLUTION 09-061
RESOLUTION GIVING BOARD CHAIR AUTHORIZATION TO SIGN US FISH AND WILD LIFE
PAPERWORK

RESOLVED, that Commissioner Shoff, County Chair person is authorized to sign the documents required by the US Fish and Wildlife.

Resolution seconded by Commissioner Mathiason.

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

Lois Ahern, Public Health Director updated the board on a request from the Minnesota Responds Medical Reserve Corps. The Medical Reserve Corps is a list of volunteers that response to emergency when asked.

Commissioner Belshan offered the following resolution;

RESOLUTION 09-062
AWARD OF 2009 BITUMINOUS RECONDITIONING PROJECTS

WHEREAS, the Freeborn County Highway Department has the responsibility of maintaining the county road system;

WHEREAS, the Freeborn County Highway Department has prepared plans and specifications for the improvements of the following roadway;

CSAH 19, from CSAH 34 to East County Line.

CSAH 21, from CSAH 34 to East County Line.

CSAH 28, from 0.5 miles north of TH 251 to CSAH 35.

CSAH 31, from TH 13 to CSAH 20.

CSAH 34, from CSAH 13 to CSAH 46

NOW, THEREFORE BE IT RESOLVED, to accept the low bid from Ulland Brothers, Inc. of Albert Lea, MN in the amount of \$4,143,639.67 for projects SAP 024-619-011, SAP 024- 621-004, SAP 024-628-007, SAP 024-631-013 & SAP 024-634-018.

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 09-063
RESOLUTION FOR AGREEMENT TO STATE TRANSPORTATIO FUND LOCAL ROAD
IMPROVEMENT PROGRAM GRANT TERMS AND CONDITIONS
SAP 024-631-013**

WHEREAS, Freeborn County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Local Road Improvement Project No. SAP 024-631-013; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this local road improvement project is available; and

WHEREAS, the amount of the grant has been determined to be \$84,388 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Freeborn County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, subdivision 5, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the road project, but not required.

Resolution seconded by Commissioner Mathiason.

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

Commissioner Belshan offered the following resolution;

**RESOLUTION 09-064
Award of Hayward Township Bridge Replacement
SAP 024-599-039**

WHEREAS, the Freeborn County Highway Department has the responsibility of maintaining the county road system;

WHEREAS, the Freeborn County Highway Department has prepared plans and specifications for the construction of Bridge 24548;

NOW, THEREFORE BE IT RESOLVED, to accept the low bid from Minnowa Construction, Inc. of Harmony, MN in the amount of \$265,617.88 for project SAP 024-599-039.

Resolution seconded by Commissioner Mathiason.

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

Commissioner Belshan offered the following resolution:

**RESOLUTION 09-065
Award of CSAH #19 Bridge Replacement
SAP 024-619-009**

WHEREAS, the Freeborn County Highway Department has the responsibility of maintaining the county road system;

WHEREAS, the Freeborn County Highway Department has prepared plans and specifications for the replacement of Bridge 815 with Bridge 24545;

NOW, THEREFORE BE IT RESOLVED, to accept the low bid from Minnowa Construction, Inc. of Harmony, MN in the amount of \$720,129.31 for project SAP 024-619-009.

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 06-066
For Agreement to State Transportation Fund (Bridge Bonds)
Grant Terms and Conditions
SAP 024-619-009

WHEREAS, Freeborn County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No.24545; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available;
and

WHEREAS, the amount of the grant has been determined to be \$500,000 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Freeborn County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required.

Resolution seconded by Commissioner Nelson.

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

Commissioner Tuttle offered the following resolution;

RESOLUTION 09-067
Award of 2009 Seal Coat Contract
CP 009-M-001

WHEREAS, the Freeborn County Highway Department has the responsibility of maintaining the county transportation system;

WHEREAS, the Freeborn County Highway Department has prepared plans and specifications for the seal coating of a portion of CSAH 1, CSAH 16, and CSAH 18.

NOW, THEREFORE BE IT RESOLVED, to accept the low bid from Fahrner Asphalt Sealers LLC from Plover, Wisconsin in the amount of \$249,730.02 for project CP 009-M-001.

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 09-068
Award of 2009 Pavement Striping Contract
CP 009-M-002

WHEREAS, the Freeborn County Highway Department has the responsibility of maintaining the county road system;

WHEREAS, the Freeborn County Highway Department has prepared specifications for the seasonal material requirements;

NOW, THEREFORE BE IT RESOLVED, to accept the low bid from AAA Striping Service, Inc., from St. Michael, MN in the amount of \$63,250.00 is hereby accepted for 2009 Pavement Striping.

Resolution seconded by Commissioner Belshan.

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

Commissioner Mathiason offered the following resolution;

RESOLUTION 09-069
Award of 2009 Seasonal Bids

WHEREAS, the Freeborn County Highway Department has the responsibility of maintaining the county road system;

WHEREAS, the Freeborn County Highway Department has prepared specifications for the seasonal bid requirements;

NOW, THEREFORE BE IT RESOLVED, to accept that the following price lists be placed on file for consideration during the specified time period:

Metal Culverts - Metal Culverts, and Johnston Fargo Culverts, Inc.

