

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

October 7, 2008

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session October 7, 2008 at 1:00 p.m. at the Courthouse in Austin, Minnesota.

All members present, viz:     Richard Cummings, Chair  
  Raymond Tucker  
  David Hillier  
  Dave Tollefson  
  Dick Lang  
  Craig Oscarson, County Coordinator

Jill Cordes, Lead Office Support Specialist, was recognized as Employee of the Month.

Motion made by Commissioner Hillier, seconded by Commissioner Tucker to adopt Personnel Policy G105 – Out of State Travel. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Tollefson to amend Personnel Policy H100 Smoking by amending the language under “procedures” as follows:

**Procedure:**

Mower County's smoking policy shall be in effect for all employees and visitors as of April 2, 1996, and will supersede all current smoking policies.

1. There will be a ban on smoking in all buildings of the County.
2. Smoking will not be allowed in any county ~~owned passenger~~ vehicle **or equipment**.
3. Mower County will rebate 1/2 of the cost of successful smoking cessation programs to encourage employee participation in efforts to quit smoking. To be eligible, the participating employees must have obtained prior approval by the County Board and must have completed a six (6) month smoke free period.

Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Lang to authorize the Human Resource Director to hire one temporary, part-time (20 hours per week), non-benefited employee and add an additional 10 hours per week temporarily for one part-time employee to cover a medical leave in the recorder's office. Motion carried.

Date: October 7, 2008

Res. #53-08

**RESOLUTION ESTABLISHING PROCEDURES  
RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND  
REGULATIONS UNDER THE INTERNAL REVENUE CODE**

On motion of Commissioner Tucker, seconded by Commissioner Tollefson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 7, 2008 at the Courthouse, Austin, Minnesota.

BE IT RESOLVED by the County Board (the "Board") of the County of Mower, Minnesota (the "County"), as follows:

1. Recitals.

(a) The Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (as the same may be amended or supplemented, the "Regulations"), dealing with "reimbursement bond" proceeds, being proceeds of bonds used to reimburse the County for any project expenditure paid by the County prior to the time of the issuance of those bonds.

(b) The Regulations generally require that the County (as the issuer of or the primary obligor under the bonds) make a declaration of intent to reimburse itself for such prior expenditures out of the proceeds of subsequently issued bonds, that such declaration be made not later than 60 days after the expenditure is actually paid, and that the bonding occur and the written reimbursement allocation be made from the proceeds of such bonds within 18 months after the later of (1) the date of payment of the expenditure or (2) the date the project is placed in service (but in no event more than 3 years after actual payment).

2. Official Intent Declaration. The Regulations, in the situations in which they apply, require the County to have declared an official intent (the "Declaration") to reimburse itself for previously paid project expenditures out of the proceeds of subsequently issued bonds. The Board hereby declares its intent to undertake a project consisting of the acquisition and construction of a facility to include the county jail and related law enforcement facilities and courts (the "Project"). The County reasonably expects to reimburse itself for the payment of certain costs of the Project out of the proceeds of a bond issue or similar borrowing (the "Bonds") to be issued after the date of payment of such costs. As of the date hereof, the County reasonably expects that \$32,000,000 is the maximum principal amount of the Bonds which will be issued to finance the Project.

3. Expenditures. Each expenditure to be reimbursed from the Bonds is or will be a capital expenditure or a cost of issuance, or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Regulations.

4. Reimbursement Allocations. If the County is acting as the issuer of the Bonds, the designated County officials shall also be responsible for making the "reimbursement allocations" described in the Regulations, being generally written allocations that evidence the County's use of the applicable bond proceeds to reimburse the original expenditures.

Passed and approved this 7<sup>th</sup> day of October, 2008.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Chairperson

By: \_\_\_\_\_  
Clerk/Coordinator

**Date: October 7, 2008**

**Res. #54-08**

**RESOLUTION REQUESTING THE ISSUANCE BY  
MOWER COUNTY HOUSING AND REDEVELOPMENT AUTHORITY  
OF LEASE REVENUE BONDS TO FINANCE A PORTION OF  
COSTS OF THE JUSTICE CENTER PROJECT**

On motion of Commissioner Tucker, seconded by Commissioner Tollefson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 7, 2008 at the Courthouse, Austin, Minnesota.

