

PROCEEDINGS OF THE STEELE COUNTY BOARD OF COMMISSIONERS

SPECIAL SESSION

December 14, 2010

STATE OF MINNESOTA)  
 ) ss  
 COUNTY OF STEELE )

The Steele County Board of Commissioners met in Special Session at 7 p.m. on December 14, 2010 with Commissioners Johnson, Kubicek, Ebeling, Shea and Schultz present. Also present were County Assessor Glen Purdie, County Treasurer Steve Rohlik, County Engineer Anita Benson, County Attorney Dan McIntosh, County Sheriff Don Gudmundson, County Sheriff-Elect Lon Thiele, Public Health Nurse DeeAnn Pettyjohn, Human Services Director Charity Floen, County Coordinator Dave Severson and County Auditor Laura Ihrke.

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

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to approve the minutes of November 23, 2010 meeting. Ayes all.

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

BE IT RESOLVED, by the Steele County Board of Commissioners that the following sums of money be levied for the current year collectible in 2011, upon all taxable property in the County of Steele, for the following purposes:

	Tax Levy	Total Budget
General Government	12,506,017	19,114,608
Human Services	2,824,488	7,449,164
Road & Bridge	2,432,171	8,095,231
Landfill	0	1,176,000
Bonded Debt	2,605,170	2,605,170
Four Seasons	0	673,111
Ditch Fund	0	300,000
SUBTOTAL	20,367,846	
Public Library	191,500	191,500
(excluding cities of Owatonna & Blooming Prairie)		
TOTAL LEVY	20,559,346	
		TOTAL
		CERTIFIED
		BUDGET
		39,604,784
Less County Aid	1,666,283	
TOTAL CERTIFIED LEVY	18,893,063	

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the County Auditor's office.

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

WHEREAS, public safety providers, including law enforcement, fire, emergency management and ambulance services rely on Public Safety Answering Points (PSAP) for communication services; and

WHEREAS, public safety concerns, natural disasters and other emergencies extend beyond county borders; and

WHEREAS, the provision of public safety services may be negatively impacted if interoperability is unavailable or compromised between PSAPs; and

WHEREAS, such interoperability may be addressed through the regionalization of PSAPs; and

WHEREAS, implementation of technological advancements in communications may be cost prohibitive unless regionalization occurs; and

WHEREAS, the State of Minnesota has made grant funds available to study the concept of regionalization of PSAPs; and

WHEREAS, Steele County desires to participate in the I35 Corridor PSAP Regional Study.

NOW THEREFORE BE IT RESOLVED, that the Steele County Board of Commissioners hereby requests the State of Minnesota to release grant funds to Steele County for the study of regionalization of its PSAP.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the County Auditor's office.

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

BE IT RESOLVED that the salary for the position of Steele County Commissioner be set at \$21,457.00 per year for 2011.

BE IT RESOLVED that the per diem rate shall be set at \$70 per day. The following meetings shall be eligible for per diems:

South Central Minnesota Water Planning Committee, SEMCAC, Law Enforcement Committee, Extension Committee, Drainage Meetings and Inspections, Cedarview Care Center, Joint Solid Waste Committee, Board of Health, Association of Minnesota Counties and National Association of Counties Meetings, Cannon River Partnership, Dispatch Joint Powers Board, Southern Minnesota Tourism, Law Library Board, SEMREX, Resource Conservation and Development Committee, Emergency Medical Services, Children's Mental Health Collaborative, South Country Health Alliance Joint Powers Board, Steele County Water Planning Committee, Southeast Minnesota Water Resources Board, Fair Board Liaison, Soil and Water District Liaison, Area Agency on Aging, Drug Committee, Transportation Plan Technical Advisory Committee, Criminal Justice Committee, Cultural Diversity Network, Jail Committee, Communities for a Lifetime Committee, Recorder's Compliance Fund Committee, GIS Committee, Zumbro River Partnership, Cedar River Watershed Advisory Committee, Steele County Historical Society Liaison, Regional Radio Board, Southeast Minnesota Association of Regional Trails and authorized seminars.

Other meetings may be authorized by action of the County Board.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the County Auditor's office.

Motion by Commissioner Johnson, seconded by Commissioner Kubicek to approve of the Joint Powers Agreement with the Office of the Secretary of State for reimbursement for the General Election recount in the amount of \$445.50. Ayes all.

Discussion on Wind Turbine Interim Ordinance #34 was considered. Comments were heard from those in attendance.

