

**ADJOURNED MEETING OF THE COUNTY BOARD  
JUNE 16, 2009**

The Board of County Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. Tuesday, June 16, 2009. Members present: Shoff, Mathiason, Nelson, Belshan and Tuttle.

Commissioner Belshan offered the following motion:

**MOVED**, approving the minutes from the June 2, 2009 regular meeting.

Motion seconded by Commissioner Mathiason.

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

Reports of the Commissioners attended.

Public Comments: Barbara Dickman, addressed the issue about the waste disposal in Moscow Township.

Commissioner Belshan offered the following motion;

**MOVED**, that the Environmental staff send a letter to the Department of Natural Recourses stating that the Commissioners expect someone from their office to attend the Commissioners meeting on July 7<sup>th</sup> and bring along with them the documentation showing ownership of the Bear Lake Dam/

Motion seconded by Commissioner Tuttle.

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

Commissioner Mathiason offered the following resolution;

**RESOLUTION 09-119  
RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT**

**BE IT RESOLVED**, that Freeborn County Public Health enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled *Toward Zero Deaths Safe Roads* during the period from October 1, 2009 through September 30, 2010.

The Chairman, Freeborn County Board of Commissioners, is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of Freeborn County Public Health and to be the fiscal agent and administer the grant.

Resolution seconded by Commissioner Tuttle.

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

Commissioner Tuttle offered the following resolution;

**RESOLUTION 09-120  
AWARD OF CONTRACT FOR SP 024-070-001**

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

**WHEREAS**, the Freeborn County Highway Department has applied to the Commissioner of Transportation for a Highway Safety Improvement grant for Enhanced Curve Delineation on Various County State Aid Highways in accordance with Freeborn County's Road Safety Audit; and

**WHEREAS**, the Freeborn County Highway Department has prepared plans and specifications for the improvements for said project;

**NOW THEREFORE BE IT RESOLVED**, to accept the low bid from Safety Signs of Lakeville, MN in the amount of \$183,484.00 for project SP 024-070-001.

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

Commissioner Mathiason offered the following resolution;

**RESOLUTION 09-121  
AWARD OF CONTRACT FOR SP 024-070-002**

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

**WHEREAS**, the Freeborn County Highway Department has applied to the Commissioner of Transportation for a Highway Safety Improvement grant for Improved Intersection Signage and Pavement Markings on Various County State Aid Highways in accordance with Freeborn County's Road Safety Audit; and

**WHEREAS**, the Freeborn County Highway Department has prepared plans and specifications for the improvements for said project;

**NOW THEREFORE BE IT RESOLVED**, to accept the low bid from Safety Signs of Lakeville, MN in the amount of \$86,620.00 for project SP 024-070-002.

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

Commissioner Belshan offered the following resolution;

**RESOLUTION 09-122  
AGREEMENT FOR BRIDGE BONDING MnDOT GRANT  
BRIDGE NO. 24544 on CSAH 28**

**WHEREAS**, Freeborn County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 24544; 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 \$423,373.00 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 Tuttle.  
After discussion, a vote was taken and the Chair declared the resolution adopted.

Commissioner Tuttle offered the following motion;

**MOVED**, accepting the Amendment with the State of Minnesota Commissioner of Corrections Lease Agreement to house offenders.

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

Commissioner Mathiason offered the following motion;

**MOVED**, accepting Sandra Strom to a regular full-time employee status.

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

Administrator John Kluever requested a workshop. The workshop was set for June 30, 2009 at 8:30 a.m.

Commissioner Tuttle offered the following resolution;

**RESOLUTION 09-124**  
**RESOLUTION AMENDING THE LAW ENFORCEMENT CENTER OPERATING AGREEMENT WITH**  
**THE CITY OF ALBERT LEA**

**WHEREAS**, Freeborn County and the City of Albert Lea entered into agreement on December 10, 2007 whereby the City of Albert Lea agrees to lease from Freeborn County a portion of the Freeborn County Government Center for use by the Albert Lea Police Department and will share space with the Freeborn County Sheriff's Office in a joint use Law Enforcement Center; and

**WHEREAS**, an amendment to that agreement has been presented to include the following;

1. Increase the amount of monthly current reimbursement rate from one-third to one-half of the salary for Records Department Employees.
2. Currently this agreement is reviewed every two (2) years and this is amended to state, "This agreement shall be reviewed on a regular basis."
3. Amend the signature lines to reflect the newly appointed and elected officials.

**NOW, THEREFORE, BE IT RESOLVED** that the Freeborn County Board of Commissioners approved this amendment and authorize the Board Chairman, County Administrator, County Sheriff and County Attorney to sign the amended agreement.

