

ADJOURNED MEETING OF THE COUNTY BOARD
July 7, 2009

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

Commissioner Mathiason offered the following motion;

MOVED, approving the minutes from the June 16, 2009 regular board meeting and the June 30, 2009 workshop meeting.

Motion seconded by Commissioner Belshan.

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

Commissioners reported on meetings attended.

Public comments: Mike Lee addressed issues with garbage along channel and if the DNR could give updates for Shell Rock dam.

Commissioner Belshan offered the following resolution;

RESOLUTION 09-130
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 # 77, #11 & #16 and Judicial Ditch #18.

Resolution seconded by Commissioner Nelson.

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

Commissioner Nelson offered the following resolution;

RESOLUTION 09-131
RESOLUTION AUTHORIZING SALE OF FORFEITED PARCELS FOR NON-PAYMENT OF TAXES

WHEREAS, The County Board of Commissioners of the County of Freeborn, State of Minnesota, desire to offer for sale certain parcels of land that have been forfeited to the State of Minnesota for non-payment of taxes and

WHEREAS, said parcels of land have been viewed by the designees of the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01.

NOW, THEREFORE, BE IT RESOLVED, that the Freeborn County Board of Commissioners hereby certify that all parcels of land on the attached list have been viewed and comply with the Provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subd 8, and 282.018 and other statutes that require the withholding of tax-forfeited lands from sale.

BE IT FURTHER RESOLVED That the Freeborn County Board of Commissioners hereby request approval from the Minnesota Department of Natural Resources for the sale of said lands.

Resolution seconded by Commissioner Mathiason.

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

Commissioner Belshan offered the following resolution;

RESOLUTION 09-132
RESOLUTION AUTHORIZING THE ON SALE LIQUOR LICENSE TO
HOLIDAY PARK GOLF COURSE

RESOLVED, authorizing the on sale liquor license for Holiday Park Golf Course from May 1, 2009 till April 30, 2010.

Resolution seconded by Commissioner Tuttle.

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

A Public Hearing was held at 8:45 a.m.; the Chair opened the Public Hearing and announced the Rules of Order on the Consolidation and Redetermination of Benefits for County Ditch No. 23, 48 & 72. Dennis Distad, County Auditor/Treasurer gave an overview of the consolidation and redetermination of the ditches.

Proponents and neutral parties: none

Opponents: none

The Chair closed the public hearing on Consolidation and redetermination of benefits for County Ditch No. 23, 48 & 72.

The Chair opened the Public Hearing on Redetermination of Benefits for County Ditch No. 64. Dennis Distad, County Auditor/Treasurer gave an overview of the redetermination of benefits for the ditch.

Proponents and neutral parties: none

Opponents: none

The Chair closed the public hearing on Redetermination of Benefits for County Ditch No. 64.

The Chair opened the Public hearing on the Abandonment of Branch F-1 of County Ditch No. 55 (Utabjaa). Dennis Distad gave an overview of the area and the abandonment of the line for wetlands.

Proponents and neutral parties: none

Opponents: none

The Chair closed the public hearing on the Abandonment of Branch F-1 of County Ditch No. 55 (Utabjaa).

The Chair opened the Public Hearing on the Abandonment of Branch E-1 of County Ditch No. 55 (Borneman).

Proponents and neutral parties: John Gunderson addressed the board in regards to cost to remaining landowners to the ditch and water drainage effects for surrounding landowners.

Opponents: none

The Chair closed the public hearing on the Abandonment of Branch E-1 of County Ditch No. 55 (Borneman).

Commissioner Mathiason offered the following resolution:

RESOLUTION 09-133
RESOLUTION AND ORDER
REDETERMINING BENEFITS AND DAMAGES

The above entitled matter came on for hearing by the Board of Commissioners of Freeborn County, Minnesota, on 7th day of July, 2009, at 8:45 o'clock a.m., upon the report of the Viewers to redetermine and report the benefits and damages and the benefited and damaged areas of Freeborn County Ditch No. 64.

The firm of Jones, Haugh & Smith, Inc., Engineer appointed by the Board of Commissioners of Freeborn County, Minnesota, to assist the Viewers was present. Robert M. Hansen, Chris Christianson and Daniel E. Johnson, being the Viewers appointed herein, were present at the hearing.

