

**ADJOURNED MEETING OF THE COUNTY BOARD  
MARCH 16, 2010**

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m., on Tuesday March 16, 2010. Members present: Commissioners Belshan, Tuttle, Mathiason and Shoff, Commissioner Nelson was excused.

Commissioner Tuttle offered the following resolution;

**MOVED**, approving the minutes from the March 2, 2010 regular board meeting.

Motion seconded by Commissioner Mathiason.

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

Commissioners reported on meetings attended.

During the public forum Terry Wegener addressed the Board in regards to the letter he sent, Chair stated that this item would be addressed later in the meeting. No other comments from the public were offered.

Phil Tennis updated the Commissioners on the Landowners meetings that have been held and how it has helped with the process of the repairs and alterations that have taken place over the last 10 years.

Commissioner Mathiason offered the following resolution;

**RESOLUTION 10- 062  
RESOLUTION AUTHORIZING THE CONDITIONAL USE PERMIT FOR TODD HINRICHS**

**RESOLVED**, that pursuant to the provisions of the County of Freeborn Zoning Ordinance No. 15, a conditional use permit is granted to Todd Hinrichs for the construction of a grain bin site, on the following described property;

SE ½ of the SW ¼ of Section 2, Hayward Township, Freeborn County, Minnesota

The request is made in accordance with Freeborn County Land Use Ordinance 15, Article 6, Section 3, Subd. 22 and Article 23 "Conditional Uses".

**BE IT FURTHER RESOLVED**, that said Conditional Use Permit be subject to the conditions herein setforth:

1. Applicable Freeborn County Highway road access permit be obtained.
2. Parking, loading, and unloading facilities shall be provided within the existing facility, and no parking, loading or unloading shall be allowed on the County or Township Roadways.
3. Site shall be kept in a neat and orderly manner. Owner/operator shall agree to keep applicable right-of-way clean of debris/spillage.
4. Squirrel cages or centrifugal fans are to be used and not directed toward residences or businesses.
5. There will be two rows of screening trees planted on the west side of the site to aid in screening site and sound from residences to the west. Variety, spacing and location agreed to by Environmental Services.
6. Building, equipment, and storage structures shall be as per site plan on file, lighting shall not create traffic hazard as determined by the applicable road authority, and shall be downward style to minimize halo effect and annoyance to neighboring properties.
7. Acquiring State NPDES/SDS Industrial storm Water Permit if required. Adhere to Best management practices for storm water.

8. This facility may not be extended or expanded without review and approval of the Freeborn county Board of Commissioners.
9. This permit may be revoked by the Freeborn County Board of Commissioners at a public hearing to be held after 30 days notice is given for failure to comply with the provisions of this permit.

Resolution seconded by Commissioner Belshan.

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

Public Hearing was opened at 8:45 a.m. for the Alterations to County Ditch No. 16. Dennis gave an overview of the project. Gary Reihl and Tony Wagner from Minnesota Department of Transportation gave an overview of the petition that was submitted for the alterations during the overlaying project on State Highway 13 starting in July 2010.

County Chair opened the hearing for;

Proponents and Neutral parties: Roger Peterson requested that his private tile be repaired or fixed while the project is being done.

Opponents: none

The Chair closed the Public Hearing at 8:52 a.m.

Commissioner Tuttle offered the following resolution:

**RESOLUTION 10-063**  
**RESOLUTION ORDERING OF COUNTY BOARD OF FREEBORN COUNTY PETITION OF**  
**MINNESOTA DEPARTMENT OF TRANSPORTATION**

**RESOLVED**, to except the petitioners minor alterations or changes to County Ditch No. 11 as follows;

Re: Petition of State of Minnesota, by Thomas K. Sorel, its Commissioner of Transportation, for the right to make minor alterations or changes in County Ditch No. 11 in Freeborn County;

The above-entitled matter came on for hearing before the County Board of Freeborn County, in the Courthouse, in Albert Lea, Minnesota on the 16<sup>th</sup> day of March, 2010 at 8:45 o'clock a.m.