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

Commissioner Belshan offered the following resolution:

**RESOLUTION 09-125**  
**RESOLUTION ESTABLISHING WIND DEVELOPMENT PLAN REVIEW FEES FOR THE BENT TREE**  
**WIND FARMS**

**WHEREAS**, Alliant Energy has expressed interest of Wind Energy Development in Freeborn County;

**WHEREAS**, it is anticipated that Alliant Energy will develop the Bent Tree Wind Farm in Freeborn County on behalf of their utility subsidiary Wisconsin Power and Light;

**WHEREAS**, the proposed development of the Bent Tree Wind Farm would require plan reviews for the wind towers and all wind tower foundation types;

**WHEREAS**, the proposed development of the Bent Tree Wind Farm would require that the Freeborn County Building Official accept and review all necessary inspection reports;

**WHEREAS**, the proposed development of the Bent Tree Wind Farm would required that each wind tower within this development be assigned a rural address for emergency response purposes;

**RESOLVED**, that the Freeborn County Board of Commissioners support the development of the Bent Tree Wind Farm in Freeborn County;

**RESOLVED**, that the plan review fees for the Bent Tree Wind Farm are set at the following;

Plan Review Fees – One (1) plan review for the towers and one (1) plan review for each of the three (3) foundation types that are anticipated to be used on this project. The Cost of the plan review + 10% will be paid to Freeborn County by the developer of this project.

Resolution seconded by Commissioner Tuttle.

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

Commissioner Mathiason offered the following resolution;

**RESOLUTION 09-126**

**RESOLUTION ESTABLISHING WIND DEVELOPMENT TURBINE PERMIT FEE FOR THE BENT TREE WIND FARM**

**WHEREAS**, Alliant Energy has expressed interest of Wind Energy Development in Freeborn County;

**WHEREAS**, it is anticipated that Alliant Energy will develop the Bent Tree Wind Farm in Freeborn County on behalf of their utility subsidiary Wisconsin Power and Light;

**WHEREAS**, the proposed development of the Bent Tree Wind Farm would require plan reviews for the wind towers and all wind tower foundation types;

**WHEREAS**, the proposed development of the Bent Tree Wind Farm would require that the Freeborn County Building Official accept and review all necessary inspection reports;

**WHEREAS**, the proposed development of the Bent Tree Wind Farm would required that each wind tower within this development be assigned a rural address for emergency response purposes;

**RESOLVED**, that the Freeborn County Board of Commissioners support the development of the Bent Tree Wind Farm in Freeborn County;

**RESOLVED**, that the Permit Fee for each Wind Turbine for the Bent Tree Wind Farm is set at the following;

Wind Turbine Permit Fee - \$200.00 for each individual wind turbine will be paid to Freeborn County by the developer of this project.

Resolution seconded by Commissioner Tuttle.

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

Commissioner Nelson offered the following resolution;

**RESOLUTUION 09-127**

**RESOLUTION ESTABLISHING WIND DEVELOPMENT RURAL ADDRESSING FEES FOR THE BENT TREE WIND FARM**

**WHEREAS**, Alliant Energy has expressed interest of Wind Energy Development in Freeborn County;

**WHEREAS**, it is anticipated that Alliant Energy will develop the Bent Tree Wind Farm in Freeborn County on behalf of their utility subsidiary Wisconsin Power and Light;

**WHEREAS**, the proposed development of the Bent Tree Wind Farm would require plan reviews for the wind towers and all wind tower foundation types;

**WHEREAS**, the proposed development of the Bent Tree Wind Farm would require that the Freeborn County Building Official accept and review all necessary inspection reports;

**WHEREAS**, the proposed development of the Bent Tree Wind Farm would require that each wind tower within this development be assigned a rural address for emergency response purposes;

**RESOLVED**, that the Freeborn County Board of Commissioners support the development of the Bent Tree Wind Farm in Freeborn County;

**RESOLVED**, that the Rural Address Fee for each Wind Turbine for the Bent Tree Wind Farm is set at the following;

Wind Turbine Rural Address Fee - \$100.00 for each individual wind turbine will be paid to Freeborn County by the developer of this project.

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

Commissioner Belshan offered the following motion;

**MOVED**, appointing Russ Tordoff to the Shell Rock River Watershed Board of Managers.

Motion seconded by Commissioner Tuttle.  
After discussion, a vote was taken and the Chair declared the appointment failed for a lack of majority votes.  
The vote being: Ayes; Commissioners Tuttle and Belshan, Nay; Commissioners Mathiason, Nelson and Shoff.

Commissioner Mathiason offered the following motion;

**MOVED**, appointing Art Ludtke to the Shell Rock River Watershed Board of Managers.

Motion seconded by Commissioner Nelson.  
After discussion, a vote was taken and the Chair declared the motion approved.  
The vote being: Ayes; Commissioner Mathiason, Nelson, Tuttle and Shoff, Nay; Commissioner Belshan.

