

**ADJOURNED MEETING OF THE COUNTY BOARD
JULY 20, 2010**

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m., on Tuesday July 20, 2010. Members present: Belshan, Mathiason and Nelson. Commissioner Shoff was excused and Commissioner Tuttle was absent.
Commissioner Mathiason offered the following motion;

MOVED, approving the minutes from the July 6, 2010 Regular Board meeting.

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

Commissioners reported on meetings attended.

During the public forum no one addressed the board.

Commissioner Mathiason offered the following resolution;

**RESOLUTION 10-151
DITCH REPAIRS**

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. 11 & 77.

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

Commissioner Nelson offered the following resolution;

**RESOLUTION 10-152
TAX-FORFEITED LAND**

BE IT RESOLVED, the parcels of tax-forfeited land listed on List of Tax-Forfeited Land be classified as non-conservation land; that the basic sale price of each parcel on List of Tax-Forfeited Land, that is on file with the Clerk of the County Board, be approved and authorization for a public sale of this land be granted, pursuant to M.S.282.01; that the sale will be held at 10:00 A.M. , Tuesday, August 24, 2010, by the Freeborn County Auditor-Treasurer at the Freeborn County Courthouse, for not less than the basic sale price; and that all sales shall be full payment or on the terms set forth on List of Tax- Forfeited Land.

Resolution seconded by Commissioner Mathiason.
After discussion, the Chair declared the resolution adopted.

Commissioner Nelson offered the following resolution.

**RESOLUTION 10-153
DRAINAGE AUTHORITY'S RESOLUTION OF INTENT TO RECORD FREEBORN COUNTY DITCH
63, CONSISTING OF SUBSURFACE DRAIN TILE AND OPEN DITCH**

WHEREAS, Freeborn County Ditch 63 ("CD63") is a Public Drainage System consisting of subsurface drain tile, open ditches or both; and

WHEREAS, CD 63 was originally established by the Freeborn County Board of Commissioner's order on November 16, 1984, order established repair and improvement, according to the laws in effect at the time of establishment of said system; and

WHEREAS, the orders establishing CD 63 created permanent easements within which the drainage system would be located, including area to allow for future maintenance and repair of the drainage system; and

WHEREAS, the orders establishing CD 63 were never recorded in the office of the County Recorder of Freeborn County. Rather, the orders were filed with the County Auditor as required by law; and

WHEREAS, CD 63 continues to convey agricultural drainage within its watershed; and

WHEREAS, the Drainage Authority has continued to access the drainage system by utilizing the easements created at the time of establishment; and

WHEREAS, the Drainage Authority has determined it to be in the best interests of the properties and the owners of property benefited by CD 63 to determine and record the right of way occupied by the CD 63; and

WHEREAS, the Drainage Authority will hold a public hearing on the proposal on the 7th day of September, 2010 at 8:45 o'clock a.m. and that notice of said hearing be provided according to law.

NOW THEREFORE, BE IT RESOLVED, that the center lines for the easements for CD 63, depicted on the attached Exhibit "A", are hereby determined to be the duly established center lines of easements of a width of 100 feet either side of said center lines. The legal descriptions of said center lines are generally described in Exhibit "B". In the even the physical location of CD 63 differs from the depiction of legal description as contained herein, the physical location shall govern.

BE IT ALSO RESOLVED, that the Drainage Authority reserves the right, after due notice, to change the description provided herein in case of error or, if more precise information becomes available, by filing a supplemental resolution.

Resolution seconded by Commissioner Mathiason.
After discussion, the Chair declared the resolution adopted.