The Board of Commissioners of Freeborn County, Minnesota, having heard the report of the Viewers, all the persons and parties interested, both for and against the redetermination of benefits and damages of Freeborn County Ditch No. 64, Freeborn County, Minnesota, and all the evidence produced by them, and having considered the same, together with the report of the Engineer, finds the following facts:

I.

That notice of the hearing was given and served upon the Commissioner of Natural Resources and on all persons, corporations and public bodies affected by the proposed system as required by law and that proofs of such service have been filed in the office of the Freeborn County Auditor.

II.

That the report of the Viewers, including amendments, has been duly made and filed in the office of the Freeborn County Auditor and that the report, as made or amended, is complete, just and correct, and that all other proceedings in this matter have been had and taken in accordance with the provisions of the law.

III.

That the estimated benefits to be derived from the Redetermination of Benefits and Damages of Freeborn County Ditch No. 64, Freeborn County, Minnesota, are greater than the total estimated costs, including damages, and that damages and benefits have been duly determined as required by law and that the drainage system will be of public utility and benefit, and promote the public health, and is practicable. The outlet is adequate.

IV.

That the drainage system will be of public utility and benefit, and will promote the public health, and is practicable. The environmental and land use criteria set forth in M.S. §103E.015, Subd. 1, was considered. That a permit from the State of Minnesota, Department of Natural Resources, Division of Waters, Soils and Minerals is not required pursuant to M.S. §103G.245, Subd. 2; there are no protected waters or wetlands that are affected by the proposed project; proper consideration has been given to conservation of soil, water, forests, wild animals and related natural resources and to other public interests affected, together with other material matters as provided by law in determining whether the project will be of public utility, benefit or welfare.

V.

The Viewers appointed to assess benefits and damages have assessed damages for acreage required for planting a strip of grass 16½ feet in width on each side of the top edge of the channel of the ditch pursuant to M.S. §103E.021.

VI.

The original benefits or damages determined in the drainage proceeding for construction of Freeborn County Ditch No. 64, Freeborn County, Minnesota, do not reflect reasonable present day land values and the benefited or damaged areas have changed.

NOW, THEREFORE, it is ordered and adjudged:

1. That the report of the Viewers appointed by the Board of Commissioners of Freeborn County, Minnesota, and which is on file in this matter, be and the same hereby is in all things adopted and confirmed and that the benefits and damages and benefited and damaged areas as redetermined, be and hereby are in all things allowed and confirmed.

2. That damages be paid in the manner provided by law; that the tracts of land benefited and damaged, and the names of the owners of said lands and the amount of benefits and damages are as set forth in the Viewers' Report, which Viewers' Report is made a part hereof just as fully set forth herein.

3. That the costs of the redetermination of benefits and damages and all other expenses thereof are in all things allowed and confirmed and shall be paid in the manner provided by law.

4. That the liens to be assessed for benefits against the tracts of land as shown in the Viewers' Report shall be payable pursuant to statute.

5. That the redetermination of benefits and damages and benefited and damaged areas be used in place of the original benefits and damages and benefited and damaged areas in all subsequent proceedings relating to the Freeborn County Ditch No. 64 drainage system.

6. That further proceedings shall be had pursuant to statute.

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 09-134
ORDER OF CONSOLIDATION OF FREEBORN COUNTY DITCH 48, 72 AND 23

RESOLVED, to approve an order in the Consolidation of Freeborn County Ditch No. 48, 72 and 23, Freeborn County, Minnesota.

The above-entitled matter came on for hearing by the Board of Commissioners of Freeborn County, Minnesota, on the 7th day of July, 2009, at 8:45 a.m.

The Board of Commissioners of Freeborn County, Minnesota, having heard all of the persons and parties interested, both for and against the consolidation of Freeborn County Ditch No. 48, No. 72 and No. 23, Freeborn County, Minnesota, and all the evidence produced by them, and having considered the same together with all of the files and records relating to such drainage systems, finds the following facts:

I.

That notice of the hearing was given and served upon all persons interested in the drainage system as required by law and that proofs of such service have been filed in the office of the Freeborn County Auditor.

II.

