

This is a preliminary draft of the May 25, 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 special session this 25th 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.

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

On motion by Amunrud and seconded by Kaase, the Board unanimously approved the following amended Consent Agenda:

1. May 11, 2010 County Board minutes, as presented.
2. Overnight stays for Finance Officer to attend Minnesota Counties Computer Cooperative Annual Conference as recommended by Auditor/Treasurer.
3. Regular status and appointment of Jeffrey Brand as Fillmore County Surveyor for the period of June 26, 2010 through June 25, 2014 pursuant to MS 389.011.
4. Temporary liquor license for Preston Servicemen's Club for event to be held at Berwood Inn on Saturday, June 26, 2010.

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.

Christopher Graves, Zoning Administrator, entered the meeting.

On motion by Prestby and seconded by Amunrud, the Board unanimously approved an access permit for Deanna and Lauren Ballinger, Section 19, Sumner Township, for a new field access as recommended by the Zoning Administrator and Highway Engineer.

Coordinator Brown explained that the County Attorney had contacted Dr. Hoberman and asked for corrections and an adjustment on an invoice for professional services on a recent sex offender case. The invoice has been corrected and reduced by another \$1,000. Chair Bakke explained that this third opinion for expert testimony was requested by Attorney Corson on or about March 30th which was two weeks before the trial start date of April 14th. Bakke questioned whether or not this opinion was needed since an expert recommendation for commitment had already been received. There was discussion about the need for a policy since the Board approves budgets for elected officials. Members agreed that every effort should be made to start the process earlier to save the County costs for housing. Sheriff Jensen noted that the County's efforts to expedite the process are negatively impacted by the number of cases the Attorney General's office is handling. There have been and will be more discussions on this issue at the Criminal Justice Coordinating Council.

On motion by Amunrud and seconded by Dahl, the Board unanimously approved payment of the revised invoice of \$12,758.81 for professional services for a sex offender evaluation from Harry M. Hoberman, Ph.D.,

L.P. to be paid out of the other general government fund.

The Chair opened the Citizens Input portion of the meeting and with no one present for input, it was closed.

Daryl Jensen, Sheriff, presented information about the Emergency Management Performance Grant.

On motion by Prestby and seconded by Kaase, the Board unanimously approved to accept the Emergency Management Performance Grant of \$21,799 as recommended by the Sheriff.

There was a brief discussion about the training center in Olmsted County. Sheriff Jensen noted that a lot of training is done locally to try to save costs. Other training costs are grant funded so the local levy cost is small.

Brenda Pohlman, Public Health Educator; Thomas Boyd, Community Services Director; John Grindeland, Highway Engineer; Lt. Randy Slinger, MN Highway Patrol; and Kristine J. Hernandez, MN Department of Transportation were present. Handouts were distributed and Lt. Slinger presented information about the Toward Zero Death (TZD) initiative, the goals of the program and the partners involved.

The focus of TZD is on the 4-E's which are Law Enforcement, Education, Engineering and Emergency Management. All disciplines work together to try to reduce loss of life due to vehicular fatalities. Lt. Slinger discussed statistics which show that Fillmore County has higher fatality rates per 100 vehicle miles than other counties in the district for the period of 2006-08. This was partially related to a higher than usual loss of life in 2008. Information was presented that the vehicular fatalities disproportionately impact young males, occur generally during the summer and between 3:00 and 6:00 p.m. In addition, 79% of the fatal accidents in SE Minnesota during the three year period involved impairment by alcohol and riders without seat belts.

Another component of the program included the development of a tool kit for teens. In addition, grants were received for upgraded guardrails and additional rumble strips to give the driver early warning of lane departure. A sign of the region's commitment to TZD is evident in that six of the thirteen safe community grants were awarded to counties in SE Minnesota. TZD was successful in seeking legislative action to make seat belt violations a primary offense.

Grindeland explained that rumble strips are not included in new construction plans where the larger Amish communities are located as the strips can present a hazard due to the horse being unable to walk on them.

Pohlman presented a graphic showing location of the 2006-08 fatal crashes in Fillmore County. Recent seat belt use and safe and sober monitoring in select communities has revealed a decline in compliance from previous surveys. She said the "How to Save a Life" program is being presented in schools by the State Patrol and car seat checks continue. Currently there are two new county wide initiatives: 1) Government presentations and 2) safe driving educational material included with prom flowers.

Jensen concluded that the Board just approved the safe and sober grant. He also stated that 2008 was a dark time due to all the fatalities, but is probably the best example of the need to continue to participate. He thanked Officer Leif Erickson for his work on the project and stated that he very much appreciates the Board's support.