Commissioner Belshan offered the following motion;

**MOVED**, appointing Mike Lee to the Shell Rock River Watershed Board of Managers.

Motion failed for lack of a second.

Commissioner Tuttle offered the following motion;

**MOVED**, appointing Clayton Peterson to the Shell Rock River Watershed Board of Managers.

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

Commissioner Belshan offered the following resolution;

**RESOLUTION 09-128**

**AUTHORIZING USE OF COUNTY CREDIT CARDS DURING THE TRANSPORTATION OF  
IMMIGRATION CUSTOM AND ENFORCEMENT (ICE) DETAINEES**

**WHEREAS**, Freeborn County has entered into an Agreement with the Department of Homeland Security for the placement of ICE detainees in the Freeborn County Detention Center;

**WHEREAS**, a term of this Agreement is that Freeborn County will transport ICE detainees;

**WHEREAS**, Freeborn County Sheriff's Office Officers will be transporting ICE Detainees; and

**WHEREAS**, these transportation trips are anticipated to be made on a regular basis over large regions of the upper Midwest in the United States; and

**WHEREAS**, the purchase of fuel on a regular basis is anticipated;

**WHEREAS**, the need to make emergency vehicle repair payments or pay for other unanticipated events is anticipated to occur on an isolated basis;

**NOW THEREFORE BE IT RESOLVED**, that the Freeborn County Board of Commissioners does hereby authorize Sheriff's Department Transportation Officers to use county credit cards during the transportation of ICE Detainees:

**NOW THEREFORE BE IT RESOLVED**, that these credit cards are to be used only during the transportation of ICE detainees for the purposes of purchasing vehicle fuel or for unanticipated events that occur while in transport.

**NOW THEREFORE BE IT RESOLVED**, that all statements and records related to the use of these credit cards will remain on file for review and examination upon request.

Resolution 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**, requesting that the County Engineer get a quote on fixing the ditch damage on County 34, Section 35 and bring it before the Commissioners on the July 7, 2009 meeting.

Motion seconded by Commissioner Tuttle.

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

The vote being: Aye; Commissioners Belshan, Tuttle and Nelson, Nay; Commissioners Mathiason and Shoff.

Commissioner Belshan addressed the rumble strips on County highways.

Commissioner Tuttle stated she had received complaints from neighbors of Lamco, burning laminated wood products.

Commissioner Shoff stated that the Governor would be holding a press conference later today to discuss the unallotment of funds to balance the budget.

Commissioner Tuttle offered the following resolution;

**RESOLUTION 09-129  
APPROVAL OF CLAIMS**

**RESOLVED**, that the following claims be allowed and paid on June 19, 2009.

<u>Fund</u>	<u>Name</u>	<u>Amount</u>
01	General Fund	\$ 506,435.56
03	County Road and Ditches	\$ 291,516.55
05	Human Services	\$ 94,956.79
31	Capitol Improvements Fund	\$ 69,803.33
40	County Ditches	\$ 47,764.59
70	Trust and Agency Fund	\$ 2,720.00
73	Payroll Clearing Fund	\$ 1,620.96
80	Tax Collection Fund	\$ 2,799,676.89
84	Revolving Loan Fund Economic Development	\$ 6,520.76
85	Septic Loan Fund	\$ 12,000.00
	<b>TOTALS</b>	<b>\$ 3,833,015.43</b>