That the benefited areas of the drainage system have been redetermined by the Freeborn County Board of Commissioners under Section 103E.351.

III.

Consolidation of Freeborn County Ditch No. 48, No. 72 and No. 23 is consistent with the redetermination of the benefited areas of the drainage system.

IV.

That consolidation of Freeborn County Ditch No. 48, No. 72 and No. 23 would provide for the efficient administration of the drainage system.

V.

That consolidation of Freeborn County Ditch No. 48, No. 72 and No. 23 would be fair and equitable.

NOW, THEREFORE, it is ordered and adjudged:

1. That Freeborn County Ditch No. 48, No. 72 and No. 23, Freeborn County, Minnesota, are hereby consolidated and shall hereafter be designated as Freeborn County Ditch No. 23.

2. This Order shall not release property from a drainage lien or assessment filed for costs and incurred on account of Freeborn County Ditch No. 48, No. 72 and No. 23 before the date of this Order.

3. That further proceedings shall be had pursuant to Statute.

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 09-135
RESOLUTION AND ORDER REDETERMINING BENEFITS AND DAMAGES

The above entitled matter came on for hearing by the Board of Commissioners of Freeborn County, Minnesota, on 7th day of July, 2009, at 8:45 o'clock a.m., upon the report of the Viewers to redetermine and report the benefits and damages and the benefited and damaged areas of Freeborn County Ditch No. 23.

The firm of Jones, Haugh & Smith, Inc., Engineer appointed by the Board of Commissioners of Freeborn County, Minnesota, to assist the Viewers was present. Robert M. Hansen, Chris Christianson and Mark Behrends, being the Viewers appointed herein, were present at the hearing.

The Board of Commissioners of Freeborn County, Minnesota, having heard the report of the Viewers, all the persons and parties interested, both for and against the redetermination of benefits and damages of Freeborn County Ditch No. 23, Freeborn County, Minnesota, and all the evidence produced by them, and having considered the same, together with the report of the Engineer, finds the following facts:

I.

That notice of the hearing was given and served upon the Commissioner of Natural Resources and on all persons, corporations and public bodies affected by the proposed system as required by law and that proofs of such service have been filed in the office of the Freeborn County Auditor.

II.

That the report of the Viewers, including amendments, has been duly made and filed in the office of the Freeborn County Auditor and that the report, as made or amended, is complete, just and correct, and that all other proceedings in this matter have been had and taken in accordance with the provisions of the law.

III.

That the estimated benefits to be derived from the Redetermination of Benefits and Damages of Freeborn County Ditch No. 23, Freeborn County, Minnesota, are greater than the total estimated costs, including damages, and that damages and benefits have been duly determined as required by law and that the drainage system will be of public utility and benefit, and promote the public health, and is practicable. The outlet is adequate.

IV.

That the drainage system will be of public utility and benefit, and will promote the public health, and is practicable. The environmental and land use criteria set forth in M.S. §103E.015, Subd. 1, was considered. That a permit from the State of Minnesota, Department of Natural Resources, Division of Waters, Soils and Minerals is not required pursuant to M.S. §103G.245, Subd. 2; there are no protected waters or wetlands that are affected by the proposed project; proper consideration has been given to conservation of soil, water, forests, wild animals and related natural resources and to other public interests affected, together with other material matters as provided by law in determining whether the project will be of public utility, benefit or welfare.

V.

The Viewers appointed to assess benefits and damages have assessed damages for acreage required for planting a strip of grass 16½ feet in width on each side of the top edge of the channel of the ditch pursuant to M.S. §103E.021.

VI.

The original benefits or damages determined in the drainage proceeding for construction of Freeborn County Ditch No. 23, Freeborn County, Minnesota, do not reflect reasonable present day land values and the benefited or damaged areas have changed.