Commissioner Mathiason offered the following resolution;

RESOLUTION 10-154

DRAINAGE AUTHORITY'S RESOLUTION OF INTENT TO RECORD FREEBORN COUNTY DITCH 65, CONSISTING OF SUBSURFACE DRAIN TILE AND OPEN DITCH

WHEREAS, Freeborn County Ditch 65 ("CD65") is a Public Drainage System consisting of subsurface drain tile, open ditches or both; and

WHEREAS, CD 65 was originally established by the Freeborn County Board of Commissioner's order on March 3, 1969; and subsequently improved by the August 6, 2002, Order Establishing Lateral; the February 3, 2004, Order Redetermining Benefits and Damages; and the March 21, 2006, Order Established Repair and Improvement, all according to the laws in effect at the time of establishment of said system; and

WHEREAS, the orders establishing CD 65 created permanent easements within which the drainage system would be located, including area to allow for future maintenance and repair of the drainage system; and

WHEREAS, the orders establishing CD 65 were never recorded in the office of the County Recorder of Freeborn County. Rather, the orders were filed with the County Auditor as required by law; and

WHEREAS, CD 65 continues to convey agricultural drainage within its watershed; and

WHEREAS, the Drainage Authority has continued to access the drainage system by utilizing the easements created at the time of establishment; and

WHEREAS, the Drainage Authority has determined it to be in the best interests of the properties and the owners of property benefited by CD 65 to determine and record the right of way occupied by the CD 65; and

WHEREAS, the Drainage Authority will hold a public hearing on the proposal on the 7th day of September, 2010 at 8:45 o'clock a.m. and that notice of said hearing be provided according to law.

NOW THEREFORE, BE IT RESOLVED, that the center lines for the easements for CD 65, depicted on the attached Exhibit "A", are hereby determined to be the duly established center lines of easements of a width of 100 feet either side of said center lines. The legal descriptions of said center lines are generally described in Exhibit "B". In the even the physical location of CD 65 differs from the depiction of legal description as contained herein, the physical location shall govern.

BE IT ALSO RESOLVED, that the Drainage Authority reserves the right, after due notice, to change the description provided herein in case of error or, if more precise information becomes available, by filing a supplemental resolution.

Resolution seconded by Commissioner Nelson.
After discussion, the Chair declared the resolution adopted.

Commissioner Nelson offered the following resolution;

RESOLUON 10-155
DRAINAGE AUTHORITY'S RESOLUTION OF INTENT TO RECORD FREEBORN COUNTY DITCH
68, CONSISTING OF SUBSURFACE DRAIN TILE AND OPEN DITCH

WHEREAS, Freeborn County Ditch 65 ("CD68") is a Public Drainage System consisting of subsurface drain tile, open ditches or both; and

WHEREAS, CD 68 was originally established by the Freeborn County Board of Commissioner's order on December 7, 1971; and by Order Amending Order Establishing Drainage System on June 5, 1972, according to the laws in effect at the time of establishment of said system. CD 68 was subsequently improved by Order for Construction of an Improvement on August 6, 2002; Order Redetermining Benefits and Damages on December 17, 2002; and Order for Partial Abandonment of Drainage System on November 4, 2003; and

WHEREAS, the orders establishing CD 68 created permanent easements within which the drainage system would be located, including area to allow for future maintenance and repair of the drainage system; and

WHEREAS, the orders establishing CD 68 were never recorded in the office of the County Recorder of Freeborn County. Rather, the orders were filed with the County Auditor as required by law; and

WHEREAS, CD 68 continues to convey agricultural drainage within its watershed; and

WHEREAS, the Drainage Authority has continued to access the drainage system by utilizing the easements created at the time of establishment; and

WHEREAS, the Drainage Authority has determined it to be in the best interests of the properties and the owners of property benefited by CD 68 to determine and record the right of way occupied by the CD 68; and

WHEREAS, the Drainage Authority will hold a public hearing on the proposal on the 7th day of September, 2010 at 8:45 o'clock a.m. and that notice of said hearing be provided according to law.

NOW THEREFORE, BE IT RESOLVED, that the center lines for the easements for CD 68, depicted on the attached Exhibit "A", are hereby determined to be the duly established center lines of easements of a width of 100 feet either side of said center lines. The legal descriptions of said center lines are generally described in Exhibit "B". In the even the physical location of CD 68 differs from the depiction of legal description as contained herein, the physical location shall govern.

BE IT ALSO RESOLVED, that the Drainage Authority reserves the right, after due notice, to change the description provided herein in case of error or, if more precise information becomes available, by filing a supplemental resolution.