John Grindeland, Engineer, was present.

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

RESOLUTION 2010-036: Final payment of \$5,257.27 to Northland Buildings, Inc. for project SP 2301-27 in Fountain Township

On motion by Dahl and seconded by Amunrud, the Board unanimously approved to award project SAP 23-627-017, CSAH 27 bridge, to Minnowa Construction for \$655,994.10 as recommended by the Engineer.

A motion was made by Dahl and seconded by Amunrud to approve the purchase of Havis mounting hardware for a rugged laptop for the sign truck in the sum of \$882.47 due to the higher quality construction and three year warranty and to be paid for from the un-allocated fund. This was recommended by the Technology Committee. The Chair called for a vote: Commissioners voting "aye": Bakke, Amunrud, Dahl and Prestby. Commissioners voting "nay": Kaase. The motion prevailed.

Grindeland presented the revised striping policy and stated that striping will be done in odd years on roads over 400 Average Daily Traffic (ADT) and those under 400 ADT will be done in even years. There was discussion about the possibility of doing one half of the county at a time instead of using traffic counts. This would be a cost saving strategy as the new policy will increase costs since roads under 200 ADT are included.

On motion by Prestby and seconded by Amunrud, the Board unanimously approved the amended striping policy as recommended by the Highway Committee. (On file in the Highway Department)

On motion by Dahl and seconded by Kaase, the Board unanimously approved the airport hangar lease agreement with Kent and Judith Dornink for the period of May 20, 2010 through May 10, 2030. (On file in the Highway Department)

Shirl Boelter, Auditor/Treasurer, was present. She explained that the Absentee Ballot Board is needed to ensure that the voting process is in compliance with Help America Vote Act requirements. Most of the work will be done by staff, but if there are questions about the voter's intention, the political party representatives will need to be called in before a final decision is made. In the event that a ballot is rejected, the voter needs to be able to have enough time to submit a second ballot.

On motion by Amunrud and seconded by Dahl, the following resolution was unanimously adopted:
RESOLUTION 2010-037: Absentee Ballot Board

On motion by Kaase and seconded by Amunrud, the Board unanimously approved the Data Practices policy, Guide for Members of the Public Requesting Information as recommended by Department Heads. (On file in the Coordinator's Office)

On motion by Amunrud and seconded by Prestby, the Board unanimously approved the Data Practices policy, Guide for Requesting Information about You as recommended by Department Heads. (On file in the Coordinator's Office)

On motion by Amunrud and seconded by Kaase, the Board unanimously approved to accept proposals for fiber between the Courthouse and the Office Building.

Ashley Stinson, Human Resources Officer, was present. She explained that the Fillmore County Health Care Savings Plan provides an opportunity for employees to put monies into a tax free account for health care expenses post employment. Currently the plans are in place for exempt employees and Local #49 Highway employees.

On motion by Prestby and seconded by Dahl, the Board unanimously approved the memorandum of

understanding for Health Care Savings Plan with Law Enforcement Labor Service, Inc., Local #85. (On file in the Coordinator's Office)

On motion by Amunrud and seconded by Kaase, the Board unanimously approved the policy amendment to the Health Care Savings Plan to add non-exempt employees, effective Tuesday, June 1, 2010. (Policy on file in the Coordinator's Office and to be distributed in accordance with the usual procedures)

On motion by Dahl and seconded by Amunrud, the Board unanimously approved to close the meeting pursuant to 13D.03 for a labor negotiation strategy session at 11:52 a.m. All members were present. Also present were Karen Brown, Coordinator/Clerk; Ashley Stinson, Human Resources Officer, and Daryl Jensen, Sheriff.

The Chair re-opened the meeting at 12:32 p.m. and resumed in special session. All members were present. Also present were Karen Brown, Coordinator/Clerk; Ashley Stinson, Human Resources Officer; and Daryl Jensen, Sheriff.

The following committee reports and announcements were given: Amunrud – Veterans Cemetery and Community Health Services Advisory Committee; and Amunrud and Bakke – Highway.

On motion by Dahl and seconded by Kaase, the Board unanimously amended the agenda to allow consideration for a Minnesota Pollution Control Agency (MPCA) permit.

On motion by Kaase and seconded by Dahl, the Board unanimously approved to pay the MPCA permit fee of \$400.00 for a storm water discharge permit for CSAH 24 project as recommended by the Assistant County Engineer.

On motion by Prestby and seconded by Kaase, the Chair adjourned the meeting at 1:24 p.m.