

PROCEEDINGS OF THE STEELE COUNTY BOARD OF COMMISSIONERS

SPECIAL SESSION

June 8, 2010

STATE OF MINNESOTA)

) ss

COUNTY OF STEELE)

The Steele County Board of Commissioners met in Special Session at 7 p.m. on June 8, 2010 with Commissioners Kubicek, Ebeling, Shea and Schultz present. Also present were Planning and Zoning Director Dale Oolman, County Attorney Dan McIntosh, County Coordinator Dave Severson and County Auditor Laura Ihrke.

Motion by Commissioner Kubicek, seconded by Commissioner Schultz to approve the agenda. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Kubicek to approve the minutes of May 25, 2010 meeting. Ayes all.

Commissioner Kubicek offered the following Resolution, seconded by Commissioner Schultz:

WHEREAS, Steele County agrees to be sponsors of the Steele County Trail Association, Inc;

NOW, THEREFORE, BE IT RESOLVED that the Steele County Board of Commissioners do hereby name Ed Nelson as the Steele County Trail Administrator.

Upon the vote being taken, four Commissioners voted in favor thereof, Commissioner Johnson absent and not voting. A copy of the Resolution is on file in the Auditor's office.

Commissioner Schultz offered the following Resolution, seconded by Commissioner Ebeling:

WHEREAS, Steele County is required by Minnesota Statute 203B.121, Subd. 1 to establish a County Absentee Ballot Board effective upon approval; and

WHEREAS, this authorization will bring uniformity in the processing of accepting and rejecting returned absentee ballots to the Steele County Auditors Office which would consist of a sufficient number of election judges as provided in Sections 204B.19 to 204B.22. The Absentee Board may include staff trained as election judges as provided in Section 203B.23; and

NOW, THEREFORE, BE IT RESOLVED THAT the Steele County Board of Commissioners hereby authorizes the Steele County Auditors Office to implement a Steele County Absentee Ballot Board consisting of election judges as provided in sections 204B.19 to 204B.22 or staff trained as election judges as provided in 203B.23.

Upon the vote being taken, four Commissioners voted in favor thereof, Commissioner Johnson absent and not voting.

Motion by Commissioner Ebeling, seconded by Commissioner Kubicek to approve the Tattoo License for Adam Bertram from Thee Dragon's Lair. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Ebeling to approve of the following personnel actions: Kayla Siemonsma-hired as RN, Human Services, effective 6/10/10; Anthony Zacharias-hired as Highway Maintenance I, effective 6/7/10; Christine Long-resignation, effective 8/18/10; Beth Saufferer-hired as OSA IV, Human services, effective 6/1/10; Kelly Hoyt-hired as Administrative Systems Assistant, Human Services, effective 6/1/10; Don Hagen-resignation from Landfill, effective 5/28/10; Mary Gonzales-retirement; Todd Anderson-resignation, effective 6/7/10; and Gerald Engstrom-hired as a temporary employee. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Kubicek to approve of the revised Steele County Drug and Alcohol Policy. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Schultz to approve the tuition reimbursement of \$500 for Todd Schwanke as per county policy. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Schultz to authorize the County Board Chair to sign a letter stating that the County Board is not opposed to the Oak Glen Wind Farm Project. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Schultz to authorize the 2010 Economic Development Funding Requests as follows:

Medford	\$ 5,000.00
Ellendale	\$ 5,000.00
Blooming Prairie	\$ 5,000.00
So. MN Invitiative Foundation	\$ 5,000.00
Partners for Economic Development	\$ 1,000.00
Farm America	\$ 500.00
Southern MN Tourism Assoc.	\$ 1,000.00
U.S. Highway 14 Partnership	\$ 1,500.00
Humane Society	\$10,000.00

Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Schultz to authorize County Coordinator Dave Severson to proceed with negotiating and retaining Springsted in regard to the recruitment of a Human Services Director. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Ebeling to refer the proposed land purchase with the Department of Natural Resources to Kurt Deter for his recommendation. This issue will be brought back to the June 22nd Board meeting. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Ebeling to award the low Bid for Project C-513, SP074-607-014, SP 074-607-015 to Mathiowetz Construction Company in the amount of \$6,445,037.17, contingent on the Department of Transportation EEO approval. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Kubicek to approve the Law Library fees as recommended by the Steele County Law Library Board of Trustees for the period of July 1, 2010 to June 30, 2011. The fees will be \$6.00 for criminal cases and \$15.00 or civil cases. Ayes all.

The Public Hearing in regard to the Subsurface Sewage Treatment Ordinance was then opened.

Commissioner Shea explained that the State is working on changing the rules and that Steele County would wait until next year before making any changes.

Dale Oolman explained how we got to this point and how we need to proceed.

The meeting was then open to comments from the public.

There were approximately 5 people in attendance.