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 10-156

DRAINAGE AUTHORITY'S RESOLUTION OF INTENT TO RECORD FREEBORN COUNTY DITCH J21, CONSISTING OF SUBSURFACE DRAIN TILE AND OPEN DITCH

WHEREAS, Freeborn County Ditch J21 ("CD J21") is a Public Drainage System consisting of subsurface drain tile, open ditches or both; and

WHEREAS, CD J21 was originally established by the District Court in Freeborn County on July 31, 1948, and was subsequently improved by Order of the Freeborn County Commissioners on August 18, 1981; and the February 3, 2004, Order Redetermining Benefits and Damages, all according to the laws in effect at the time of establishment of said system; and

WHEREAS, the orders establishing CD J21 created permanent easements within which the drainage system would be located, including area to allow for future maintenance and repair of the drainage system; and

WHEREAS, the orders establishing CD J21 were never recorded in the office of the County Recorder of Freeborn County. Rather, the orders were filed with the County Auditor as required by law; and

WHEREAS, CD J21 continues to convey agricultural drainage within its watershed; and

WHEREAS, the Drainage Authority has continued to access the drainage system by utilizing the easements created at the time of establishment; and

WHEREAS, the Drainage Authority has determined it to be in the best interests of the properties and the owners of property benefited by CD J21 to determine and record the right of way occupied by the CD J21; and

WHEREAS, the Drainage Authority will hold a public hearing on the proposal on the 7th day of September, 2010 at 8:45 o'clock a.m. and that notice of said hearing be provided according to law.

NOW THEREFORE, BE IT RESOLVED, that the center lines for the easements for CD J21, depicted on the attached Exhibit "A", are hereby determined to be the duly established center lines of easements of a width of 100 feet either side of said center lines. The legal descriptions of said center lines are generally described in Exhibit "B". In the even the physical location of CD J21 differs from the depiction of legal description as contained herein, the physical location shall govern.

BE IT ALSO RESOLVED, that the Drainage Authority reserves the right, after due notice, to change the description provided herein in case of error or, if more precise information becomes available, by filing a supplemental resolution.

Resolution seconded by Commissioner Nelson.

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

Commissioner Mathiason offered the following resolution;

**RESOLUTION # 10 - 157
RESOLUTION AUTHORIZING PARTICIPATION IN THE INTEROPERABLE EMERGENCY
COMMUNICATIONS GRANT PROGRAM GRANT**

WHEREAS, Freeborn County will enter into an Agreement with the State of Minnesota, SE MN Regional Radio Board, and Olmsted County, fiscal agent for the SEMN RRB for the 2009 Interoperable Emergency Communications Grant Program (IECGP) effective from date grant is signed thru 02/28/2011, in which each County or City within the SE MN Regional Radio Board is required to pay matching funds of \$912.92 for P25 interoperable equipment (portable radios/mobile radios/control stations).

WHEREAS, no equipment can be purchased for a specific County or City of the SE MN Regional Radio Board until their match has been received by the fiscal agent, Olmsted County.

BE IT RESOLVED that Freeborn County enters into an Agreement with the State of Minnesota, SE MN Regional Radio Board, and Olmsted County, fiscal agent for the SE MN Regional Radio Board for the 2009 HSEM Interoperable Emergency Communications Grant Program (IECGP) Grant.

Resolution seconded by Commissioner Nelson.

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

Commissioner Nelson offered the following resolution;

RESOLUTION 10 -158
RESOLUTION AUTHORIZING PARTICIPATION IN THE 2008 HOMELAND SECURITY AND
EMERGENCY MANAGEMENT GRANT (HSEM)

WHEREAS, Freeborn County will enter into an Agreement with the State of Minnesota, SE MN Region One Emergency Managers Board, and Olmsted County, fiscal agent for the SE MN Region One Emergency Managers Board for the 2008 HSEM grant effective from date grant is signed thru 3/31/2011, in which each County within the SE MN Region One Emergency Managers Board is required to utilize \$19,062.50 for Video Conferencing Equipment.

BE IT RESOLVED, that Freeborn County enters into an Agreement with the State of Minnesota, SE MN Region One Emergency Managers, and Olmsted County, fiscal agent for the SE MN Region One Emergency Managers Board for the 2008 Homeland Security and Emergency Management Grant.

