

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

June 23, 2009

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session June 23, 2009 at 8:30 a.m. at the Courthouse in Austin, Minnesota.

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

GENERAL:

Overview of director's report.

Commissioner Tucker moved and Commissioner Lang seconded to authorize the Chair to sign the Blue Plus Referral Health Professional Provider Service Agreement and Addendum. Motion carried.

Overview of 2009 Budget Revisions with Todd Lysne.

Commissioner Gabrielson moved and Commissioner Hillier seconded to authorize the Chair and the Director to sign the following Purchase of Service Agreements:

- a. Adams Home Health Agency – renew contract for Home & Community Based Waiver Services, effective July 1, 2009 to June 30, 2011.
- b. Kingsley House – renew contract for Home & Community Based Waiver Services, effective July 1, 2009 to June 30, 2011. :
- c. Janine Marks – renew contract for Professional Services, effective July 1, 2009 to June 30, 2010.
- d. Wildwood Grove, Inc. – renew contract for Home & Community Based Waiver Services, effective July 1, 2009 to June 30, 2011. :

Motion carried.

Commissioner Hillier moved and Commissioner Lang seconded to approve the destruction of designated Agency files in accordance with DHS Rules and Regulations. All previously approved files have been destroyed. Motion carried.

Date: June 23, 2009

Res. #35-09

RESOLUTION

On motion of Commissioner Lang, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 23, 2009 at the Courthouse, Austin, Minnesota.

WHEREAS, the Director of Human Services for Mower County had advised that all Social Service case actions are in conformance with State, Federal and County laws, rules, regulations and policies,

BE IT RESOLVED, That all Social Service case openings, closings, placements, and licensing actions, as documented in the Mower County Human Services Office, on office listings for licensing action, case records, social service case plans, purchase of services abstract, payment authorizations, and payment records for the period June 1, 2009 through June 30, 2009 are hereby approved.

WHEREAS, the Director of Human Services for Mower County had advised that all Personnel Actions are in conformance with State and Federal law, Minnesota Merit System Rules, existing labor agreements, and Personnel Policies and Practices,

BE IT RESOLVED, That all Personnel Actions for the month of June 2009 for employees of the Department of Human Services as documented in the Department on proposed Personnel Action Listings, personnel abstracts, payroll reports, and Personnel Action Forms, are hereby approved.

WHEREAS the Director of Human Services for Mower County has been advised that all Social Service and Income Claims against Mower County submitted for payment in the month of June 2009 have been reviewed and are eligible for payment pursuant to all applicable rules, regulations, laws, and policies,

BE IT RESOLVED, That all bills, as listed on the listing of bills and claims against Social Services and Income Maintenance Funds and Warrant Registers, shall be approved as valid claims against the County of Mower and are hereby approved for payments.

The Commissioners voted as follows: Dave Tollefson aye , David Hillier aye , Ray Tucker aye , Tim Gabrielson aye , and Richard Lang aye. Passed and approved this 23rd day of June, 2009.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: June 23, 2009

Res. #36-09

RESOLUTION

On motion of Commissioner Lang, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 23, 2009 at the Courthouse, Austin, Minnesota.

WHEREAS, the Director of Human Services for Mower County had advised that all Income Maintenance case actions are in conformance with State, Federal and County laws, rules, regulations and policies,

BE IT RESOLVED, That all Income Maintenance case actions or approval, denial, suspension, reinstatement, closing, increased and decreased maintenance and denial as documented on the Maxis State computer system for the period June 1, 2009 through June 30, 2009 are hereby approved.

BE IT FURTHER RESOLVED, That all assistance payments issued during the month of June 2009 are hereby approved.

BE IT FURTHER RESOLVED, That all bills and claims against the Income Maintenance Programs, as cited in the Abstract of Payment Records in the Mower County Human Services Department, are hereby approved for payment.

BE IT FURTHER RESOLVED, That all personnel actions for the month of June 2009 for employees of the Department of Human Services as documented in the Department Payroll Reports and Personnel Action Reports, are hereby approved.

BE IT RESOLVED, That all refunds received during the month of June 2009 as listed on the Report of Refunds and Cancellation, are hereby acknowledged as received.

