

PROCEEDINGS OF THE STEELE COUNTY BOARD OF COMMISSIONERS

SPECIAL SESSION

February 9, 2016

STATE OF MINNESOTA)

) ss

COUNTY OF STEELE)

The Steele County Board of Commissioners met in Special Session at 7:00 p.m. on February 9, 2016 with Commissioners Glynn, Schultz, Ebeling, Brady and Huntington present. Also present were County Attorney Dan McIntosh, County Engineer Anita Benson, County Administrator Laura Elvebak and County Auditor Laura Ihrke.

Call to Order and Pledge of Allegiance.

Motion by Commissioner Glynn, seconded by Commissioner Brady to approve the agenda. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Brady to approve the minutes of January 26, 2016. Ayes all.

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

- A. Approve Bills
- B. Approve Personnel Report:

Anniversaries:

<i>Name</i>	<i>Position-Dept</i>	<i>Step</i>	<i>Anniv. Date</i>	<i>Yrs. Serv.</i>
Timothy Schammel	Interim Court Services Director	5	02/19/16	12
Nathan Boysen	Corporal – Detention Center	8	02/20/16	9

- C. Approve Lease Agreement with MRCI WorkSource
- D. Approve Renewal of Consumption & Display Permit for Finches Pub, LLC.
- E. Acceptance of Community Services Committee Meeting Minutes
- F. Acceptance of Public Works Policy Committee Minutes from February 4, 2016
- G. Authorize proceeding with the project to replace the Scales of Justice Request
- H. Accept Recycling Summary 2011-2015
- I. Accept Informational Probation Services Dashboard
- J. Approve Landfill Concrete Crushing Services- Rogers & Sons
- K. Accept Informational- Highway Dashboards

Motion by Commissioner Brady, seconded by Commissioner Glynn to authorize advertising for bids for Seasonal Materials and set the bid opening date for March 8, 2016 at 11:00 a.m. in the County Boardroom. Ayes all.

Motion by Commissioner Glynn, seconded by Commissioner Schultz to authorize advertising for bids for bids for the 2016 Countywide Pavement Striping project CP 074-016-01 and set bid opening for March 17, 2016 at 10:00 a.m. in the County Boardroom. Ayes all.

Motion by Commissioner Brady, seconded by Commissioner Glynn to authorize advertising for bids for CP 74-016-02 – 2016 Seal Coat Project and set bid opening for March 26, 2016 at 10:00 a.m. in the County Board room. Ayes all.

Commissioner Schultz offered the following **Resolution** seconded by Commissioner Glynn

2016 County Highway and Road Weight Restrictions

WHEREAS, the Minnesota Department of Transportation determines the beginning and end date of Spring Load Restrictions for Trunk Highways, and

WHEREAS, the Steele County Highway System; as a whole, is more vulnerable than State Highways; as a whole, to damage during the Spring Load Restriction time period, and

WHEREAS, each spring it is necessary to establish road restrictions so to protect the roadway system from serious damage and the start date of Spring Load Restrictions as established by MNDOT will be the start date for Steele County, and

WHEREAS, the default axle weight limit outside of the Spring Load Restriction Time period without posting signage is ten tons per axle provided the gross vehicle weight limit is not exceeded and bridge load postings are followed, and

WHEREAS, the majority of County and County State Aid Highways were not designed to a ten ton per axle structural capacity,

THEREFORE BE IT RESOLVED, that no person shall operate any vehicle or combination of vehicles upon County State Aid Highways and County Roads that exceed the restrictions as shown on the attached map entitled "2015 Spring Weight Restrictions" ; effective when Spring Load Restrictions are placed, on County State Aid Highways and County Roads, and

BE IT FURTHER RESOLVED, that no person shall operate any vehicle or combination of vehicles upon County State Aid Highways and County Roads that exceed the restrictions as shown on the attached map entitled "Legal Load Limits" ; effective when Spring Load Restrictions are not in effect on County State Aid Highways and County Roads,

BE IT FURTHER RESOLVED, the County Engineer shall make changes to the load limits and cause the maps and corresponding load posting signage to be updated based on changing road conditions throughout the year, and

BE IT FURTHER RESOLVED, the County Engineer is hereby authorized to erect and maintain signs plainly indicating the prohibitions and restrictions as above described at each of the County Highways and Roads affected thereby and to determine the end date for Spring Load Restrictions in Steele County.

Upon the vote being taken, 4 Commissioners voted in favor thereof, Commissioner Huntington absent and not voting. A copy of the Resolution is on file in the Auditor's office.