Resolution seconded by Commissioner Mathiason.

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

Commissioner Nelson offered the following resolution;

RESOLUTION 10- 159
RESOLUTION REQUESTING TAX RELIEF FOR DAMAGED/DESTROYED PROPERTY

WHEREAS, the county of Freeborn experienced a disaster on June 17, 2010; and

WHEREAS, said disaster did cause extensive property damage to buildings in the county of Freeborn; and

WHEREAS, the county of Freeborn has been declared a disaster area by Declaration of a Local Emergency declared pursuant to Minnesota Statutes, section 12.29; and

WHEREAS, Minnesota Statutes, sections 273.1231 through 273.1235, provides for tax relief for properties damaged by a disaster upon application to the Governor of the State of Minnesota and the State Executive Council; and

WHEREAS, the minimum requirements of the aforementioned statutes have been met as demonstrated in the attached disaster survey;

NOW, THEREFORE, BE IT RESOLVED by the county of Freeborn that the county of Freeborn does hereby request property tax relief under Minnesota Statutes, sections 273.1231 through 273.1235, for property damaged by the disaster that occurred on June 17, 2010, and identified in the attached disaster survey.

Resolution seconded by Commissioner Mathiason.

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

Commissioner Nelson offered the following motion;

MOVED, setting the 2011 Budget Calendar.

Motion seconded by Commissioner Mathiason.

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

Commissioner Nelson offered the following motion;

MOVED, changing the December 7, 2010 Regular Board meeting to December 14, 2010 as the Regular Commissioners Board meeting date.

Motion seconded by Commissioner Mathiason.

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

Commissioner items;

Commissioner Mathiason: Would it be possible to reduce/wave the fees for the disaster victims building permits? Wayne Sorenson will give the commissioners an update at the next meeting.

Commissioner Belshan: Has been getting complaints about the gravel used on the county roads, maybe the county should get better gravel, he will discuss it at the budget workshop with the Highway Engineer.

Commissioner Nelson offered the following resolution;

**RESOLUTION 10-160
APPROVAL OF CLAIMS**

RESOLVED, that the following claims be allowed and paid on or before July 23, 2010.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 320,268.13
03	County Road & Bridge	\$ 1,162,426.65
05	Human Services	\$ 95,365.01
31	Capital Improvement Fund	\$ 232,819.93
37	Jail GO Bond	\$ 157,101.25
38	HRA-GO Debt Service	\$ 123,223.75
39	HRA-Lease	\$ 193,762.50
40	County Ditches	\$ 95.28
41	Ditch Debt Service	\$ 37,856.27
70	Trust & Agency Fund	\$ 603.00
80	Tax Collection Fund	\$ 14,814.98
85	Septic Loan Fund	<u>\$ 11,851.56</u>
	TOTAL	\$ 2,350,188.31

GENERAL FUND

Advanced Graphix Inc 1,176.60, Albert Lea School District 24 582.68, Allens Tow N Travel 752.51, Alliant Energy/IPL 694, Barna Guzy Steffen LTD 419, Bender and Co Inc/ Matthew 645.04, Book World 1145 1,568.82, Cabelas 1,073.74, BP 395.64, Chris Larson Construction 3,915, City & County Employees Feder 17,061.98, City of Albert Lea 1,190.50, City of Albert Lea 12,335.33, Clean Plus Inc 394.30, Cole Papers Inc 321.27, Com Tec Land Mobile Radio 5,448.52, Commissioner of Revenue 11,655.95, Distad Dennis 2,230.13, Distad Dennis 26,760.46, D&T Ventures LLC 1,449, DS Solutions Inc 534.38, Election Systems & Software Inc 2,100.55, Express Services Inc 2,277.11, Faribault County Sheriffs Office 13,550, Free Press/The 453.61, Freeborn Fire and Ambulance 3,500, Harig Sheriff Misc Fund/Mark 329.46, Health Professionals Ltd 18,232.81, Hunter/Charla 1,000, Jim & Dudes Plg & Heating Inc 1,181.90, Jones Haugh & Smith Inc 650, MCCC MI 33 18,544.37, Medic Batteries 383.76, MN Child Support Payment Center 1,058.15, MN Dept of Employ and Eco Development 1,757.28, MN Dept of Revenue 2,169, MN Elevator Inc 507.08, MN Safety Council 700, MN State Bar Association 570, MN Teamsters No 320 1,698.45, Motor Inn Company 680.51, NACO/Midwest Nationwide Retire 8,843.39, Northland Chemical Corp 685.13, Office of Enterprise Technology 990, Paragon Printing and Mailing 3,034.91, Poehler/Jocelyn 1,000, Professional Service & Supply 1,839.54, Public Emp Retirement Assn 44,107.94, Radison Hotel Schaumburg 465.98, Scotts Office Products 360.49, Southside Custom 1,915.74, State of MN Dept of Public 660, St. Cloud Times 515, St Croix Solutions 1,480, Synergy Graphics Inc 10,153.92, Three Eagles Communications 360, Verizon Wireless 2835.28, Wells Federal Bank 8,113.12, Wells Federal Bank 7,557.51, Wells Federal Bank 29,085.10, Wells Federal Bank 24,823.03, West Payment Center 980.14, Xerox Corporation 858.81, Youth Services International 367.20.