The Commissioners voted as follows: Dave Tollefson aye, David Hillier aye, Ray Tucker aye, Tim Gabrielson aye, and Richard Lang aye. Passed and approved this 23rd day of June, 2009.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

The Board recessed at 9:30 a.m. and reconvened at 9:45 a.m.

Motion made by Commissioner Hillier, seconded by Commissioner Gabrielson to authorize up to ten hours per week of comp time for an additional sixty days effective June 16, 2009 for an Office Support Specialist, Sr. in Corrections due to the medical leave of another staff member. Motion carried.

Commissioner Hillier reported that it had been reported at the SEMREX meeting that recycling revenues are down over the last year but it was due to the change in pricing and not in the volume of recycling being done.

Mike Hanson, County Engineer, presented bid information received for bridge project SP 50-606-027.

Motion made by Commissioner Tucker, seconded by Commissioner Hillier to award the bid for SP 50-606-027 to the low bidder Fitzgerald Excavating & Trucking, Inc. with a low bid of \$192,989.00 and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and County Engineer.

Mike Hanson, County Engineer, presented bid information received for bridge project SP 50-620-013.

Motion made by Commissioner Tucker, seconded by Commissioner Lang to award the bid for SP 50-620-013 to the low bidder Midwest Contracting, LLC with a low bid of \$238,921.63 and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and County Engineer.

Jeff Anderson, on behalf of the Veteran's Memorial Committee, presented the Board with a request for approval of a plan for monument improvements. The improvements would include removal of the fountain, placing a bronze statue below the memorial wall, repairs to the sundial, add additional veteran's names to the wall and revitalize the landscape. The statue was a part of the original plan, but had never been completed. In addition, the committee is planning on "selling" pavers as a revenue stream for funding the improvements and a perpetual care fund.

Motion made by Commissioner Lang, seconded by Commissioner Tucker to grant additional approval to the Veteran's War Memorial committee for continuous improvements to the war memorial located on the northwest corner of the courthouse square. The approval for the improvements include adding a statue in place of the fountain, adding pavers to the site, adding names to the memorial as necessary, revitalizing the site landscaping as necessary and any necessary repairs to the monument. Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Gabrielson to approve the renewal of the Vanguard Appraisals, Inc. contracts for the web site and for the consolidated extended services (maintenance) and authorize the County Assessor to sign the contracts and make payment for services under the contracts. Motion carried.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Motion made by Commissioner Hillier, seconded by Commissioner Gabrielson to approve the minutes of June 9, 2009. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Lang to approve the following bi-monthly bills for payment:

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
159.75	A+ PRINTING	1406.57	ADAMS DRUG
300.00	AMERICAN LEGION AUXILIARY POST	160.00	AMERICAN LEGION POST 146 ADAMS
103.21	BIG K 3578	261.45	BOB BARKER COMPANY INC.
186.39	CARNEY AUTO, INC.	1520.81	CEDAR VALLEY SERVICES, INC
339.81	CITY OF AUSTIN	519.36	CRAGUN'S
194.17	DALCO	4950.00	DELOITTE CONSULTING LLP
100.00	DILIGENT SERVICE NETWORK	2201.06	DANIEL DONNELLY LAW FIRM
4743.29	DTI	692.25	EMERGENCY AUTOMOTIVE TECHNOLOG
227.78	FASTENAL COMPANY	967.62	FLEET SERVICES
14318.64	FREEBORN COUNTY ADULT DETENTIO	654.78	GRAINGER
143.62	HD SUPPLY FACILITIES MAINTENAN	320.48	HOLIDAY FORD, LINC, MERC
1083.26	IKON OFFICE SOLUTIONS	172.13	J & K OFFICE PRODUCTS
1000.00	JONES,HAUGH & SMITH, INC.	665.60	LANGUAGE LINE SERVICES
840.00	EVAN LARSON	336.87	LASER PRODUCT TECHNOLOGIES
340.85	LEXISNEXIS MATTHEW BENDER	347.00	M.LEE SMITH PUBLISHERS LLC
608.16	MARTIN BROS	5810.00	MAYO CLINIC MRL
240.00	MINNESOTA COUNTIES COMPUTER CO	961.00	MINNESOTA COUNTIES INFORMATION
131.62	MINNESOTA ELEVATOR, INC	965.00	MN OFFICE OF ENTERPRISE TECHNO
227.92	NAPA AUTO PARTS	538.82	NARTEC, INC.
495.21	RICHARD PETERSON	6495.90	POLICE CENTRAL INC.
159.00	POST BULLETIN COMPANY	417.68	RELIANCE TELEPHONE INC.
183.00	RICHARDSON LAW OFFICE	5298.48	RS EDEN INC
596.07	SCHILLING SUPPLY COMPANY	175.00	SOUTHEAST SERVICE COOPERATIVE
342.35	STAPLES CREDIT PLAN	330.04	TRIPLE J DISPOSAL, INC.
322.47	UNIFORMS UNLIMITED INC	750.00	VANGUARD APPRAISALS, INC
350.72	WELLS FARGO FINANCIAL LEASING	2465.88	WEST GROUP
143.61	WHITWATER WIRELESS, INC	1505.00	WORLEIN FUNERAL HOME
	22 PAYMENTS LESS THAN \$100	807.35	
		\$69,577.03	* TOTAL