#### **GENERAL FUND**

ACS 9,754, Albert Lea Business Development 7500, Albert Lea Tribune 1,233.82, Alliant Energy IPL 694, American Institutional Supply 806.77, Apex Software 500, Arrow Printing Inc 313.09, Arrowwood Resort & Conference 1,124.15, Brown County Evaluation Center 2,177, Chris Larson Construction 2,725, City of Albert Lea 796.48, City of Albert Lea 131,000, City of Albert Lea 759, City & County Employees Feder 16,817.95, Cole Papers Inc 1,320.31, Commissioner of Revenue 11,024.81, Culligan of Albert Lea 380.33, D&T Ventures LLC 1,449, Distad Dennis 2,931.47, Distad Dennis 27,847.67, Distad Dennis 4,147, Express Services Inc 300.16, Freeborn Co Ag Society 10,000, Freeborn co Chemical Dependency 2,150, Freeborn Co Hist Society 7500, Freeborn Co Shopper 488, Freeborn Co Soil and Water Co 70,500, GE Capital 1,897.90, Geo Com Inc 2,950, Goldman Sturtz & Halvorsen Ch 320, Health Professionals LTD 12,231.30, Healthsmart Benefit Solutions 441, Helfritz Bill 317.90, Hoffman Richard 300.44, IBM Corporation 394.08, Jims IT 1,550, Law Enforcement Training Svs 360, Manpower Inc 754.02, Minncor 476.33, MN Child Support Payment Center 1,672.12, MN Highway Safety & Research 492, MN State Bar Assoc 668, NACO Midwest Nationwide Retirement 8,886.92, Office of Enterprise Technology 1,222.50, Officemax Inc 364.10, Paragon Printing and Mailing 2,965.63, Peterson Savelkoul & Benda 3,115.51, Professional Services & Supply 568.28, Public Emp Retirement Assn 42,302.84, Quill Corp 684.46, Qwest 437.34, Radar Shop The 429, Reim Roofing and Metal 539.26, Schmidt Goodman Office Prod 410.17, SEMCAV 1,215, Southern MN Initiative Fund 2,500, Stanley Convergent Security Sys 814.76, State of MN Office of the Auditor 19,756.17, Teigen Paper and Supply Inc 481.22, Tri State Business Machines Inc 1,129.27, Uniforms Unlimited Inc 730.43, Waste Management of Southern MN 742.53, Waste Management of Southern MN 1,179.73, Weiss Ethan 445.50, Wells Fargo 6,667.79, Wells Fargo Bank 7,736.22, Wells Fargo Bank 27,714.76, Wells Fargo Bank 22,357.43, West Payment Center 884.03, Xerox Corp 462.38.

#### **COUNTY ROAD AND DITCHES**

Advanced Drainage Systems 465.72, Agri Drain Corp 301.76, Albert Lea Seed House Inc 396, B&H Petroleum Equipment 301.25, Brooks Safety Equipment 338, City of Albert Lea 1,823.58, City & County Employees Feder 5,974.55, Commissioner of Revenue 2,309.47, Distad Dennis 738.04, Distad Dennis 6,293.07, Erickson Engineering 1,050, Freeborn Co Coop Oil 20,676.60, Freeborn Construction Inc 11,830, Freeborn Mower Cooperative SE 1,039, Karls Carquest Auto 420.16, Minnowa Construction Inc 185,360.77, Mn Child Support Payment Center 1049.78, MN Dept of Revenue 773.67, NACO Midwest Nationwide Retirement 2,353, Public Employee Retirement Assn 7,238.38, Southern Minn Construction Co 3,857.89, Syverson Auto Mall Dave 600.97, Twin City Seed Co 424.67, Ulland Brothers Inc 18,305.13, Vanwilgen Farm Drainage 351, Wells Fargo 1,477.15, Wells Fargo Bank 1,572, Wells Fargo Bank 6,721.68, Wells Fargo Bank 4,784.76.

#### **HUMAN SERVICES**

AFSC & ME 1,331.42, City & County Employees Feder 6,878.92, Commissioner of Revenue 5,269.15, Distad Dennis 2,017.50, Distad Dennis 18,432.09, MN Child Support Payment Center 485.92, NACO Midwest Nationwide Retirement 6,240.81, Public Emp Retirement Assn 18,157.67, Wells Fargo 4,900.28, Wells Fargo Bank 3,792.76, Wells Fargo Bank 16,217.38, Wells Fargo Bank 10,755.37.

#### **CAPITAL IMPROVEMENT FUND**

CDW Government Inc 1,716.79, Com Tec Land Mobile Radio 3,718.68, Elk River Ford Dodge Jeep 43,188.96, Freeborn Co Ag Society 19,572.13, IBM Corporation 1,606.77.

#### **COUNTY DITCHES**

Christian and Person PA 3,759, Christianson Chris 872.27, Freeborn Co Highway Dept 3,562.41, Freeborn Construction Inc 32,202.81, Freeborn Construction Inc 6,228.78, Monson Al 575.

**TRUST AND AGENCY FUND**

Distad Dennis 2720.

**PAYROLL CLEARING FUND**

Assurant Employee Benefits 1,620.96.

**TAX COLLECTION FUND**

Albert Lea Area Schools 1,950,267.13, City of Albert Lea 2,799.89, School District 2134 64,813.01, School District 2168 96,956.19, School District 242 176,637.44, School District 2886 141,381.66, School District 492 85,609.45, School District 497 19,093.77, School District 75698,968.13.

**REVOLVING LOAN FUND ECONOMIC DEVELOPMENT**

MN Dept of Employment & Eco Dev 6,520.76.

**SEPTIC LOAN FUND**

Jensen and Donna Jensen Luver 12,000.

Number of Claims not exceeding \$300.00 – 125

Dollar amount of claims not exceeding \$300.00 - \$4756.09

Resolution seconded by Commissioner Nelson.

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. on July 7, 2009.

By: \_\_\_\_\_

Christopher Shoff  
Chair of the County Board

Attest: \_\_\_\_\_

John Kluever  
Administrator