Reinforced Concrete Pipe Culverts & Concrete Bridge Materials – Hancock Concrete Products and Cretex Concrete Products.

Corrugated Polyethylene Pipe Culvert & Perforated P. E. Pipe Drain – No Quotes Received.

Plant Mixed Bituminous Materials - Ulland Brothers, Inc. and Crane Creek Asphalt, Inc.

Fine Aggregate - Ulland Brothers, Inc. and Sorensen Brothers, Inc.

Equipment Rental - Sorensen Brothers, Inc., Freeborn Construction, Jensen Excavating and Trucking, Larry Yost and Ulland Brothers, Inc.

Gravel and Crushed Quarry Rock - Ulland Brothers, Inc., Martin Marietta Aggregate, Gary Seedorf, OMG Midwest, Inc. and Freeborn Construction.

Resolution was seconded by Commissioner Tuttle.

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

Commissioner Belshan offered the following motion;

MOVED, to accept the resignation of Deputy Don Westland.

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 09-070
RESOLUTION ELIMINATING THE POSITION OF COURT SECURITY OFFICER

RESOLVED, to eliminate the position of a Court Security Officer for the Courts.

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 09-071

RESOLUTION AUTHORIZATION TO HIRE A PATROL DEPUTY

RESOLVED, authorizing the hiring of one patrol deputy.

Resolution seconded by Commissioner Belshan.

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

Commissioner Nelson offered the following resolution;

RESOLUTION 09-072

**RESOLUTION ACCEPTING THE FREEBORN COUNTY CLASS SPECIFICATION FOR THE
CORRECTIONAL OFFICER POSITION**

RESOLVED, accepting the Correctional Officer Position Class Specification.

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 09-073

**RESOLUTION ADOPTING THE FREEBORN COUNTY CLASS SPECIFICATION FOR THE
DETENTION CENTER ADMINISTRATOR**

RESOLVED, adopting the Freeborn County Class Specification for the Correctional Detention Center Administrator.

Resolution seconded by Commissioner Tuttle.

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

Commissioner Belshan offered the following resolution;

RESOLUTION 09-074

RESOLUTION ACCEPTING THE FREEBORN COUNTY INVESTMENT POLICY

RESOLVED, accepting the Investment Policy as request by the State Auditor.

Resolution seconded by Commissioner Mathiason.

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

Commissioner Nelson offered the following resolution;

RESOLUTION 09-075

RESOLUTION APPOINTING INVESTMENT PROFESSIONAL

RESOLVED, appointing Robert Dammen as the investment professional through December 31, 2010.

Resolution seconded by Commissioner Tuttle.

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

John Kluever, Administrator requested a special meeting for Tuesday, April 14, 2009 at 8:30 a.m. to discuss the scoping request for a transmission line by Wisconsin Power and Light.

Commissioner Belshan: tax statements need better language for residents to understand what they are paying for, look into a new desk for the Commissioner's, the purchase of another monitor to view the screen when there are items being viewed.

Commissioner Tuttle: she has a picture for John to look at of a table for the Commissioners.

Commissioner Shoff: visited with Representative Robin Brown to get more funding for the bike trail completion, there was an article on the passenger rail that will be going down I35 that he will print and distribute to the commissioners.

Commissioner Mathiason offered the following resolution:

**RESOLUTION 09-076
APPROVAL OF CLAIMS**

RESOLVED, that the following claims be allowed and paid on April 10, 2009.

<u>Fund</u>	<u>Name</u>	<u>Amount</u>
01	General Fund	\$408,846.37
03	County Road and Bridge	\$100,045.67
05	Human Services	\$ 93,951.46
31	Capital Improvements Fund	\$ 6,708.26
40	County Ditches	\$ 10,589.03
70	Trust and Agency Fund	\$ 10,280.50
73	Payroll Clearing Fund	\$ 10,404.88
77	Recorders-Clearing	\$ 2,677.00
80	Tax Collection Fund	<u>\$ 16,486.48</u>
	TOTAL	<u>\$659,989.65</u>