SOCIAL SERVICE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
	2 PAYMENTS LESS THAN \$100	101.11	
		\$101.11	* TOTAL

ROAD & BRIDGE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
56793.50	AAA STRIPING SERVICE COMPANY	157.90	EARL ANDERSEN, INC.
2617.73	BROCK WHITE CO LLC	364.50	BUSTAD DOZING AND EXCAVATING I
211.46	C S S	249.66	CATCO PARTS AND SERVICE
2300.00	CHOSEN VALLEY TESTING, INC	426.03	COMMISSIONER OF TRANSPORTATION
791.41	ERICKSON ENGINEERING	1331.09	ETTERMAN ENTERPRISES
326.25	EVANS PRINTING AND PUBLISHING,	10908.19	L.R. FALK CONSTRUCTION CO.
133.28	G & K SERVICES	499.61	HANSON TIRE OF AUSTIN INC
4796.00	JONES,HAUGH & SMITH, INC.	418.26	LIGHT AND SIREN
495.87	M-R SIGN COMPANY, INC.	2012.57	MANTEK
258.84	MIDWEST DIESEL SALES & SERVICE	145.58	MISSISSIPPI WELDERS SUPPLY CO.
150.00	MN PIE	166.87	NAPA AUTO PARTS
125.00	NORTHERN EROSION	649.00	OMNI ENVIRONMENTAL, INC
300.06	PRINSCO, INC.	158.00	PRO CAL CORPORATION
108.26	PROLINE DIST., INC	1004.68	REED BUSINESS INFORMATION
1080.40	RONCO ENGINEERING SALES, INC.	254.64	SEMA EQUIPMENT, INC
1246.00	SOUTH CENTRAL COLLEGE	1257.78	ST JOSEPH EQUIPMENT, INC

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

1463.53 TERMINAL SUPPLY CO.	2377.08 UNIQUE PAVING MATERIALS CORP.
8 PAYMENTS LESS THAN \$100	413.55
ROAD & BRIDGE FUND	\$95,992.58 * TOTAL
SOLID WASTE/RECYCLING FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
33393.74 CEDAR VALLEY SERVICES, INC	5516.86 IVERSON HAULING
299.00 MOWER COUNTY SHOPPER	125.00 TRIPLE J DISPOSAL, INC.
587.56 WASTE MANAGEMENT OF SO MINNESO	
0 PAYMENTS LESS THAN \$100	.00
SOLID WASTE/RECYCLING FUND	\$39,922.16 * TOTAL
BUILDING FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
1351.05 JONES, HAUGH & SMITH, INC.	142.68 REED BUSINESS INFORMATION
6158.62 WASTE MANAGEMENT-CENTRAL	
1 PAYMENTS LESS THAN \$100	67.50
BUILDING FUND	\$7,719.85 * TOTAL
****	FINAL TOTAL..... \$213,312.73 ****

Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Gabrielson to approve the following additional Commissioners' warrants for immediate payment:

Flanagan Law Office	\$ 4,675.35
---------------------	-------------

Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Hillier to amend the June 9, 2009 minutes for the additional commissioner's warrants motion changing the Justice Center payment application for IPC, Inc. from \$120,878.80 to \$124,820.50 and make appropriate additional payment to IPC, Inc. in the amount of \$3,941.70. Motion carried.

