

**ADJOURNED MEETING OF THE COUNTY BOARD  
MAY 18, 2010**

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m., on Tuesday May 18, 2010. Members present: Commissioners Belshan, Tuttle, Mathiason, Nelson and Shoff.

Commissioner Tuttle offered the following resolution;

**MOVED**, approving the minutes from the May 4, 2010 Regular Board meets; with the change being made to Resolution 10-106 stating employee not employer and the April 20, 2010 Regular Board meeting revised minutes.

Motion seconded by Commissioner Belshan.

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

Commissioners reported on meetings attended.

The Commissioner's presented the 2010 Freeborn County Commissioner Scholarship Program Awards to the following people;

Glenville/Emmons School– Michael Adams and Kyle Thompson  
Albert Lea School- Samantha Peterson, Brian Reindl, Elizabeth Winkels and Lana Howe  
Alden/Conger School – Cody Koenen and Amber Erickson

During the public forum the following people came before the board;

Darryl Meyer and Dave Mullenbach respectfully requested that the Board rescind the resolution opting out of South Country Health Alliant organization.

Jim Norma, the new Albert Lea manager introduced himself to the Commissioners.

Commissioner Nelson offered the following resolution;

**RESOLUTION 10-110  
REPAIR OF 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 Ditch No. 46 & No. 76.

Resolution seconded by Commissioner Belshan.

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

Commissioner Belshan offered the following resolution;

**RESOLUTION 10-111  
RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO JENSEN EXCAVATING &  
TRUCKING LLC**

**RESOLVED**, that pursuant to the provisions of the County of Freeborn Zoning Ordinance No. 15, Article 13, Section 3, a Conditional Use Permit is hereby granted to Jensen Excavating & Trucking LLC for crushing, piling and hauling approximately 20,000 ton of Class 5 Aggregate, on the following described property:

SE ¼ SW ¼ SE ¼ Section 5 Township 103 Range 21, Bancroft Township, Freeborn County, Minnesota.  
Consisting of the area on easterly side of driveway of 74534 270 St.

Be it further resolved, that said Conditional Use Permit be subject to the conditions herein setforth:

- (1) The hours of operation for crushing will be from 7:00 am to 7:00 pm - Monday through Saturday.
- (2) Septic Compliance Inspection shall be conducted on the residence on this parcel before permit is

issued.

- (3) Final reclamation shall be to Agricultural use with a bank slope of no more than 4:1.
- (4) Final reclamation shall be completed within 24 months of final use of pit.
- (5) Owner and operator shall be responsible for maintaining and following provisions of a State of Minnesota NPDES permit if applicable.
- (6) The facility may not be extended or expanded without review and approval of the Freeborn County Board of Commissioners.
- (7) The 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 Tuttle.

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

Commissioner Mathiason offered the following resolution;

#### **RESOLUTION 10-112**

#### **RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO DOUG AND RICHARD STEELE**

Resolved, that pursuant to the provisions of the County of Freeborn Zoning Ordinance No. 15, Article 23 and Article 17, a Conditional Use Permit is hereby granted to Doug and Richard Steele for the construction of one 51' x 208' total confinement barn with slats over a 51' x 208' x 8' reinforced poured concrete manure pit to house 1200 swine between 55 and 300 lb, for a total of 360 animal units on the following described property:

NE ¼ of the NW ¼ of Section 32 of Township 102-23 Alden Minnesota

1. Owner/operator shall schedule a pre-construction meeting with the Owner/operator, Engineer(s), Concrete Contractor(s), Perimeter Tile Installer(s) and the Environmental Services Department 3 days prior to start of the construction.
2. Owner/operator shall register this facility with the Minnesota Pollution Control Agency (MPCA). This registration shall be updated every 4 years. A Freeborn County Feedlot Permit shall also be obtained and maintained.
3. All manure generated at this facility shall be injected into agricultural ground at recommended agronomic rates. All manure application setback distances shall be followed. There are approximately 400 acres available for manure application. Inclement weather shall be the only exception to this manure application method.
4. Owner/Operator shall notify Freeborn County Environmental Services Department prior to removing manure from a manure storage area.
5. This facility shall comply with the MPCA Rules 7020, and Article 6 and Article 17 of the Freeborn County Zoning Ordinance.
6. This facility shall not be extended or expanded without review and approval of the Freeborn County Board of Commissioners.
7. The 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 the Permit.

8. Feedlot owner shall cooperate with the affected township in regards to upkeep and maintenance of roads utilized by the facility.