NOW, THEREFORE, it is ordered and adjudged:

1. That the report of the Viewers appointed by the Board of Commissioners of Freeborn County, Minnesota, and which is on file in this matter, be and the same hereby is in all things adopted and confirmed and that the benefits and damages and benefited and damaged areas as redetermined, be and hereby are in all things allowed and confirmed.
2. That damages be paid in the manner provided by law; that the tracts of land benefited and damaged, and the names of the owners of said lands and the amount of benefits and damages are as set forth in the Viewers' Report, which Viewers' Report is made a part hereof just as fully set forth herein.
3. That the costs of the redetermination of benefits and damages and all other expenses thereof are in all things allowed and confirmed and shall be paid in the manner provided by law.
4. That the liens to be assessed for benefits against the tracts of land as shown in the Viewers' Report shall be payable pursuant to statute.
5. That the redetermination of benefits and damages and benefited and damaged areas be used in place of the original benefits and damages and benefited and damaged areas in all subsequent proceedings relating to the Freeborn County Ditch No. 23 drainage system.
6. That further proceedings shall be had pursuant to statute.

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 09-136
RESOLUTION AND ORDER GRANTING PETITION FOR ABANDONMENT OF BRANCH OF F-1 TO
BRANCH F OF FREEBORN COUNTY DITCH NO. 55 PURSUANT TO MINN. STAT. §103E.805

The above matter came on for hearing by the Board of Commissioners of Freeborn County, Minnesota, on July 7, 2009, at 8:45 a.m., upon the Petition of Utabjaa Farms for the Abandonment of Lateral F-1 to Branch F of Freeborn County Ditch No. 55 pursuant to Minnesota Statute 103E.805.

Jones, Haugh & Smith, Inc., Engineer appointed by the Board of Commissioners of Freeborn County, Minnesota, to review the project was present.

The Board of Commissioners of Freeborn County, Minnesota, having heard all persons interested, both for and against the Abandonment of Lateral F-1 to Branch F of Freeborn County Ditch No. 55, and all evidence produced by them, and considered it, together with the report of the Engineer, finds the following facts:

FINDINGS

1. The Freeborn County Board of Commissioners, Drainage Authority for County Ditch No. 55 (CD 55), has received a petition from Utabjaa Farms (the “Landowner”) for the abandonment of Lateral F-1 to Branch F of CD 55 on property owned by the Landowner in Section 27-T101N-R21W, Freeman Township.

2. The Drainage Authority was authorized to act upon the petition pursuant to Minn. Stat. §103E.805.

3. The Landowner is the owner of the Southeast Quarter of the Northwest Quarter of Section 27, Freeman Township, Freeborn County, Minnesota (the “Property”).

4. The Property is benefited by CD 55 of Freeborn County and is within the area assessed for benefits from the ditch.

5. The State of Minnesota has secured a perpetual conservation easement (“Easement”) on the Property.

6. The purpose of the Easement is to retire marginal farmland, restore and preserve both wetland and upland habitat.

7. CD 55 will continue to benefit the Landowner’s property and serve as an outlet for waters being drained to and from the Property.

8. The petitioner has met the statutory criteria necessary for the Drainage Authority to issue its approval of the Project.

9. Jones, Haugh & Smith Inc, the engineer appointed by the Freeborn County Board to review the project, has submitted its report dated May 13, 2009.

10. Lateral F-1 to Branch F of Freeborn County Ditch No. 55 as described in the petition does not serve any useful purpose and is not of public benefit and utility and should be abandoned.

11. Notice of the hearing was given to all persons interested in the drainage system.

ORDER

1. The petition of Utabjaa Farms to abandon Lateral F-1 to Branch F of Freeborn County Ditch No. 55 located on the petitioning landowner’s property in the Southeast Quarter of the Northwest Quarter of Section 27, Freeman Township, Freeborn County, Minnesota, pursuant to Minn. Stat. §103E.805 is approved.

2. The Drainage Authority hereby orders the abandonment of Lateral F-1 to Branch F of the County Ditch No. 55 drainage system.

3. The petitioner shall meet all other requirements of Minn. Stat. §103E.805 in implementing this project.

4. The Drainage Authority shall continue to maintain the remaining portions of the County Ditch No. 55 drainage system not abandoned as part of this petition.

5. Neither the drainage benefits or ditch assessments previously established for this property will be modified or adjusted as a result of this order.