Commissioner Glynn offered the following **Resolution** seconded by Commissioner Schultz

WHEREAS, the County of Steele is planning to implement County State Aid Street Project(s) in 2016 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date 1/28/2016		\$3,690,565.10
Less estimated disbursements:		
Project # SAP 74-645-34	\$ 4,295,946	
Project # SAP 74-607-22	\$ 1,952,092	
Project # _____	\$ _____	
Project # _____	\$ _____	
Bond Principle (if any)	\$ _____	
Project Finals (overruns-est.)	\$ 100,000	
Other - Engineering	\$ 500,000	
Total Estimated Disbursements		\$6,848,038.00
Advance Amount (amount in excess of acct balance)		\$3,157,479.90

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, Be It Resolved: That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Steele in an amount up to \$3,157,479 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

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

Motion by Commissioner Glynn, seconded by Commissioner Brady to authorize the sale of the 1971 self-propelled pneumatic Bros Roller from the Highway Department to the Steele County Ag Society for \$1.00 pending MCIT concurrence. Ayes all.

Motion by Commissioner Huntington, seconded by Commissioner Schultz to authorize advertising for bids for a Farmland Lease and set the bid opening date for March 3, 2016 at 10:00 a.m. in the County Boardroom. Ayes all.

Motion by Commissioner Huntington, seconded by Commissioner Brady to authorize the Steele County Landfill to purchase of a 2003 Sterling Tandem Dump Truck in the amount of \$29,820 from the Steele County Road and Bridge department. Ayes all.

Motion by Commissioner Schultz seconded by Commission Huntington to authorize the Park and Recreation Director to advertise for Lawn Mowing Proposals for the 2016 Mowing Season. Ayes all.

Motion by Commissioner Brady, seconded by Commissioner Glynn to approve out of state travel request for a Highway Sign Technician to attend the ATSSA's "How to Training & Education Workshop" course March 15-16, 2016 in Fargo, ND. Ayes all.

Motion by Commissioner Glynn, seconded by Commissioner Huntington to approve the ditch levies for JD #6 unpaid balances- 5year levy plus interest and CD #21 unpaid balances- 10 year levy plus interest. Ayes all.

Motion by Commissioner Schultz, seconded by Commissioner Glynn to approve the Purchase Agreement for the American Legion Club-Post 11. Ayes all.

Commissioner Huntington offered the following **Resolution** seconded by Commissioner Brady

WHEREAS, the County of Steele has entered into a Purchase Agreement dated February 9, 2016, whereby Steele County will purchase property located at 1903 44th Ave SE, Owatonna, MN 55060 with Steele County Property Identification Numbers of 07-020-4413 and 07-020-4414, (Property”) legally described as follows:

All that part of the Northwest Quarter of Section 20, Township 107 North, Range 19 West, Steele County, Minnesota, described by:

Commencing at the northwest corner of said Northwest Quarter; thence S 0°20'55" E, assumed bearing, 252.69 feet along the west line of said Northwest Quarter to a point on the southerly right of way line of the Chicago and Northwestern Railroad, formerly the Winona and St. Peter Railroad; thence South 0°20'55" E 132.00 feet along the west line of said Northwest Quarter to the True Point of Beginning; thence South 0°20'55" E 250.81 feet along the west line of said Northwest Quarter; thence North 89°00'36" E 310.76 feet; thence North 0°20'55" W 136.25 feet to a point, last said point being South 0°20'55" E 132.00 feet from the southerly right of way line of said Railroad; thence N 70°40'36" W 330.00 feet to said True Point of Beginning.

Containing 1.38 acres, more or less.

Subject to a public highway easement along the west line of said Northwest Quarter Parcel 1 PID No. 07-020-4413:

AND

Parcel 2 PID No. 07-020-4414:

All that part of the Northwest Quarter of Section 20, Township 107 North, Range 19 West, Steele County, Minnesota, described by:

Commencing at the northwest corner of said Northwest Quarter; thence S 0°20'55" E, assumed bearing, 252.69 feet along the west line of said Northwest Quarter to a point on the southerly right of way line of the Chicago and Northwestern Railroad, formerly the Winona and St. Peter Railroad; thence S 70°40'36" E 165.00 feet along the southerly right of way line of said Railroad to the True Point of Beginning; thence S 0°20'55" E 132.00 feet; thence S 70°40'36" E 165.00 feet; thence N 0°20'55" W 132.00 feet to the southerly right of way line of said Railroad; thence N 70°40'36" W 165.00 feet to said True Point of Beginning. Containing 0.47 acres, more or less.