Motion made by Commissioner Lang, seconded by Commissioner Tucker to approve the following 3.2% and liquor on-sale licenses effective July 1, 2009 through June 30, 2010:

Ramsey Golf Club	liquor
Austin Bowling Center	liquor
Chateau Raceway	3.2
Deer Creek Speedway	3.2
Deer Creek Speedway	wine

Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Gabrielson to approve the application of Chateau Raceway for a fireworks/pyrotechnic special effects display on July 10, 2009. Motion carried.

Motion made by Commissioner Lang, seconded by Commissioner Gabrielson to approve the grant agreement between Mower County and the MN Department of Public Safety for the Juvenile Accountability Block Grant 10 effective July 1, 2009 through June 30, 2010. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Lang to approve the tentative agreement with LELS Local #81 and AFSCME to amend the current bargaining agreement for a policy change on retiree insurance and to authorize staff to prepare a final letter of understanding between each union and the county for execution. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Gabrielson to approve the Letter of Understanding between Mower County and AFSCME for special provisions for retirement benefits for one current employee only, employee no. 5042. Motion carried.

John Pristash, Knutson Construction, provided information concerning a Change Order for roof load concerns.

Motion made by Commissioner Lang, seconded by Commissioner Hillier to approve Justice Center Project Change Order #3 for roof load changes in the amount of \$11,204. Motion carried.

George Eilertson, Northland Securities, reviewed the County's justice center project bond rating with the credit enhancement program. He reviewed a report that compared the County's bond pricing with like bonds issued by Ramsey County. He also compared tax exempt bonds versus the Build America Bonds and showed the savings the County should experience over issuing tax exempt bonds and reviewed debt service. The bond sales are to be effective July 1, 2009 and the County should receive the proceeds of the sales on or about July 15, 2009.

Date: June 23, 2009

Res. #37-09

RESOLUTION

AUTHORIZING AND RATIFYING SALE OF \$16,660,000 GENERAL OBLIGATION TAXABLE JAIL BONDS, SERIES 2009A (BUILD AMERICA BONDS), FIXING THE FORM AND SPECIFICATIONS THEREOF, PROVIDING FOR THEIR EXECUTION AND DELIVERY AND LEVYING TAXES FOR THEIR PAYMENT

On motion of Commissioner Tucker, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 23, 2009 at the Courthouse, Austin, Minnesota.

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

1. Award. The acceptance by the Chair and Clerk/Coordinator of the proposal of Northland Securities, Inc. to purchase the \$16,660,000 General Obligation Taxable Jail Bonds, Series 2009A (Build America Bonds) (the "Bonds") of the County for a purchase price of \$16,493,400.00, at a True Interest Cost of 4.8569385% is hereby ratified.

2. Terms. The Bonds shall be in the aggregate principal amount of \$16,660,000, shall be dated July 1, 2009, shall bear interest payable semiannually on February 1 and

August 1 in each year, commencing February 1, 2010, and shall mature on February 1 in the years and amounts, as follows:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2010	\$1,375,000	1.250%	2016	\$1,330,000	4.600%
2011	1,205,000	1.900	2017	1,370,000	4.800
2012	1,220,000	2.800	2019	2,870,000	5.000
2013	1,240,000	3.100	2020	1,505,000	5.200
2014	1,265,000	3.800	2022	1,985,000	5.400
2015	1,295,000	4.100			

The Bonds shall be numbered from R-1 upwards in order of issuance or in such other order as the Registrar may determine and shall be in denominations of \$5,000 each or any integral multiple thereof. The Bonds are being issued pursuant to Minnesota Statutes, Chapter 475 and Section 641.23. Principal and interest payable in any year on the Bonds and all other obligations issued for jail purposes does not exceed an amount equal to 0.09761% of the market value of taxable property in the County as last determined.

The Bonds maturing on or after February 1, 2020 are subject to redemption prior to maturity, at the option of the County, on February 1, 2019 or on any date thereafter, in whole or in part in such order of maturity as the County may determine, in integral multiples of \$5,000, and at a price equal to par plus accrued interest.