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 09-137
RESOLUTION AND ORDER GRANTING PETITION FOR ABANDONMENT OF LATERAL E-1 OF
FREEBORN COUNTY DITCH NO. 55 PURSUANT TO MINN. STAT. §103E.805

The above matter came on for hearing by the Board of Commissioners of Freeborn County, Minnesota, on July 7, 2009, at 8:45 a.m., upon the Petition of Charles D. Borneman for the Abandonment of Lateral E-1 of Freeborn County Ditch No. 55 pursuant to Minnesota Statute 103E.805.

Jones, Haugh & Smith, Inc., Engineer appointed by the Board of Commissioners of Freeborn County, Minnesota, to review the project and was present.

The Board of Commissioners of Freeborn County, Minnesota, having heard all persons interested, both for and against the Abandonment of Lateral E-1 of Freeborn County Ditch No. 55, and all evidence produced by them, and considered it, together with the report of the Engineer, finds the following facts:

FINDINGS

1. The Freeborn County Board of Commissioners, Drainage Authority for County Ditch No. 55 (CD 55), has received a petition from Charles D. Borneman (the "Landowner") for the abandonment of Lateral E-1 to CD 55 on property owned by the Landowner in Section 27-T101N-R21W, Freeman Township.
2. The Drainage Authority is authorized to act upon the petition pursuant to Minn. Stat. §103E.805.
3. The Landowner is the owner of the Southwest Quarter of the Northeast Quarter of Section 27, Freeman Township, Freeborn County, Minnesota (the "Property").
4. The Property is benefited by CD 55 of Freeborn County and is within the area assessed for benefits from the ditch.
5. The State of Minnesota has secured a perpetual conservation easement ("Easement") on the Property.
6. The purpose of the Easement is to retire marginal farmland, restore and preserve both wetland and upland habitat.
7. CD 55 will continue to benefit the Landowner's property and serve as an outlet for waters being drained to and from the Property.
8. The petitioner has met the statutory criteria necessary for the Drainage Authority to issue its approval of the Project.
9. Jones, Haugh & Smith Inc, the engineer appointed by the Freeborn County Board to review the project, has submitted its report dated May 13, 2009.
10. Lateral E-1 to Freeborn County Ditch No. 55 as described in the petition does not serve any useful purpose and is not of public benefit and utility and should be abandoned.
11. Notice of the hearing was given to all persons interested in the drainage system.

ORDER

1. The petition of Charles D. Borneman to abandon Lateral E-1 of Freeborn County Ditch No. 55 located on the petitioning landowner's property in the Southwest Quarter of the Northeast Quarter of Section 27, Freeman Township, Freeborn County, Minnesota, pursuant to Minn. Stat. §103E.805 is approved.

2. The Drainage Authority hereby orders the abandonment of Lateral E-1 of the County Ditch No. 55 drainage system.

3. The petitioner shall meet all other requirements of Minn. Stat. §103E.805 in implementing this project.

4. The Drainage Authority shall continue to maintain the remaining portions of the County Ditch No. 55 drainage system not abandoned as part of this petition.

5. Neither the drainage benefits or ditch assessments previously established for this property will be modified or adjusted as a result of this order.

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 09-138
RESOLUTION AUTHORIZING THE 1 YEAR RENEWAL CONTRACT WITH SOUTH COUNTRY
HEALTH ALLIANCE**

RESOLVED, authorizing the 1 year contract between Freeborn County Public Health and South Country Health Alliance.

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 09-139
AUTHORIZING FINAL PAYMENT of SAP 024-631-012**

IT IS RESOLVED, that the County of Freeborn is the road authority for CSAH 31 and managed State Aid Projects 024-631-012 and,

BE IT RESOLVED, that the work by Kimball Excavating, Inc., 320 State 76, Houston, Minnesota, on SAP 024-631-012 has been completed in a satisfactory manner.

IT IS FURTHER RESOLVED, that the County Auditor-Treasurer is hereby authorized to make final payment in the amount of \$3,969.16.

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 09-140
RESOLUTION AUTHORIZING AMENDED MN/DOT AGREEMENT FOR THE CONSTRUCTION OF
CSAH #46 (SAP 024-646-012)**

RESOLVED, that Freeborn County amends the MN/DOT Agreement No. 94097 with the State of Minnesota Department of Transportation using the actual cost of the project instead of the estimated cost.

Resolution seconded by Commissioner Tuttle.