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

WHEREAS, the Steele County Zoning Ordinance was adopted in November, 1993 for the purpose of protecting the public health, safety, comfort, convenience, and general welfare of its citizens; and

WHEREAS, the Steele County Zoning Ordinance was amended in September, 2004 to include Section 1527 titled Wind Energy Conversion Systems for the purpose of promoting the effective use of wind energy conversion systems and to set forth standards for the location, construction, and operation, of wind energy conversion systems that will protect the public health, safety and welfare; and

WHEREAS, since 2004, there have been extensive changes in wind energy technology and a greater understanding of the public health effects potentially caused by wind energy conversion systems; and

WHEREAS, once a wind energy conversion system project has been permitted and constructed it will be difficult to reverse or mitigate any potential negative effects; and

WHEREAS, Steele County is in the process of studying the issues concerning wind energy conversion systems and amending its official controls if needed; and

WHEREAS, until this study is complete and official controls are put into place, Steele County shall consider it an emergency to temporarily delay the permitting of certain new wind energy conversion projects; and

WHEREAS, Individual Wind Energy Conversion Systems less than 40 kilowatts have operated in the county without incident and Wind Energy Conversion Systems Projects greater than 5 megawatts are permitted by the State of Minnesota and exempt from local zoning restrictions;

NOW, THEREFORE, IT IS RESOLVED that Ordinance No. 34, An Interim Ordinance Temporarily Prohibiting the Permitting of any New Wind Energy Conversion System or Project with a Total Name Plate Capacity between 40 Kilowatts and 5 Megawatts is hereby enacted.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the County Auditor's office.

Motion by Commissioner Schultz, seconded by Commissioner Ebeling to approve the five contracts with individuals to provide interpretation. It includes 4 Spanish and 1 Somali. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Johnson to approve of the Brite Smiles Inc./Dental Hygienist contract to provide service 7 days a month in space provided at Public Health. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to authorize Public Health Nursing to advertise to fill the vacant Public Health Nurse position. Ayes all.

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

RESOLVED that Steele County Area Transit has adopted a Language Assistance Plan to meet Federal Transit Administration's requirements to comply with the TITLE VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin. As a subrecipient of FTA funds, Steele County Area Transit is taking reasonable steps in providing meaningful access to transit services for individuals with Limited English Proficiency (LEP).

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the County Auditor's office.

Commissioner Ebeling offered a Resolution , seconded by Commissioner Schultz:

NOW THEREFORE BE IT RESOLVED, that the Steele County Board of Commissioners hereby authorizes the County Human Services Director, in collaboration with the Information Technology Director, to appoint at least one employee of Steele County to participate as a member of a regional technology collaborative steering committee. The steering committee shall gather information, explore opportunities and provide recommendations to county boards of commissioners, county human services boards, county administrators, county coordinators, county technology directors and county human services directors of the participating counties.

Before December 31, 2012, the steering committee shall provide a recommendation to participating counties regarding the continuation or disposition of the committee beyond that date. If no action is taken by participating county boards of commissioners to continue the steering committee in this or another form, it shall be dissolved by December 31, 2012, or thereabouts.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the County Auditor's office.

Motion by Commissioner Johnson, seconded by Commissioner Schultz to accept the Parent Support Outreach Project Grant in the amount of \$10,000.00. This grant targets families with a high level risk for child maltreatment. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Johnson to approve the 2011 contract with SEMCAC to administer a volunteer driver program to include coverage of "loaded-mileage" and an administrative fee, but no "no-load mileage". Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Ebeling to approve the 2011 Contracts and to authorize the chair to sign. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Schultz to renew the contract with MRCI and to enter into discussion with the Director in regard to any contract changes. Ayes all.

At 8 p.m. the public hearing was opened in regard to Industrial Development Revenue Bonds for the Steele County Communities for a Lifetime.

Dave Severson reviewed with those present the purpose for the hearing and discussed the bonds. The taxing authority of the County not obligated.

The public hearing was closed at 8:06 p.m.

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to place the affidavits of publication on file. Ayes all.

Commissioner Kubicek offered a Resolution, seconded by Commissioner Schultz authorizing issuance and sale of revenue obligations on behalf of Steele County communities for a Lifetime, Inc., to finance a project under Minnesota Statutes, Sections 469.152 to 469.165.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the Auditor's office.

Motion by Commissioner Schultz, seconded by Commissioner Ebeling to authorize the Chair and Auditor to sign the DEED Application regarding the issuance of SCCL, Inc. bonds. Ayes all.

Commissioner Ebeling offered the following Resolution in regard to SP 074-634-10, CSAH 34 (26<sup>th</sup> Street NE) Project with Heselton Construction, seconded by Commissioner Johnson:

WHEREAS, Contract NO. 83410 has in all things been completed, and the County Board being fully advised in the premises;

NOW, THEN BE IT RESOLVED, that we do hereby accept said completed project for and in behalf of the Steele County Highway Department and authorize final payment of \$120,585.60 of the total construction cost of \$4,019,520.08.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the County Auditor's office.