GENERAL FUND

AViands LLC 12,024.35, ACS Enterprise Solutions Inc 1,311.84, Albert Lea School Dist 24 3,208.32, Albert Lea Tribune 12,854.75, Alliant Energy/IPL 694, American Institutional Supply 566.29, American Solutions for Business 940.12, Anoka Cty JC Corrections 4,872, Blue Cross & Blue Shield of MN 6,802, Brown Cty Evaluation Center 2,973, Businessware Solutions 382.34, Christian and Peterson PA 2,990, City & County Employees Federal 18,202.59, City of Albert Lea 11,583.47, Cole Papers Inc 1,003.66, Commissioner of Revenue 10,040.24, Crescent Electric Supply Co 674.08, Dalco Inc 1,225.17, Dell Marketing LP 2,302.64, Distad Dennis 2,261.31, Distad Dennis 29,767.88, Express Computer Products 1,777.40, Express Services Inc 1,438.28, Express Services Inc 1,557.75, Frederickson Donald 800, Fleet Services Division 7,970.53, Freeborn Co. Chemical Dependency 2,900, Freeborn Co Shopper 766.30, Freeborn Co Snowmobile Trail 1,339, GCS Services Ind 880, Gov Logic Corp 480, Great Kids Inc 2,673, Harig Sheriff Mark 318.16, Harig Sheriff Mark 687.54, Health Professionals LTD 12,231.30, Jackpot Junction Hotel 468.30, Kylo Jamie 380, Litho Printing & Graphics 460.99, Manpower Inc 747.63, Medicare Blue Rx 6,251, MCF-Red Wing 6,720, MN Child Support Payment Center 1,659.21, Mn Dept of Public Safety 675, MN Dept of Revenue 3,787, MN Teamsters No 320 1,771, NACO/Midwest Nationwide Retirement 8,586.92, Northland Chemical Corporation 489.41, Northland Inn 412.24, Officemax Inc 527.93, Olson Kyle 442.48, Postmaster 313.88, Professional Service & Supply 564.66, Public Emp Retirement Assn 39,285.35, Quill Corp 571.68, Regina Medical Center 27, 288.75, Riverside Psychological Service 1,360, RR Brink Locking Systems Inc 1,800.85, RS Eden 1,065.98, Schmidt Goodman Office Products 555.93, SEMCAC 1,170, Southern Minnesota Lanscaping 700, Stanley Convergent Security 2,328.83, Steeles Body Shop 1,152.57, TDS Metrocom 1,691.70, Turnkey Corrections 310.03, US Bank 395, Wells Fargo Bank 7,102.58, Wells Fargo 25,731.96, Wells Fargo Bank 19,745.20, West Payment Center 653.16, Willoughby Industries Inc 5,644.42, Xerox Corp 527.23, Zenk Read Trygstad & Assoc 360.

COUNTY ROADS & BRIDGES

Albert Lea Tribune 666.90, Alliant Energy 3,163.11, Blue Cross & Blue Shield of MN 2,506, Chemsearch 944.72, City & County Employees Federal 5,843.46, Commissioner of Revenue 2,286.78, Com Tec Land Mobile Radio 2,402.06, Distad Dennis 651.49, Distad Dennis 6,293.07, Erickson Engineering 27,962.84, Karls Carquest Auto 1,040.69, Medicare Blue RX 2,303, MN Child Support Payment Center 1,034.09, MN Dept of Revenue 448.65, MN Energy Resources Corp 330.08, MN Pollution Control Agency 800, MR Sign 1,044.87, MRCI 1,049.03, NACO/Midwest Nationwide Retirement 2,253, Public Em Retirement Assn 7,343.19, Reed Business Information 2,341.92, Rochester Sand and Gravel 4,847.67, Sorenson Bros Inc 1,500, SRF Consulting Group Inc 911.96, Wells Fargo 1,477.15, Wells Fargo Bank 1,559.64, Wells Fargo Bank 6,668.92, Wells Fargo Bank 4,813.79, Ziegler Inc 2,667.24.

HUMAN SERVICES

AFSC &ME 1,331.42, Alltel 1,099.34, City & County Employees Federal 6,507.39, Commissioner of Revenue 5,312.09, Distad Dennis 1,663.37, Distad Dennis 17,425.18, MN Child Support Payment Center 485.92, NACO/Midwest Nationwide Retirement 6,268.31, Public Emp Retirement Assn 18, 227.14, Wells Fargo 4,505.61, Wells Fargo Bank 3,818.82, Wells Fargo Bank 16,328.84, Wells Fargo Bank 10,773.43.

CAPITAL IMPROVEMENTS FUND

City of Albert Lea 658.70, Dell Marketing LP 1,151.32, Electronic Engineering 524.46, IBM Corporation 2,000.85, Nelson Odean 2,155.50.

COUNTY DITCHES

Behrends Mark 619.52, Christianson Chris 1,916.30, Freeborn Construction Inc 5,386.50, Hanson Robert 1,421.24, Johnson Daniel 720.59, Tennis Wesley 306.08.

TRUST AND AGENCY FUND

Distad Dennis 1,998, Medicare Blue Rx 658, Medicare Blue Rx 716, MN Dept of Finance 6,908.50.

PAYROLL CLEARING FUND

Aflac 4, 061.94, Assurant Employee Benefits 1,671.66, MN Life 3,008.40, CAN Group Long Term Care 378.88, Delta Dental Plan of MN 1,284.

RECORDERS-CLEARING

MN Dept of Finance 2,677.

TAX COLLECTION FUND

Albert Lea Area Schools 6,121.10, City of Albert Lea 10,365.38.

Resolution seconded by Commissioner Nelson.

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

Commissioner Nelson offered the following resolution;

RESOLUTION 09-077

RESOLUTION AUTHORIZING THE FREEBORN COUNTY CHAIR TO SIGN EMERGENCY OPERATION DOCUMENTS

RESOLVED, authorizing the Chair to sign the updates to the Emergency Operation Plan documents.

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. April 14, 2009.

BY: _____

Christopher Shoff
Chairman of the County Board

ATTEST: _____

John Kluever
Administrator