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 10-113  
RESOLUTION AUTHORIZING THE 2010 STATE PROJECTS WITH SPRINKLERS AGREEMENT**

Freeborn County authorizes the Freeborn County Administrator and Freeborn County Chairman of the County Board to sign the May 2010 State Projects with Sprinklers Agreement.

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 10-114  
RESOLUTION APPROVING AN ELIMINATING HEALTH DISPARITIES GRANT PROJECT AGREEMENT**

**RESOLVED**, to approve an Eliminating Health Disparities (Refugee Health/TB Component) grant project agreement between the Minnesota Department of Health and Freeborn County Public Health in the amount of \$1,431.00, and further that Christopher Shoff, Chairman, Freeborn County Board of Commissioners, be authorized to sign on behalf of Freeborn County.

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 10-115  
RESOLUTION AUTHORIZING THE ANNUAL CONTRACT WITH HEALTH PROFESSIONALS LTD**

**RESOLVED**, approve the 2010 Agreement for Inmate Health Care Services with Health Professionals Ltd and Freeborn County Commissioners and Freeborn County Sheriff, and authorizing John Kluever, Administrator of Freeborn County and Mark Harig, Freeborn County Sheriff to sign on behalf of Freeborn County.

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 10-116  
RESOLUTION AUTHORIZING THE ANNUAL HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT**

**RESOLVED**, approving the annual Homeland Security Emergency Management Performance Grant with the Minnesota Department of Public Safety and Freeborn County, in the amount of \$24,988.00, and further that John Kluever, Administrator of Freeborn County and Mark Harig Freeborn County Sheriff sign on behalf of Freeborn County.

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 10-117**  
**RESOLUTION AUTHORIZING THE ANNUAL COUNTY BOAT AND WATER SAFETY GRANT AGREEMENT**

**RESOLVED**, approving the 2010 County Boat and Water Safety Grant Agreement with State of Minnesota, Commissioner of Natural Resources, Office of Communications and Outreach, and Freeborn County Sheriff's Department, and further that John Kluever, Administrator of Freeborn County and Mark Harig Freeborn County Sheriff sign on behalf of Freeborn County.

Resolution seconded by Commissioner Belshan.

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

Commissioner Tuttle offered the following resolution;

**RESOLUTION 10-118**  
**RESOLUTION AUTHORIZING THE CODIFICATION OF COUNTY ORDINANCES**

**RESOLVED**, authorizing the County Recorder to initiate the Codification of all the Freeborn County Ordinances.

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 10-119**  
**RESOLUTION APPOINTING BRETT RICHARDS TO THE SRRW BOARD OF MANAGERS**

**RESOLVED**, appointing Brett Richards to the Shell Rock River Watershed Board of Managers for a term of 3 years.

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 10-120**  
**RESOLUTION APPOINTING BRUCE HAUGSDAL TO THE SRRW BOARD OF MANAGERS**

**RESOLVED**, appointing Bruce Haugsdal to the Shell Rock River Watershed Board of Managers for a term of 3 years.

Resolution seconded by Commissioner Nelson.

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

Commissioner Mathiason offered the following resolution;

**RESOLUTION 10-121**  
**RESOLUTION APPOINTING ALAN BAKKEN TO THE SRRW BOARD OF MANAGERS**

**RESOLVED**, appointing Alan Bakken to the Shell Rock River Watershed Board of Managers for a term of 3 years.

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 10-122**  
**RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR AND DEPARTMENT HEADS SIGN CONTRACTS WITH TEMPORARY JOB SERVICES FOR CONTRACTED EMPLOYEES**

**RESOLVED**, that after prior Board approval the County Administrator and Department head wishing to hire a temporary employee is authorized to do so and shall sign a contract for this service with the temporary job service company.

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

Commissioner Belshan motioned to take Resolution 10-106 off the table for further discussion.  
After discussion, a vote was taken and the Chair declared the resolution failed for lack of majority vote. The vote being as follows: Aye- Commissioner Belshan and Shoff, Nay- Commissioners Tuttle, Mathiason and Nelson.

Commissioner Mathiason offered the following resolution;

**RESOLUTION 10-123**  
**RESOLUTION RESCINDING RESOLUTION 10-097**

**RESOLVED**, rescinding Resolution 10-097 Resolution Establishing Notice of Intent to Withdraw from South Country Health Alliance.

Motion seconded by Commissioner Nelson.  
After discussion, a vote was taken and the Chair declared the resolution failed for lack of majority vote. The vote being as follows: Aye- Commissioner Mathiason and Nelson, Nay- Commissioners Belshan, Tuttle and Shoff.