The Petitioner appeared by Tony Wagner and Gary Reihl.

The Petitioner presented evidence in support of its petition for permission to make minor alterations or changes in County Ditch No. 11, all as shown in the plan description attached in the petition.

It was made to appear that the minor alterations or changes in said County Ditch No. 11 petitioned for by the Petitioner would be advantageous or desirable in the maintenance and construction of Trunk Highway No. 13.

It was further made to appear that said minor alterations or changes in said County Ditch No. 11 would in no way impair the efficiency or functioning of the drainage system.

The County Board having heard the evidence adduced by the Petitioner in support of its petition for permission to make minor alterations or changes in County Ditch No.11, all as shown in the pan description marked Exhibit "B", and made a part thereof, hereby makes its Order consenting to and granting permission to said petitioner to make the alterations or changes to County Ditch No. 11, all as described in the exhibit marked "B" and made part thereof, said minor alterations or changes to be made at the sole cost and expense of the State of Minnesota.

The Board further orders that the Petitioner, State of Minnesota, by Thomas K. Sorel, Commissioner of Transportation, pay to the County of Freeborn the sum of \$114.12 for publication fees and \$0.00 for filing fees incurred by said County in this matter.

IT IS FURTHER ORDERED that damages, if any, for any additional lands necessary for said changes or alterations shall be paid by the Petitioner herein.

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 10-064**

**RESOLUTION AMENDING CONDITIONAL USE PERMIT FOR WISCONSIN POWER AND LIGHT**

**RESOLVED**, that Conditional Use Permit #289 be amended to allow Wisconsin Power and Light to erect a monopole radio tower on the collector station site, as per "attachment A", on the following described property:

NE ¼ of Section 10 of Manchester Township

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 10-065**

**RESOLUTION AUTHORIZING THE LETTER OF SUPPORT FOR THE WINNEBAGO COOPERATIVE TELECOM ASSOCIATION**

**RESOLVED**, that the Freeborn County Board of Commissioners support the Winnebago Cooperative Telecom Associations application for the Broadband Initiative Program (BIP) grant/loan to provide broadband service to the rural residents of Southern Minnesota and Northern Iowa.

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 10-066**

**RESOLUTION TO APPROVE THE AMERICAN RECOVERY AND REINVESTMENT ACT IMMUNIZATION GRANT**

**RESOLVED**, to approve an American Recovery and Reinvestment Act Immunization grant agreement between the Minnesota Department of Health and Freeborn County Public Health in the amount of \$7,354. Effective April 1, 2010 through June 30, 2011, and further that Christopher Shoff, DC be authorized to sign on behalf of Freeborn County.

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 10-067**

**RESOLUTION AUTHORIZING THE WRITING OFF AND UNCOLLECTIBLE ACCOUNT**

**RESOLVED**, to write off an uncollectible account in the amount of \$838.80.

Resolution seconded by Commissioner Mathiason.

After discussion, Commissioner Belshan offered the following motion;

**MOVED**, to table the resolution until the April 6, 2010 meeting, so further information on collection of this account can be reviewed.

Motion seconded by Commissioner Mathiason.

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

Public Health Director, Lois Ahern discussed the Statewide Health Improvement Program (SHIP) Grant and the SHIP Coordinator position with the Board. Discussion was held on the hiring process of the SHIP Coordinator, SHIP Coordinator job description/educational/experience requirements of the position and options that maybe available to carry out these job functions during the remaining term of the SHIP grant. After discussion, the Board Chairman directed County Administration to evaluate the current status of the SHIP Coordinator position and possible options available to carry out these job functions during the remaining term of this grant.