The Bonds maturing on February 1, 2019 are subject to mandatory sinking fund redemption on February 1, 2018 in the amount of \$1,410,000. The Bonds maturing on February 1, 2022 are subject to mandatory sinking fund redemption on February 1, 2021 in the amount of \$1,560,000.

At the option of the County, the Bonds are subject to extraordinary redemption on any date, in whole, but not in part, at a redemption price equal to par plus accrued interest to the redemption date, in the event the federal government discontinues the Build America Bonds direct payment program with retroactive applicability to bonds issued prior to the date of such discontinuance (including the Bonds).

Thirty days mailed notice of any redemption shall be given to the registered owners of the Bonds pursuant to Minnesota Statutes, Chapter 475.

3. Blanket Letter of Representation. The County Clerk/Coordinator is authorized to execute a Blanket Letter of Representation with Depository Trust Company. During such time as the Bonds are registered in the name of Cede & Co., as nominee of Depository Trust Company, New York, New York, the Bonds are subject to the terms of the Blanket Letter of Representation, which terms are hereby made applicable to the Bonds. Reference is hereby made to paragraph 6 hereof and to the Blanket Letter of Representation for the payment and notice requirements covered thereby.

4. Bond Form. The Bonds, the Registrar's Authentication Certificate, and the form of assignment shall be in substantially the following form:

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

UNITED STATES OF AMERICA

STATE OF MINNESOTA
COUNTY OF MOWER

No. R-___ \$ _____

GENERAL OBLIGATION TAXABLE JAIL BOND, SERIES 2009A
(BUILD AMERICA BONDS)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u> July 1, 2009	<u>CUSIP</u>
----------------------	----------------------	---	--------------

Registered Owner: Cede & Co.

Principal Amount:

Mower County, a political subdivision of the State of Minnesota, for value received, hereby promises to pay to the Registered Owner or registered assigns, without option of prior payment, the Principal Amount specified above on the Maturity Date specified above, upon the presentation and surrender hereof, and to pay to the Registered Owner hereof interest on such Principal Amount at the Interest Rate specified above from the Date of Original Issue, or the most recent interest payment date to which interest has been paid or duly provided for as specified below, on February 1 and August 1 of each year, commencing February 1, 2010, until said Principal Amount is paid. Principal and the redemption price is payable in lawful money of the United States of America at the office of Northland Trust Services, Inc. in Minneapolis, Minnesota, as Registrar, or of a successor Registrar designated by the County, which designation shall be made upon 30 days' notice to the registered owners at their registered addresses. Interest shall be paid on each February 1 and August 1 interest payment date by check or draft mailed (or, pursuant to a written agreement between the Registrar and the Registered Owner, by wire transfer) to the person in whose name this Bond is registered at the close of business on the fifteenth day of the month preceding each such interest payment date (whether or not a business day) at said person's address set forth on the registration books maintained by the Registrar. Any such interest not punctually paid or provided for will cease to be payable to the owner of record as of such regular record dates and such defaulted interest may be paid to the person in whose name this Bond shall be registered at the close of business on a special record date for the payment of such defaulted interest established by the Registrar.

This Bond is one of an issue of Bonds in the aggregate principal amount of \$16,660,000, all of like date and tenor except as to maturity date, denomination and interest rate, issued pursuant to and in full conformity with the Constitution and Laws of the State of Minnesota, including Minnesota Statutes, Chapter 475 and Section 641.23, for the purpose of paying a portion of the costs of acquiring, constructing, improving and equipping the County's jail facilities.

At the option of the County, the Bonds are subject to extraordinary redemption on any date, in whole, but not in part, at a redemption price equal to par plus accrued interest to the redemption date, in the event the federal government discontinues the Build America Bonds direct payment program with retroactive applicability to bonds issued prior to the date of such discontinuance (including the Bonds).

The Bonds maturing on or after February 1, 2020 are subject to redemption prior to maturity, at the option of the County, on February 1, 2019 or on any date thereafter, in whole or in part in such order of maturity as the County may determine, in integral multiples of \$5,000, and at a price equal to par plus accrued interest. The Bonds maturing on February 1 in the years 2019 and 2022 are subject to mandatory sinking fund redemption on the dates and in the amounts set forth in the Resolution described below.