Commissioner Shoff requested that a workshop be set before the end of June: the workshop will be Tuesday June 8, 2010 at 8:30 a.m.

Commissioner Nelson offered the following resolution;

**RESOLUTION 10-124**  
**APPROVAL OF CLAIMS**

**RESOLVED**, that the following claims be allowed and paid on or before May 21, 2010.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 123,910.14
03	County Road & Bridge	\$ 81,500.91
31	Capital Improvement Fund	\$ 45,960.27
40	County Ditches	\$ 15,386.29
73	Payroll Clearing Fund	\$ 1,678.83
	<b>TOTAL</b>	<b>\$ 268,436.44</b>

**GENERAL FUND**

Albert Lea Medical Center 737.10, Albert Lea Newspapers Inc 662.55, Albert Lea Tribune 656.10, Alliant Energy/IPL 7,638, American Institutional Supply 1,033.72, American Solutions for Business 4,595.41, Americinn of Faribault 1,153.65, Barna Guzy Steffen Ltd 1,592, Brown County Evaluation Center 4,680, Burns Marilyn Ann 560, Church Offset Printing 1,890.07, City of Albert Lea 1,077.81, City of Albert Lea 12,100.70, Clean Plus Inc 362.30, Cole Papers Inc 1,470.68, Craguns Pine Beach Lodge 751.28, D & T Ventures LLC 1,449, Executeam

381.86, Express Services Inc 4,298, Freeborn Co Shopper 511, Girards Business Solutions Inc 730, Health Professionals Ltd 18,232.81, Himec 340, IBM Corporation 393.78, Jackpot Junction Hotel 308.76, Jones Haugh & Smith Inc 1,100, Krueger Rick 1,045, Manpower Inc 758.75, Mn Dept of Public Safety 450, Mn Elevator Inc 507.08, Norton Phd Lp Steven 618.75, Office of Enterprise Technology 990, Officemax Incorporated 1,113.78, Paragon Printing and Mailing 2,590.13, Peterson Saveldoul & Benda 831.15, Power 96 405, Professional Service & Supply 947.34, Quill Corporation 997.16, Raleighs Ace Hardware 436.14, Southeast Service Cooperative 846, State Industrial Products 345.96, State of MN Office of the Auditor 3,828, Three Eagles Communications 500, Tri State Business Machines Inc 1,693.89, Turnkey Corrections 397.40, Waste Management of Southern MN 23,180, Waste Management of Southern MN 1,097.46, West Payment Center 1,469.22, Xerox Corporation 800.08.

**COUNTY ROAD & BRIDGE**

ACS Enterprise Solutions Inc 4,554.86, Albert Lea Tribune 754.50, B & H Petroleum Equipment 585, DLT solutions Inc 565.27, Fleet Farm Supply of Albert Lea 716.09, Freeborn Co COOP Oil 21,768.50, Freeborn Mower Cooperative SE 1,305, Hancock Concrete Products LLC 1,476.80, Holiday Inn Willmar 565.42, IFACS 775.01, Jones Haugh & Smith Inc 1,327.50, Karls Carquest Auto 979.65, Knutson Oil Company 8,723.73, MN Dept of Revenue 705.41, MN Dept of Revenue 477, M R Sign 17,130.07, Metal Culverts Inc 4,865.93, Miller Susan 1,248.23, Ramy Turf Products 1,333.80, Share Corporation 439.28, Stonebrooke 1,376.80, Syverson Auto Mall Dave 334.61, Total Glass Lock Inc 505.84, Towmaster Inc 1,432.99, Union Pacific Railroad Co 5,489.10.

**CAPITAL IMPROVEMENT FUND**

Daves Phone Booth Inc 322.13, Distad Dennis 1,850.47, Elk River Ford Dodge Jeep 27,853.40, Hewlett Packard Company 1,124.33, IBM Corporation 1,863.70, IBM Corporation 7,812.10, Southern Lock and Glass 4,886.16.

**COUNTY DITCHES**

Distad Dennis 3,896.76, Jensen Excavating & Trucking 3,073.33, Jones Haugh & Smith Inc 2,870, Mid America Business Systems 1,592.01, Rinke Noonan Law Firm 3,422.60.

**PAYROLL CLEARING FUND**

Assurant Employee Benefits 1,678.83.

Number of claims not exceeding \$300.00 – 123

Dollar amount of claims not exceeding \$300.00 - \$ 12,199.36

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. June 1, 2010.

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

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