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

Commissioner Mathiason offered the following resolution;

**RESOLUTION 09-141
RESOLUTION AUTHORIZING THE 2 YEAR SEERVICE AGREEMENT WITH STANLEY
INTEGRATOR**

RESOLVED, authorizing the 2 year service agreement between Freeborn County Sheriff's Department and Stanley Integrator.

Resolution seconded by Commissioner Tuttle.

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

The Chair opened the meeting at 9:30 a.m. for the DNR to address the board in regards to the Bear Lake Dam project. Those present from the DNR were Mark Mauska, Jeanine Vorland, Ken Varland and Randy Bradt. The addressed the issue that the dam is 70 years old and is deteriorating and needed replaced. Others present voicing concerns with the dam were; Larry Farris, Scott Murphy and Don Yost.

John Kluever, County Administrator notified the Board that there would be a number of staff members attending a meeting in Iowa to discuss issues that they had when the wind farm was developed there. There will be two separate occasions; one being July 8, 2009 and the other would be July 23, 2009.

The Administrator presented the Board with estimates for the repair of the county ditch that had been requested at the previous meeting.

Commissioner Belshan offered the following resolution;

MOVED, that the Board adopted the letter that was presented by Dan Dorman requesting the waiving of the repayment of the JOBZ benefits for SoyMor.

Motion was seconded by Commissioner Tuttle.

After discussion, a vote was taken and the Chair declared the motion approved. The vote being: Aye:Commissioner Belshan, Tuttle, Nelson and Shoff, Commissioner Mathiason abstained because he is a member of the LLC.

Commissioner Belshan offered the following resolution;

**RESOLUTION 09-142
BEAR LAKE DNR MANAGEMENT PLAN**

WHEREAS, concerns have been brought before the Freeborn County Board of Commissioners in regards to the Minnesota DNR "Management Plan" that is being implemented on Bear Lake in Freeborn County.

WHEREAS, the Commissioners of Freeborn County, have visited Bear Lake and have seen the negative effects, presented by the DNR "Management Plan" has had on Bear Lake adjacent crop land as well as problems with cattails at the outlet of the lake.

NOW, THEREFORE, BE IT RESOLVED THAT, the Freeborn County Board of Commissioners request the Department of Natural Resources immediately cease the implementation of the Bear Lake Management Plan, including the strategy of full drawdown.

FURTHER BE IT RESOLVED, that the Freeborn County Environmental Services Department is hereby authorized to seek a change in lake designation for Bear Lake from a Wildlife Management Lake to a Natural Environment Lake.

BE IT FURTHER RESOLVED THAT, when Bear Lake is classified as a Natural Environment Lake, a subcommittee shall be appointed by the Freeborn County Board of Commissioners to develop a new Bear Lake Management Plan.

BE IT FURTHER RESOLVED THAT, the Freeborn County Environmental staff include this resolution along with the DNR permit response letter.

Resolution seconded by Commissioner Mathiason.

After discussion, a vote was taken and the Chair declared the resolution adopted. The vote being; Aye:

Commissioner Belshan, Mathiason, Nelson and Shoff, Commissioner Tuttle abstained because she owns property on the lake.

Commissioner Tuttle offered the following resolution;

**RESOLUTION 09-143
APPROVAL OF CLAIMS**

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

<u>Fund</u>	<u>Name</u>	<u>Amount</u>
01	General Fund	\$ 445,820.76
03	County Road and Ditches	\$ 1,011,478.75
05	Human Services	\$ 95,878.33
31	Capitol Improvements Fund	\$ 28,784.25
40	County Ditches	\$ 17,423.88
70	Trust and Agency Fund	\$ 1,973,008.06
73	Payroll Clearing Fund	\$ 10,193.61
77	Recorders Clearing Fund	\$ 2,733.00
80	Tax Collection Fund	<u>\$ 2,122,627.54</u>
	TOTALS	\$ 5,717,948.18