Thirty days mailed notice of any redemption shall be given to the registered owners of the Bonds pursuant to Minnesota Statutes, Chapter 475.

During such time as this Bond is registered in the name of Cede & Co., as nominee of Depository Trust Company, New York, New York ("DTC"), the method of payment, notice of redemption and certain other matters are subject to the terms of a Blanket Letter of Representations executed by the County and DTC prior to the date of issuance of the Bonds as such Blanket Letter of Representations may be amended from time to time.

The principal of and interest on the Bonds of this series are payable primarily from and are secured by general ad valorem taxes heretofore levied, and the full faith and credit of the County is hereby pledged to the prompt payment of the

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

principal of and interest on the Bonds. The County is obligated to levy additional ad valorem taxes on all taxable property in the County's boundaries, if necessary for such purpose, without limitation as to rate or amount. In addition, the County has obligated itself to be bound by the provisions of Minnesota Statutes, Section 446A.086, which provides for payments by the State of Minnesota in the event of default by the County. Reference is hereby made to Chapter 475, Minnesota Statutes, and to the Resolution referred to below for a description of the covenants of the County as to the application of the proceeds of the Bonds of this series and the moneys pledged to the payment of the Bonds and interest thereon.

This Bond is transferable, as provided by the Resolution of the Board of Commissioners of the County authorizing the issuance of the Bonds of this Series adopted June 23, 2009 (the "Resolution"), only upon books of the County kept at the office of the Registrar by the Registered Owner hereof in person or by the Registered Owner's duly authorized attorney, upon surrender of this Bond for transfer at the office of the Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Registrar duly executed by, the Registered Owner hereof or the Registered Owner's duly authorized attorney, and, upon payment of any tax, fee or other governmental charge required to be paid with respect to such transfer, one or more fully registered Bonds of the series of the same aggregate principal amount, maturity date and interest rate will be issued to the designated transferee or transferees. The Registered Owner of this Bond may be treated as the absolute owner hereof for all purposes.

The Bonds of this series are issuable only as fully registered bonds without coupons in denominations of \$5,000 or any integral multiple thereof. As provided in the Resolution and subject to certain limitations therein set forth, the Bonds of this series are exchangeable for a like aggregate principal amount, maturity and interest rate of Bonds of this series of a different authorized denomination, as requested by the Registered Owner or the Registered Owner's duly authorized attorney, upon surrender thereof to the Registrar.

IT IS HEREBY CERTIFIED AND RECITED That all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed precedent to and in the issuance of this Bond have been done, have happened and have been performed in regular and due form, and that this Bond, together with all other indebtedness of the County outstanding on the date of its issuance, does not exceed any constitutional or statutory limitation of indebtedness. Prior to the issuance hereof general ad valorem taxes have been duly levied upon all of the taxable property within the County's boundaries in the years and amounts as required by law and additional general ad valorem taxes may be levied on all of said property if necessary to pay the Bonds, without limitation as to rate or amount. For the prompt and full payment of the principal of and interest on the Bonds as the same become due the full faith and credit of the County have been and are hereby pledged.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been signed by the Registrar.

IN WITNESS WHEREOF, Mower County, Minnesota, by its Board of Commissioners, has caused this Bond to be executed in its behalf by the facsimile signature of the Chair of the Board of Commissioners and by the facsimile signature of the County Clerk/Coordinator, all as of the Date of Original Issue specified above.

Chair of the Board of Commissioners

County Clerk/Coordinator

Registrar's Certificate of Authentication and Registration

This is one of the Bonds described in the within mentioned Resolution, and this Bond has been registered as to principal and interest in the name of the Registered Owner identified above on the registration books of Mower County, Minnesota.

Dated: _____

NORTHLAND TRUST SERVICES,
INC., as Registrar

By _____
Authorized Signature

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

(Please Print or Typewrite Name and Address of Transferee)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Please Insert Social Security Number or Other Identifying
Number of Assignee

Notice: The signature of this assignment must correspond with the name as it appears on the face of this Bond in every particular, without alteration or any change whatever.