Commissioner Schultz offered the following Resolution in regard to SAP 74-626-16, final construction contract cost of \$96,632.00; 74-627-02, final construction contract cost of \$81,864.25; 74-598-12, final construction cost of \$100,104.88; and 74-598-13, final construction cost of \$94,714.50 with Swenke Construction

WHEREAS, Contract No. 09812 has in all things been completed, and the County Board being fully advised in the premises;

NOW, THEN BE IT RESOLVED, that we do hereby accept said completed project for and in behalf of the Steele County Highway Department and authorize final payment of \$11,199.49, as specified herein.

Upon the vote being taken, five Commissioners voted in favor thereof, none absent and not voting. A copy of the Resolution is on file in the County Auditor's office.

Motion by Commissioner Kubicek, seconded by Commissioner Johnson to authorize the Chairman and County Coordinator to sign the Agreement Amendment No. 2 to MNDOT Detour Agreement No. 93426. This amendment is to compensate the County for the use of CR 180, CSAH 43, CSAH 8 and CSAH 34 for the U.S. Highway 14 Project Detour. The amount of the amendment is \$15,930.27. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Schultz to approve of the 2011 Highway Department Fee Schedule. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to approve of the Voyager Fleet Card System usage for the Highway Department to handle fuel purchases for the Highway Department Maintenance fleet. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Johnson to reaffirm direction to proceed with changing the Hope tile system to a County tile/ditch system and to proceed with work necessary to establish as such. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Schultz to ratify the Transportation Committee action to have the Engineer submit MN Recovers Grant Applications for the Highway Operations Complex project and the Hope Tile System project. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Kubicek to establish a Facilities Committee with its membership to consist of the Engineer, Highway Maintenance Superintendent, Coordinator, Treasurer and the Buildings and Grounds Director along with two County Commissioners. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Johnson to set a board meeting for January 11 at 7 p.m. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Johnson to rescind the previous motion setting the board meeting for January 11 at 7 p.m. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Kubicek to set a board meeting for January 10, 2010 with the time to be announced at the January 4, 2011 meeting. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Schultz to authorize the Engineer to issue a RFP for Highway Facility Restoration Feasibility Report. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Johnson to approve the quote of Owatonna Plumbing and Heating in the amount of \$57,560.00 with a finish date of January 24, 2011 for the ventilation system at 900 30<sup>th</sup> Place NW Temporary Facility to meet code requirements for Highway Department use. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Schultz to authorize the County Engineer and the County Coordinator to negotiate a lease extension with the owner of the Temporary Highway Operations location. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Johnson to approve of the West Beltline Agreement pending County Attorney approval. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Kubicek to approve the following personnel actions: Jamie Kreuser, Grade 38/2, effective 11/30/10; Crystal Chappius, hired as Correctional Officer—Step 1, effective 11/2/10; Dawn Grunklee, Correctional Officer—Step 3, effective 11/13/10; Todd Edel, hired as Maintenance Worker—Grade 21/7, effective 1/1/11; Kristi Schmitz, transfer from Human Services to Public Health, effective 12/15/10. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to approve of the following pay equity adjustments: Inmate Programs Assistant, Grade 19 to Grade 21, effective 9/1/10; and Director of IT, Grade 36 to Grade 38, effective 11/11/10. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Johnson to authorize the filling of the vacant social worker position in Human Services Department due to retirement. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Schultz to approve the abatement for Northwood's Cinema as recommend by the Assessor, Treasurer and Auditor. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Ebeling to approve 2010 abatements for all properties listed below for the Local Option Disaster Abatement.

<u>Parcel ID</u>	<u>Owner</u>	<u>Property Address</u>	<u>Damage Amt</u>
08-021-3300	JIRELE, SANDRA K	2148 28 <sup>TH</sup> ST SW	\$ 38,800
17-105-0514	JOHNSTON/FRANCES	1039 N ELM	\$ 46,600
17-105-0616	SHARP/JEFFREY R	1032 N ELM	\$ 60,200
17-105-0513	DUBE/JEFFREY L	1033 N ELM	\$ 55,700
17-102-0405	SASSE/ALAN L	404 WALNUT AVE S	\$ 46,200
17-010-4222	GRUNWALD/DERALD	338 MINERAL SPRINGS RD	\$ 29,700
17-150-0111	TORABPOUR/HAMID R & CAMILLE	542 MAPLE DR	\$ 51,200

Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Johnson to approve of the Local Option Disaster Credit for payable 2011 for the following properties:

<u>Parcel ID</u>	<u>Owner</u>	<u>Property Address</u>	<u>Damage Amt</u>
17-009-1240	MKP PROPERTIES, LLC	600 HOFFMAN DRIVE	\$ 135,200
17-297-0101	PLEMEL/JOSEPH R & JUDITH A	920 HOFFMAN DRIVE	\$ 148,000
17-110-0909	UBER GLOVE CO INC	210 W NORTH ST	\$ 15,400
17-297-0103	B A R PARTNERSHIP	910 HOFFMAN DRIVE	\$ 54,100
09-029-4301	MAIN STREET BROADCASTING INC	3525 92 <sup>ND</sup> AVE SW	\$ 2,800
17-105-0617	WILKER/TERRY R & REBECCA	1040 N ELM	\$ 37,100
09-029-4000	MUNDT/MARY ANN	3201 92 <sup>ND</sup> AVE SW	\$ 6,600

Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Ebeling to authorize the County Attorney to retain Mark Manderscheid on a retainer basis to assist with the Kohl's Department Store Tax Court Case and to authorize the Chairman to sign the Agreement. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Schultz to authorize the County Assessor to contract with an outside appraiser if a settlement on the Kohl's property cannot be reached and the case proceeds to court. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Schultz to authorize the Fair Board to use the Steele County Community Center during the Fair for the fine arts exhibit. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Kubicek to set the salary for Lon Thiele, Sheriff in the amount of \$83,258.00; and for Scott Hanson, Chief Deputy in the amount of \$71,258.00, effective January 3, 2011. Ayes all.

Motion by Commissioner Kubicek, seconded by Commissioner Schultz to refer to the Management Committee the establishment of a policy setting the salary of the Chief Deputy. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Johnson to approve of Option No. 1 for the 800 MHz Radios in the estimated amount of \$302,158.00 with \$162,530.00 paid by grant funds. Ayes all.

Motion by Commissioner Johnson, seconded by Commissioner Schultz to approve of the Sheriff's Office vehicle purchases of a Ford Edge from Krejci Ford in Blooming Prairie in the amount of \$24,034.05; a Crown Victoria in the amount of \$23,237.24 and purchasing an Impala from the State bid in the amount of \$17,430.41. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Schultz to refer the Vehicle Purchase Plan for the Sheriff's Department to the Property and Maintenance Committee. Ayes all.

Motion by Commissioner Ebeling, seconded by Commissioner Schultz to approve the following listing of bills and Human Services bills in the amount of \$428,311.75. Ayes all.

LISTING OF BILLS  
12/14/2010

A'viands LLC	25,909.14
ACS Enterprise Solutions Inc.	9,084.38
Advanced Correctional Healthcare	11,355.28
Arrow Industrial Supply	12,692.28
Blooming Prairie ISD 756	19,000.00
Businessware Solutions Corporation	5,503.64
Central Valley Cooperative	7,884.21
City of Owatonna	2,672.06
Computer Professionals Unlimited	3,659.70
CPS Technology Solutions	25,664.37
Election Systems & Software, Inc.	7,135.74
Four Seasons Centre	3,583.14
Government Management Group	5,100.00
Image Trend, Inc.	4,400.00
Independent School District 761	26,000.00
Integra Telecom	3,052.43
J R'S Advanced Recyclers, Inc.	6,877.60
Leo A. Hoffmann Center, Inc.	4,518.60
M R Sign Company, Inc.	5,560.55
M-R Sign Company, Inc.	5,455.26
Matejcek Implement Co.	3,244.73
Mayo Clinic	3,000.00
McGhie & Betts, Inc.	11,822.26
Mid-America Business Systems, Inc.	2,896.85
Mills Fleet Farm	2,319.14
Mississippi Welders Supply Co.	2,356.88
MN Department of Transportation	7,810.43
KellyAnna Moore	9,000.00
NAPA Auto Parts	2,981.12
New England Municipal Resource	3,713.15
Newman Signs, Inc.	7,824.42
Olson Trading Post	4,976.55
On Target A & M, Inc.	2,320.00
Owatonna Public Utilities	14,610.81
Pictometry International Corporation	4,802.50
Quality Power Solutions LLC	4,170.00
Qwest	2,254.13
RK & T Construction, Inc.	2,200.00
Schultz Excavating	3,775.00
South Central Human Relations	7,935.85
Southern MN Machinery Sales	4,916.26
Spherion Corp	4,584.32
Steele County Central Services	7,385.45
Steele County Hwy Department	28,447.16
Steele County Landfill	22,672.01
Steele County Treasurer	71,157.78
Steele County Treasurer—PCP	2,318.24
TW Vending	7,697.32
University of MN Regents	35,412.42
Wallace Bustad Crane Service	2,640.00
Waste Management WI-MN Market	30,487.51
WSB & Associates Inc.	3,704.00

3D Specialties	3,141.53
240 warrants under \$2000.00	<u>95,347.57</u>
<b>TOTAL</b>	<b>\$619,033.77</b>

Motion by Commissioner Kubicek, seconded by Commissioner Schultz to adjourn to the call of the Chair at 9:08 p.m. Ayes all.

\_\_\_\_\_  
CHAIRMAN

ATTEST: \_\_\_\_\_  
AUDITOR