GENERAL FUND

A Viands LLC 14,661.89, Albert Lea School District 24 5,999.41, Alliant Energy 20,387.67, Alliant Energy IPL 6,944, Alltel 1,777.54, American Institutional Supply 790.89, Arnold Eugene 375, Arrowwood Resort & Conference 505.91, Beers William 375, Bennett Timothy 375, Blue Cross & Blue Shield of MN 6,211.30, Brown County Evaluation Center 632, Chrisitan and Peterson PA 5,585, City of Albert Lea 7,500, City of Albert Lea 15,527.57, City & County Employees Feder 17,390.81, Com Tec Land Mobile Radio 15,721.67, Commissioner of Revenue 10,937, Deboer Dwight 600, Distad Dennis 4,324.34, Distad Dennis 2,953.72, Distad Dennis 30,802.90, Earl Todd 375, Farris Corey 375, Fleet Services Division 9,516.76, Foldtex 309.81, Folie Allison 570, , Fredrickson Donald 400, Freeborn Co Attorneys Office 787.25, Freeborn Co Soil and Water Co 5,000, Freitag Kurt 375, GE Capital 1,845.39, Glazier Dale 375, Golvuff Scott 375, Goldman Sturtz & Halvorsen Ch 5,235.29, Hable Darin 375, Harig Sheriff Mark 375, Health Professionals LTD 13,761.30, IBM Corporation 395, Identisys 485.08, Jim's Its 1,270, Johnson Marc 375, Kindler Robert 375, Kylo Jamie 2,213.15, Malepsy Charles 375, Manpower Inc 1,252.44, MCF-Red Wing 720, McKane Adam 600, Medicare Blue RX 5,757.50, MN Child Support Payment Center 1,501.38, MN Dept of Revenue 1,411.41, MN DHS 1,000, MN Elevator Inc 2,400, MN Elevator Inc 487.81, MN NCPERS Life Insurance 441, NACO/Midwest Nationwide Retirement 8,874.92, Noodle Soup of Weingart Desgin 354.16, Northland Chemical Corporation 300.67, Office of Enterprise Technology 990, OfficeMax Incorporated 1,145.55, Olive Daniel 600, Overhead Door of Albert Lea 482.40, Postmaster 410, Powerphone Inc 658, Professional Service & Supply 778.41, Public Emp Retirement Assn 41,861.66, Qwest 435, Regents of the U of M 25,960.02, Regina Medical Center 20,060.75, RS Eden 849.85, Ruttgers Sugar Lake Lodge 1,008.45, Schilling Supply Co 1,606.88, Schroeder Kenneth 400, Scotts Office Products 374.45, SEMNRRB 500, Shea Ryan 375, Snyder Kathleen 600, Southside Custom 1,075.92, Spencer David 600, State of MN Office of the Auditor 4,288.54, TDS Metrocom 1,712.91, Teigen Paper and Supply Inc 438.27, Tri State Business Machines Inc 941.85, Twin City Filter Serv Inc 1,532.71, Univ of WI Stout 500, Wal Mart Business 423.70, Waste Management of Southern 23,180, Weiss Ethan 445.50, Weiss Ethan 396, Wells Fargo 6,901.73, Wells Fargo Bank 7,742.26, Wells Fargo Bank

28,301.74, Wells Fargo Bank 21,796.02, West Payment Center 884.03, Xerox Corporation 523.72, Zuniga Arnold 375.

COUNTY ROAD AND DITCHES

Albert Lea Seed House Inc 3,967.50, Alliant Energy 1,457.05, Blue Cross & Blue Shield of MN 2,506, Century Fence Co 14,440.44, City & County Employees Feder 5,974.55, Commissioner of Revenue 2,484.69, Distad Dennis 738.04, Distad Dennis 6,529.82, Freeborn Co Coop Oil 19,845.17, Goldstar Products Inc 485.01, Johnson Sanitary Products 609.55, Jones Haugh & Smith Inc 2,675, Medicare Blue RX 2,303, Metal Culverts Inc 1,755.98, Minnowa Construction Inc 72,941.17, Minnowa Construction Inc 96,909.50, MN Child Support Payment Center 1,049.78, MN Pollution Control Agency 400, NACO/Midwest Nationwide Retirement 2,353, Northern Escrow Inc 3,969.16, Plaza Landscaping & Garden Center 510.88, Public Emp Retirement Assn 7,496.93, Seedorf Gary 12,087.65, Southern Mn Construction Co 2,070.16, Ulland Bros Inc 272,585.76, Ulland Bros Inc 244,561.87, Ulland Bros Inc 210,028.78, Wells Fargo 1,531.32, Wells Fargo Bank 1,657.68, Wells Fargo Bank 7,087.82, Wells Fargo Bank 5,213.86.