WHEREAS, Mower County (the "County") has determined to acquire and construct a new facility to include the jail and related law enforcement facilities and courts, referred to as the justice center project (the "Project"); and

WHEREAS, the County has determined that it is advantageous to finance the costs of the Project through the issuance of debt including general obligation jail bonds and lease revenue bonds payable from a lease and purchase option agreement of the County; and

WHEREAS, the Mower County Housing and Redevelopment Authority (the "HRA") has the authority pursuant to Minnesota Statutes, Sections 469.152 to 469.1651 to issue its revenue bonds for the purpose of acquiring obligations of local government located in whole or in part within the boundaries of the HRA, including the lease and purchase option agreement of the County (the "Lease");

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Mower County, Minnesota that:

1. The Board hereby requests the issuance by the HRA of lease revenue bonds (the "Bonds") in the amount of \$10,000,000 for the purpose of financing a portion of the cost of the Project.

2. The Bonds and the interest on said Bonds shall be payable solely from the revenue pledged therefore, including rental payments to be made by the County pursuant to the Lease, and the Bonds shall not constitute a debt of the HRA within the meaning of any constitutional or statutory limitation and shall not constitute nor give rise to a pecuniary liability of the HRA or a charge against its general credit or taxing powers and shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the HRA, other than the HRA's interest in the Project and the Lease.

Passed and approved this 7<sup>th</sup> day of October, 2008.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
**Chairperson**

By: \_\_\_\_\_  
**Clerk/Coordinator**

The Board received a status report concerning the acquisition of properties for the Justice Center. City officials have indicated that properties are acquired and set for demolition or abatement on the two blocks. There are three properties that are left to be acquired. There may be delays for spring construction due to the winter availability of soils for site preparation and hauling restrictions with seasonal road restrictions. June 1 as a start for construction was mentioned and considered not acceptable. Possible options to accommodate the delayed property acquisitions would be to start the project on the south end and work north and to investigate the possibility of having heated soils so site preparation can be done during the winter months. Staff was directed to meet with City staff and report any progress at the October 28, 2008 Board meeting.

Motion made by Commissioner Hillier, seconded by Commissioner Tollefson to approve the PH-DOC Maintenance and Support Agreement between ACS State and Local Solutions, Inc. and the Minnesota Counties Computer Cooperative for the development of maintenance and support of PH-Doc for a term to coincide with the development of the PH-Doc 2012 Project effective January 1, 2009 through March 31, 2013. Motion carried.

Margene Gunderson, Director of Public Health, brought for discussion whether or not the County should consider participating in the Statewide Health Improvement Program (SHIP) and include it in the 2009 Budget. The program is intended to reduce obesity and

tobacco use in Minnesota and would require a ten percent soft match. No action was taken on this matter at this time.

Motion made by Commissioner Hillier, seconded by Commissioner Tucker to approve the minutes of September 23 and September 30, 2008. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Lang to approve the following miscellaneous bills for immediate payment:

Soil & Water Conservation District	\$ 15,896.00
KKE Architects	36,121.47
Mr. Sam Communications	976.15
City of Austin	304,232.00

Motion carried.

Craig Oscarson, County Coordinator, shared information he had received at his association's conference that was prepared by the AMC entitled "Budget Overview of the 2008 Legislative Session and the 2009 Outlook. He also informed the Board that Olmsted County as developed a program entitled "Managing for Results" that Mower County can consider as a model for implementing a similar program. Representatives of Olmsted County would provide an overview to the County Board. This may possibly be done during the Board Retreat.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to adjourn the meeting at 2:47 p.m. until October 14, 2008 at 8:30 a.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

**BY:** \_\_\_\_\_  
**Chairperson**

**Attest:**

**By:** \_\_\_\_\_  
**Clerk/Coordinator**

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