COUNTY ROAD & BRIDGE

Bauer Built Tire Center Inc 367.01, City & County Employees Feder 6,174.35, Commissioner of Revenue 2,622.48, Distad Dennis 617.84, Distad Dennis 7,271.54, ESRI Inc 726.13, Freeborn County COOP Oil 24,488.21, Freeborn Mower Cooperative SE 1,376, Green Provence 668.94, Knutson Oil Company 14,691, Metal Culverts Inc 612.58, MN Child Support Payment Center 1,027.67, MN Dept of Revenue 1,730.34, NACO/Midwest Nationwide Retire

2,401, Public Emp Retirement Assn 7,800.14, Raleighs Ace Hardware 3,259.04, South Minnesota Lubes 3,240.03, Stonebrooke 4,861.10, Syverson Auto Mall Dave 1,992.89, Ulland Bros Inc 1,035,558.98, Ulland Bros Inc 22,551.54, Wells Federal Bank 1,735.42, Wells Federal Bank 1,754.26, Wells Federal Bank 7,420.42, Wells Federal Bank 5,932.34.

HUMAN SERVICES

AFSC & ME 1,432.49, City & County Employees Feder 6,077.26, Commissioner of Revenue 5,138.04, Distad Dennis 1,580.60, Distad Dennis 19,276.82, MN Child Support Payment Center 504.38, NACO/Midwest Nationwide Retire 5,655.81, Public Emp Retirement Assn 17,825.41, Wells Federal Bank 3,615.66, Wells Federal Bank 5,586.26, Wells Federal bank 15,459.66, Wells Federal bank 11,273.04, Verizon Wireless 1,743.56.

CAPITAL IMPROVEMENT FUND

Amuras Inc 5,015.28, CDW Government Inc 4,447.83, Cornerstone Masonry 1,988, Hewlett Packard Company 2,056.27, Motorola 207,018.30, Provantage Corporation 576.11, Scotts Office Products 351.70, Sorensens Appliance & TV 1,066.61, Streichers Inc 9,650.31.

JAIL GO BOND DEBT SERVICE

Wells Fargo Bank NA 157,101.25.

HRA-GO DEBT SERVICE

Wells Fargo Bank NA 123,223.75.

HRA-LEASE REV DEBT SERVICE

Wells Fargo 193,762.50.

DITCH DEBT SERVICE

Wells Fargo Bank NA 37,856.27.

TRUST AND AGENCY FUND

Distad Dennis 603.

TAX COLLECTION FUND

City of Albert Lea 14,814.98.

SEPTIC LOAN FUND

Wells Fargo Bank NA 11,851.56.

Number of claims not exceeding \$300.00- 105
Dollar amount of claims not exceeding \$300.00 - \$ 9,773.25

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

Chair, Commissioner Shoff adjourned the meeting until 8:30 a.m. August 3, 2010.

By: _____
Daniel Belshan
Vice-Chair of the County Board

Attest: _____
John Kluever
Administrator