Commissioner Belshan offered the following resolution;

**RESOLUTION 10-068**  
**RESOLUTION AUTHORIZING THE COOPERATIVE SERVICES AGREEMENT BETWEEN**  
**FREEBORN COUNTY DEPARTMENTS OF HUMAN SERVICES AND SHERIFFS DEPARTMENT**

**RESOLVED**, authorizing the Cooperative Services Agreement between Freeborn County Department of Human Services and Sheriff's department from January 1, 2010 to December 31, 2010.

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 10-069**  
**RESOLUTION AUTHORIZING OF THE CONTRACT FOR FREEBORN COUNTY AND MN DOT**  
**COOPERATIVE AGREEMENT FOR ARMER SUBSYSTEM**

**RESOLVED**, authorizing of Contract for Freeborn County and MN Department of Transportation Cooperative Agreement for the ARMER Subsystem.

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 10-070**  
**RESOLUTION AUTHORIZING THE HIRING OF A PART-TIME CUSTODIAN**

**RESOLVED**, authorizing the hiring of a part-time 20 hour per week custodian for the maintenance department.

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 10-071**  
**RESOLUTION AUTHORIZING THE HIRING OF AN ICE CONTRACT ADMINISTRATOR**

**RESOLVED**, authorizing the hiring of an ICE Contract Administrator within the Sheriff's Department.

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 10-72**  
**RESOLUTION ACCEPTING THE \$4,000 FROM DIAMOND JO CASINO IN SUPPORT OF THE 2010**  
**FREEBORN COUNTY COMMISSIONER'S SCHOLARSHIP PROGRAM**

**RESOLVED**, accepting the \$4,000 from Diamond Jo Casino in support of the 2010 Freeborn County Commissioners Scholarship program.

Resolution seconded by Commissioner Belshan.

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

Commissioner's items;

Belshan- Thanked Dennis Distad for expanding the Watershed names on the property tax statements.

Shoff – expressed interest in the email from NACO.

Commissioner Mathiason offered the following resolution;

**RESOLUTION 10-073**  
**RESOLUTION SUPPORT AND RECOMMENDING CHRISTOPHER SHOFF TO THE NACo LARGE STATE DELEGATE APPOINTMENT**

**RESOLVED**, that the Freeborn County Board of Commissioner's support and recommendation of Christopher Shoff be considered for the appointed to the NACo Large State Delegate to serve up to three two-year terms.

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 10-074**  
**APPROVAL OF CLAIMS**

**RESOLVED**, that the following claims be allowed and paid on or before March 19, 2010.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 339,162.10
03	County Road & Bridge	\$ 89,755.29
05	Human Services	\$ 94,497.62
31	Capital Improvement Fund	\$ 47,736.86
40	County Ditches	\$ 6,528.95
70	Trust & Agency Fund	\$ 9,259.50
73	Payroll Clearing Fund	\$ 2,079.90
77	Recorders-Clearing	\$ 9,708.00
78	Tax Increment Bonds of 1998	\$ 2,942.47
	<b>TOTAL</b>	<b>\$ 601,670.69</b>