Motion by Commissioner Schultz, seconded by Commissioner Ebeling to close the public hearing. Ayes all.

The Public Hearing in regard to the Reissuance of Gross Revenue Health Care Crossover Refunding Bonds was then opened.

Dave Severson explained the proposed reissuance as qualified 501(c) (3) bonds of the County's Gross Revenue Health Care Crossover Refunding Bonds, Series 2005 B, issued and outstanding in the principal amount of \$3,545,000 and dated, as originally issued, as of October 1, 2005 (the "Prior Bonds"). The prior bonds were issued to refinance costs of construction of Park Place Senior Congregate & Assisted Living.

The meeting was then open to comments from the public.

Motion by Commissioner Schultz, seconded by Commissioner Kubicek to close the public hearing. Ayes all.

Commissioner Schultz offered the following Resolution, seconded by Commissioner Kubicek:

WHEREAS, Steele County, Minnesota (the "County") has previously issued its Gross Revenue Health Care Crossover Refunding Bonds, Series 2005B for the purpose of refinancing certain costs of construction of Park Place Senior Congregate & Assisted Living, located at 125 Park Street, Owatonna, Minnesota (the "Housing Facility");

WHEREAS, the County has previously entered into a Letter of Intent (the "Letter of Intent") with Benedictine Health System ("BHS"), a Minnesota nonprofit corporation and an entity described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the

“Code”) providing for the creation of a new joint venture company named Steele County Communities for a Lifetime, Inc. (“SCCL”), the operation by SCCL of the Facilities, the skilled nursing facility located at 1409 South Cedar in the city of Owatonna (the “Nursing Facility”; together with the Housing Facility, the “Existing Facilities”) and a replacement skilled nursing facility to be co-located with certain facilities of Owatonna Clinic – Mayo Health System and Allina Health System;

WHEREAS, SCCL is a Minnesota nonprofit corporation which has applied for designation as an entity described in Section 501(c)(3) of the Code;

WHEREAS, the County has previously entered into an Interim Management Agreement with BHS and SCCL providing for management of the Facilities prior to the Transfer Date, as defined in such Interim Management Agreement;

WHEREAS, the Transfer Date will not occur prior to SCCL receiving its 501(c)(3) designation from the Internal Revenue Service;

WHEREAS, subsequent to such Transfer Date, the County expects to lease the Facilities to SCCL pursuant to a Lease and Purchase Agreement (the “Lease”) and provide for the management of the Facilities by BHS pursuant to a definitive management agreement (the “Management Agreement”), a form of which is attached to the Interim Management Agreement;

WHEREAS, pursuant to Section 147(f) of the Code, the County has this date held a duly noticed public hearing on the reissuance of the Bonds as qualified 501(c)(3) bonds in anticipation of the lease and management of the Facilities by entities described in such Section 501(c)(3).

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Steele County, Minnesota, as follows:

1. Approval of Reissuance. The County hereby approves the reissuance of the Bonds for the Housing Facility for purposes of Section 147(f) of the Code.

2. Applicable Law. This Resolution shall be governed by and interpreted in accordance with the laws of the State of Minnesota.

Upon the vote being taken, four Commissioners voted in favor thereof, Commissioner Johnson absent and not voting.

Motion by Commissioner Ebeling, seconded by Commissioner Schultz to approve the Satellite Agreement between the Steele County Records office and the Secretary of State. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Ebeling to delay any Board changes to the Steele County Subsurface Sewage Treatment Ordinance at this time. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Ebeling to approve the following list of bills and Human Services bills in the amount of \$103,335.73. Ayes all.

LISTING OF BILLS

6/8/2010

A’viands, LLC	\$ 14,050.33
Businessware Solutions Corporation	6,146.84
Central Valley Cooperative	17,791.63
Computer Professionals Unlimited	3,784.70
Derby Industries	2,475.00
Election Systems & Software, Inc.	10,121.22
MCF—Red Wing	10,800.00
New Ulm Quartzite Quarries, Inc.	16,858.59
Owatonna Public Utilities	17,297.58
Pro-West & Associates, Inc.	2,885.63
S & T Office Products, Inc.	3,352.60
SEH, Inc.	5,462.57
Southern Minnesota Construction—SMC	30,620.77
Steele County Public Health	3,000.00
Steele County Treasurer—PCP	2,681.49
Streichers	6,890.50
TW Vending	5,257.11

Veit and Company, Inc.	23,669.49
Waste Management WI-MN Market	27,833.39
WSB & Associates, Inc.	19,025.31
132 Warrants	<u>39,067.08</u>
TOTAL	\$269,071.83

Motion by Commissioner Schultz, seconded by Commissioner Ebeling to adjourn to the call of the Chair.
Ayes all.

CHAIRMAN

ATTEST: _____
AUDITOR