EXCEPT: All that part of the NW1/4 of Section 20, T 107 N, R 19 W, Steele County, Minnesota, described by:

Commencing at the northwest corner of said NW 1/4 ; thence S 0°20'55" E, assumed bearing, 252.69 feet along the west line of said NW1/4 to a point on the southerly right of way line of the Chicago and Northwestern Railroad, formerly the Winona and St. Peter Railroad; thence S 0°20'55" E 132.00 feet along the west line of said NW1/4; thence S 70°40'36" E 165.00 feet along a line parallel with the southerly right of way line of said Railroad; thence N 0°20'55" W 35.94 feet to the True Point of Beginning; thence N 0°20'55" W 96.06 feet to the southerly right of way line of said Railroad; thence S 70°40'36" E 67.84 feet along a line parallel with the southerly right of way line of said Railroad; thence S 0°20'55" E 74.99 feet; thence N 88°45'55" W 63.90 feet to said True Point of Beginning.

Containing 0.125 acre, more or less.

from the American Legion Club-Post 77 at a purchase price of \$20,000 as and for the CSAH 43 highway right of way; and

WHEREAS, the closing on this purchase is scheduled to occur on or before March 15, 2016; and

WHEREAS, the Board of Commissioners wishes to proceed with the above purchase; and

WHEREAS, the Board of Commissioners agrees to delegate its signing authority to an attorney from the Steele County Attorney’s Office for closing pursuant to the Purchase Agreement; and

Whereas, the Board of Commissioners authorizes payment of all reasonable closing expenses associated with this closing and with the purchase of Owner’s Title Insurance, resulting in an estimated total expense not to exceed \$24,000 for this purchase.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Steele County, Minnesota, that Steele County hereby directs an attorney from the Steele County Attorney’s Office to act as its agent for the purposes of closing on the purchase of property from the American Legion Post- Club 77; and

BE IT FURTHER RESOLVED, by the Board of Commissioners of Steele County, Minnesota, that Steele County hereby authorizes payment for said purchase in an amount not to exceed \$24,000 for this purchase.

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

Commissioner Reports:

Commissioner Glynn reported on his attendance at the MNPrairie and County Ditch #27 meeting.
 Commissioner Huntington reported on her attendance at the MNPrairie, SCCL, SCHA JT Powers Board, Health & Human Services meeting and MNPrairie meeting.
 Commissioner Brady reported on his attendance at the MNPrairie meeting.
 Commissioner Schultz reported on his attendance at the Fair Board, SEMCAC, County Ditch #27 and the MNPrairie meeting.
 Commissioner Ebeling reported on his attendance at the County Ditch #27, Tourism Conference, EDA Committee and MNPrairie meeting.

Motion by Commissioner Huntington, seconded by Commissioner Glynn to go into Closed Session at 7:35 p.m. for Minn. Stat. §13D.05 (Attorney/Client Privilege) regarding Sylvia Mary Lee vs. Steele County (and others). Ayes all.

Motion by Commissioner Brady, seconded by Commissioner Schultz to re-open the Board Meeting at 7:43 p.m.

Motion by Commissioner Huntington, seconded by Commissioner Brady to approve entering into Agreement with Jardine, Logan & O'Brien, P.L.L.P. and to authorize the expenditure of a preliminary budget up to \$20,000 and return to the Board if additional funds are necessary, define both current and former employees listed within the suit as covered individuals and permit the County Administrator to sign. Ayes all.

Motion by Commissioner Glynn, seconded by Commissioner Schultz to approve the following listing of bills. Ayes all.

LISTING OF BILLS
2/9/2016

30 th Place, LLC.	21,268.02
B & W Control Specialists	11,354.50
Bishop Excavating, Inc.	5,040.49
City of Blooming Prairie	7,264.52
City of Medford	6,890.61
Computer Professionals Unlimited, Inc.	4,386.39
Curts Truck & Diesel Svc.	2,806.69
Four Seasons Centre	3,423.75
Integra Telecom	2,762.59
Kiesler's Police Supply, Inc.	3,196.54
Kwik Trip, Inc.	3,210.63
Metro Sales, Inc.	2,625.00
Oertel Architects	12,940.18
Office of MN IT Service	2,205.36
Owatonna Heating & Cooling, Inc.	2,549.00
Owatonna Public Utilities	18,160.12
RDO Equipment Co. Inc.	5,877.47
Rice County Solid Waste Dept.	2,726.00
SCR Southern- Rochester	13,163.75
Short Elliott Hendrickson, Inc.	2,271.87
Steele County Highway Dept.	8,159.29
Stonebrooke Engineering, Inc.	36,114.67
Stream Works	7,904.00
Turnkey Corrections	10,194.53
163 Warrants under \$2,000	<u>54,454.91</u>
Total:	\$250,950.88

Motion by Commissioner Huntington, seconded by Commissioner Glynn to adjourn the Call of the Chair at 8:32 p.m. Ayes all.

CHAIRMAN

ATTEST: _____
 AUDITOR