**GENERAL FUND**

Albert Lea Newspapers Inc 2,662, Albert Lea School district 24 2,855.83, Alliant Energy 28,906.37, Alliant Energy 1,063.17, Alliant Energy/IPL 6,944, Alliant Energy/IPL 694, American Institutional Supply 467, American Solutions for Business 865.49, Ban-Koe Systems Inc 4,725, Christian and Peterson PA 490, City of Albert Lea 11,790.09, City of Albert Lea 1,012.58, City & County Employees Feder 17,521.09, Commissioner of Revenue 11,140.33, Com Tec Land Mobile Radio 1,494.61, Crescent Electric Supply Co 755.20, Distad Dennis 2,660.14, Distad Dennis 28,721.97, D&T Ventures LLC 1,449, ESRI Inc 821.03, Express Services Inc 3,951.20, Freeborn Co Snowmobile Trail 329.22, Goldman Sturtz & Halvorsen Ch 1,525, Harig Sheriff Misc Fund/Mark 455.75, Health Professionals LTD 18,232.81, HTCIA MN Chapter 320, IBM Corporation 395, Jims ITS 774, Jones and Magnus LLC 1,089, Kyllo Jamie 960, MJajerus Anita 538.68, Manpower Inc 428.01, MN Child Support Payment Center 1,541.84, MN Elevator Inc 507.08, MN NCPERS Life Insurance 489, NACO/Midwest Nationwide Retire 26,770.39, Northland Chemical Corporation 385.36, Officemax Inc 369.36, Office of Enterprise Technology 990, Paragon Printing and Mailing 2,879.50, Peterson Savelkoul & Bnda 1,031.95, Postmaster 592.78, Public Emp Retirement Assn 42,605.86, Quill Corp 657.54, Radisson Suite Hotel St Cloud 386.78, Scotts Office Products 518.16, Strategic Custom Solutions 665, Swank Motion Pictures 411.47, Syverson Ford Dave 936.18, Teigen Paper and Supply Inc 622.23, Tri State Business Machines Inc 1,136.90, US Bank 395, Waste Management of Southern

23,180, Waste Management of Southern MN 1,198.95, Wells Federal Bank 8,288.74, Wells Federal Bank 7,596.81, Wells Federal Bank 27,594.90, Wells Federal Bank 23,483.23, West Payment Center 466.73, Xerox Corporation 366.40, Xerox Corporation 437.25.

**COUNTY ROAD & BRIDGE**

City & County Employees Feder 6,263.16, Commissioner of Revenue 2,123.96, Continental Research Corp 753.77, Distad Dennis 671.84, Distad Dennis 7,007.03, Ferrellgas LP 357.80, Freeborn Co Coop Oil 34,117.63, Freeborn mower Cooperative SE 1,495, Interstate Motor Trucks Inc 643.11, Karls Carquest Auto 1,008.23, MN Child Support Payment Center 945.95, MN Dept of Revenue 1,537.11, NACO/Midwest Nationwide Retire 2,461, Public Emp Retirement Assn 7,120.60, Ulland Bros Inc 5,272.67, University of MN 510, Wells Federal Bank 1,464.40, Wells Federal Bank 1,700.09, Wells Federal Bank 6,261.68, Wells Federal Bank 4,602.46, Ziegler Inc 547.88.

**HUMAN SERVICES**

AFSC & ME 1,269.08, City & County Employees Feder 6,984.97, Commissioner of Revenue 5,152.43, Distad Dennis 1,660.34, Distad Dennis 18,588.63, MN Child Support Payment Center 485.92, NACO/Midwest Nationwide Retire 5,890.81, Public Emp Retirement Assn 17,933.65, Wells Federal Bank 3,648.34, Wells Federal Bank 5,369.58, Wells Federal Bank 15,599.64, Wells Federal Bank 11,199.21,

**CAPITAL IMPROVEMENT FUND**

Com Tec Land Mobile Radio 4,792.90, IBM Corporation 1,867.46, Public Finance Management Inc 19,469.82, Stanley Convergent Security 3,740, Streichers 639.99, Syverson Auto Mall Dave 16,876.69, Taser International Inc 350.

**COUNTY DITCHES**

Mid America Business Systems 3,566.37, Rinke Noonan Law Firm 410, Tennis Wesley 2,404.32.

**TRUST & AGENCY FUND**

MN Dept of Finance 9,187.50,

**PAYROLL CLEARING FUND**

MN Life 2079.90,

**RECORDERS-CLEARING**

MN Dept of Finance 9,708,

**TAX INCREMENT BONDS OF 1998**

Poet 2,942.47.

Number of claims not exceeding \$300.00 – 111  
Dollar amount of claims not exceeding \$300.00 - \$ 10,444.34

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. April 6, 2010.

By: \_\_\_\_\_  
Christopher Shoff  
Chair of the County Board

Attest: \_\_\_\_\_  
John Kluever  
Administrator