

This is a preliminary draft of the May 11, 2010 minutes as interpreted by the Clerk of the Board for use in preparing the official minutes. It is expected that there will be corrections, additions, and/or omissions before the final minutes are reviewed and officially approved by the County Board.

The Board of County Commissioners of Fillmore County, Minnesota met in regular session this 11th day of May, 2010 at 9:00 a.m. in the Commissioners' Board Room, Fillmore County Courthouse, in the City of Preston.

The following members were present: Duane Bakke, Marc Prestby, Chuck Amunrud, Randy Dahl, and Thomas Kaase. Also present were: Karen Brown, Coordinator/Clerk; Shirl Boelter, Auditor/Treasurer; Daryl Jensen, Sheriff; Karen Reisner, Fillmore County Journal; and Lisa Brainerd, Republican-Leader.

The Pledge of Allegiance was recited.

Brett Corson, County Attorney; John Grindeland, Highway Engineer; and Michael McGrath entered the meeting.

On motion by Kaase and seconded by Amunrud, the amended agenda was unanimously approved.

On motion by Dahl and seconded by Prestby, the Board unanimously approved the following amended Consent Agenda:

1. May 4, 2010 County Board minutes, as presented.
2. Family and Medical Leave for Employee #655 for period of May 6 through May 20, 2010 in accordance with County Policy.
3. Renewal of liquor license for Root River Country Club for the period of May 11, 2010 through June 30, 2011 as approved by Sheriff Jensen and Attorney Corson.

Emily Spende, Eagle Cliff, and Michael McGrath were present to discuss the planned trail spur between Whalan and Eagle Cliff Campground. Ms. Spende indicated she wanted to make sure that everyone had the same information on this project. Since the Right of Way (ROW) has been located by the Minnesota Department of Transportation (MN/DOT), engineering plans are now being developed by the County for the project. Engineer Grindeland indicated they were waiting to hear on a couple of issues from MN/DOT. Once the plan is ready, MN/DOT has to grant preliminary approval to proceed. Estimates will also be developed by the County. There was extensive discussion about the standards that MN/DOT is imposing due to the spur being located in the State ROW. All of these provisions, from the possible extensions on the bridge to the requirement for licensed and bonded contractors, are expected to increase the costs. Consideration was given to alternate routes through private property, requesting variances and revisiting possible grant funding. Consensus was that the next steps are the completion of the plan and the development of cost estimates.

Brett Corson, County Attorney, was present and talked about the process to handle prison release of sex offenders who are considered to be dangerous. Current statutes require that a review be done in civil court to determine if the individuals should be granted supervised release or be committed. To conduct the review, expert testimony is necessary. Each side is entitled to one expert opinion with costs covered by the State. In the case that the County has been invoiced, the first opinion was provided by an individual who had not completed such a review in the past and the second opinion had not been received as of one week prior to trial. Attorney Corson made the decision that a third opinion was needed. This third opinion is a County expense.

Attorney Corson continued by stating that the law changed a few years ago, but the County has been fortunate in that possible cases for Fillmore County have been handled elsewhere. He also stated that costs are being saved by using the Attorney General's office. There are some expense bills, but there are no fees for prosecuting the case. Corson stated that the County gets approximately four months notice that a level three sex

offender will be released. In conversations with the State, starting the process earlier to reduce County hold costs is not feasible due to caseload levels. When asked about contracting with Olmsted County, Corson responded that there would likely be similar delays. He also stated that any delay in the process would involve additional hold costs that would be likely billed to the County.

Corson told members that the current State process involves making a selection from a roster of experts who will perform the work for \$5,000. The invoice for an expert opinion that is before the Board is for \$13,886.21. He stated that he tries very hard to keep costs down, but this process is very difficult as the decision will have a big effect on this person's life and on others that may be adversely affected by the decision. Corson stated that a third expert opinion will be rare and was necessary this time due to the nearness of the trial start date.

There were questions regarding errors on the invoice. Consensus was that Corson should talk with the expert to get a corrected invoice and request a reduction in the amount.

On motion by Dahl and seconded by Kaase, the Board unanimously approved the payment of the following Commissioners' warrants:

WARRANTS

The Auditor's warrants were reviewed.

Ashley Stinson, Human Resources Officer, entered the meeting.

John Grindeland, Highway Engineer, was present.

On motion by Dahl and seconded by Amunrud, the following resolution was unanimously adopted:

RESOLUTION 2010-032: Final payment of \$80,945.97 to Park Construction, Inc. for Project SAP 23-605-27, SAP 23-605-29 and SAP 23-608-40, Fillmore Township

On motion by Amunrud and seconded by Prestby, the Board unanimously approved to purchase two Model #ML-1M locators at the low quote of \$625.00 each from Utility Equipment Co. and to be paid for out of Highway and un-allocated funds for the Highway Department and the Surveyor, respectively.

The Board was updated on the CSAH #24 project.

Shirl Boelter, Auditor/Treasurer, was present.

On motion by Amunrud and seconded by Kaase, the following resolution was unanimously adopted:

RESOLUTION 2010- 033: Snowmobile trail contracts and sponsorships

There was discussion on the need for temporary help for elections in an effort to keep compensatory time down and for office coverage. The estimated timeframe for the temporary help is for the period of June 14 through November 5th. However, the start date may be later if no primaries are needed.

On motion by Prestby and seconded by Amunrud, the Board unanimously approved to hire temporary help for elections for June 14, 2010 through November 5, 2010 at Grade 1/Step 1 for up to 800 hours to be paid out of Help America Vote funds. Auditor/Treasurer Boelter is to come back to the Board if additional hours are needed.

On motion by Amunrud and seconded by Dahl, the Board unanimously approved to pay the State

Auditor invoices for desk reviews for years 2006, 2007, and 2008 audits for a total of \$1,276.00.

Auditor/Treasurer Boelter reviewed the prepaid taxes process and reported that Minnesota responded second only to Wisconsin for the 2010 Census.

On motion by Kaase and seconded by Amunrud, the following resolution was unanimously adopted:

RESOLUTION 2010-034: National Nurse's Day

Daryl Jensen, Sheriff, presented information about the 2011 Safe and Sober grant application for \$9,900.

On motion by Kaase and seconded by Prestby, the following resolution was unanimously adopted:

RESOLUTION 2010-035: Safe and Sober grant

The following committee reports and announcements were given: Dahl and Amunrud – Semcac; Amunrud – Workforce Center; Bakke and Amunrud - Trout Learning Center; Kaase – Southern Minnesota Area Regional Trails, Soil and Water Conservation District (SWCD), Drug Abuse Resistance Education (D.A.R.E.) graduation, Criminal Justice Coordinating Committee, and Toward Zero Death; Bakke – District 9 Association of Minnesota Counties on Monday, May 24th; Bakke and Prestby – Department Head; and Amunrud – Health & Wellness Fair and Cemetery.

On motion by Amunrud and seconded by Kaase, the Chair adjourned the meeting at 11:01 a.m.