HUMAN SERVICES

AFSC & ME 1,331.42, Alltel 1,090.74, City & County Employees Feder 6,878.92, Commissioner of Revenue 5,328.06, Distad Dennis 2,041.30, Distad Dennis 17,930.49, MN Child Support Payment Center 485.92, NACO/Midwest Nationwide Retirement 6,265.81, Public Emp Retirement Assn 18,303.20, Wells Fargo 4,683.60, Wells Fargo Bank 3,826.78, Wells Fargo Bank 16,362.76, Wells Fargo Bank 10,871.81.

CAPITAL IMPROVEMENTS FUND

A Viands LLC 679.61, CDW Government Inc 813.13, Cornerstone Masonry 1,572, EMEDCO 1,079.77, Freeborn Co Ag Society 10,028.91, IBM Corporation 1,608.69, Nelson Odean 700, Nelson Odean 1,500, Norix Group Inc 3,410.30, Project People 1,879, Ray Oherron Co Inc 2,174.96, Rust John 700, Rust John 1,500, Sorensons Appliance & TV 531.44.

COUNTY DITCHES

Freeborn Construction Inc 2,735.08, Jensen Excavating & Trucking 1,500, Jones Haugh & Smith Inc 8,754.74, Jones Haugh & Smith Inc 3,855.

TRUST AND AGENCY FUND

Blue Cross & Blue Shield of MN 716, Cedar River Watershed District 7,632.80, Distad Dennis 3,086.66, Distad Dennis 1,863.53, Medicare Blue RX 658, MN Dept of Finance 6,645.95, MN Dept of Revenue 1,710,379.46, MN Dept of Revenue 32,550.28, MN Dept of Revenue 26,260.77, MN Dept of Revenue 40,754.67, MN Life 348.40, Shell Rock River Watershed District 120,393.13, Turtle Creek Watershed Board 21,606.78.

PAYROLL CLEARING FUND

AFLAC 4,066.92, Assurant Employee Benefits 1,647.76, CAN Group Long Term Care 378.88, Delta Dental Plan of MN 1,339.35, MN Life 2,760.70.

RECORDERS CLEARING FUND

MN Dept of Finance 2,733.

TAX COLLECTION FUND

Albert Lea Area Schools 268,710.07, City of Albert Lea 1,125.13, City of Alden 94,435.22, City of Clarks Grove 47,338.40, City of Conger 35,397.77, City of Emmons 69,768.78, City of Freeborn 37,399.63, City of Geneva 50,544.08, City of Glenville 75,475.01, City of Hartland 55,538.03, City of Hayward 69,953.88, City of Hollandale 57,663.48, City of Manchester 6,175.74, City of Myrtle 4,950.65, City of Twin Lakes 9,739.73, School District 2134 16,144.60, School District 2168 21,951.21, School District 242 32,914.36, School District 2886 26,989.12, School District 492 16,214.02, School District 497 13,266.61, School district 756 25,676.22, Township of Albert Lea 64,788.96, Township of Alden 32,961.26, Township of Bancroft 85,907.64, Township of Bath 59,386.39, Township of Carlston 37,552.60, Township of Freeborn 55,738.62, Township of Freeman 31,471.74, Township of Geneva 57,361.83, Township of Hartland 44,499.66, Township of Hayward 79,450.17, Township of London 55,562.75, Township of Manchester 40,483.71, Township of Mansfield 41,903.26, Township of Moscow 62,324.50, Township of Newry 56,304.51, Township of Nunda 49,274.17, Township of Oakland 76,641.65, Township of Pickerel Lake 59,754.88, Township of Riceland 53,101.66, Township of Shellrock 40,785.84.

Number of Claims not exceeding \$300.00 – 122

Dollar amount of claims not exceeding \$300.00 - \$18,671.78.

Resolution seconded by Commissioner Mathiason.

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 21, 2009.

By: _____
Christopher Shoff
Chair of the County Board

Attest: _____
John Kluever
Administrator