5. Paying Agent and Registrar. The Bonds shall be payable upon presentation at the main office of Northland Trust Services, Inc., National Association, Minneapolis, Minnesota, as the initial Paying Agent, Registrar, and Transfer Agent or any agent thereof (the "Registrar"), and interest shall be paid by check or draft mailed to the registered owners at their addresses shown on the registration books (or, pursuant to a written agreement between the Registrar and the registered owner, by wire transfer). The County reserves the right to replace such initial Registrar with a bank or trust company authorized by law to conduct such business. In such event the Chair of the Board of Commissioners and the County Clerk/Coordinator shall execute and deliver, on behalf of the County, a contract with the successor Registrar. Upon merger or consolidation of any successor Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The County agrees to pay the reasonable and customary charges of any Registrar for the services performed. The County reserves the right to remove any corporate Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar. In the event of any change in Registrar, the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar.

6. Book-Entry System.

(a) For purposes of this paragraph 6, the following terms shall have the following meanings:

"Beneficial Owner" shall mean, whenever used with respect to a Bond, the person recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person's subrogee.

"Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“DTC” shall mean Depository Trust Company, New York, New York.

“Participants” shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.

“Representation Letter” shall mean the Blanket Letter of Representation from the County to DTC, with respect to the Bonds.

(b) The Bonds shall be initially issued as separate authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register of the County kept by the Registrar in the name of Cede & Co., as nominee of DTC. The Registrar and the County may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under this Resolution, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Registrar nor the County shall be affected by any notice to the contrary. Neither the Registrar nor the County shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the registration books of the Registrar as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this Resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. The Registrar shall pay all principal of and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all such payments shall be valid and effective to fully satisfy and discharge the County's obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the County to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with subparagraph (f) hereof.

(c) In the event the County determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bond certificates, the County may notify DTC and the Registrar, whereupon DTC shall notify the Participants, of the availability through DTC of Bond certificates. In such event, the Bonds will be transferable in accordance with subparagraph (f) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and the Registrar and discharging its responsibilities with respect

thereto under applicable law. In such event the Bonds will be transferable in accordance with subparagraph (f) hereof.

(d) Notwithstanding any other provision of this Resolution apparently to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, to DTC as provided in the Representation Letter.

(e) The Representation Letter to DTC is hereby made expressly applicable to the Bonds. The Representation Letter sets forth certain matters with respect to, among other things, notices, consents and approvals by registered owners of the Bonds and Beneficial Owners and payments on the Bonds. The Registrar shall have the same rights with respect to its actions thereunder as it has with respect to its actions under this Resolution.

(f) In the event that any transfer or exchange of Bonds is permitted under subparagraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar from the registered owners thereof of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of paragraph 8 hereof.

7. Execution and Delivery. The Bonds shall be prepared in typewritten or printed form under the direction of the County Clerk/Coordinator and when so prepared shall be executed on behalf of the County by the manual or facsimile signature of the Chair of the Board of Commissioners and by the manual or facsimile signature of the County Clerk/Coordinator. The Bonds shall not be valid for any purpose until authenticated by the Registrar. The Bonds initially issued hereunder shall be registered as of July 1, 2009, and all Bonds issued in exchange therefor shall be registered as of such date, or, if issued after the first payment date, as of the most recent interest payment date on which interest was paid or duly provided for. When the Bonds shall have been so prepared and executed, they shall be delivered to DTC by the County Clerk/Coordinator or the County Clerk/Coordinator's designee(s) upon receipt of the purchase price and accrued interest and the signed legal opinion of Faegre & Benson LLP, as Bond Counsel, and the purchaser shall not be required to see to the proper application of the proceeds.

8. Transfers. As long as any of the Bonds issued hereunder shall remain outstanding, the County shall maintain and keep at the office of the Registrar an office or agency for the payment of the principal of and interest on the Bonds, as in this Resolution provided, and for the registration and transfer of the Bonds, and shall also keep at the office of the Registrar books for such registration and transfer. Upon surrender for transfer of any Bond at the office of the Registrar with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner's duly authorized attorney, and upon payment of any tax, fee or other governmental charge required to be paid with respect to such transfer, the County shall execute and the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more fully registered Bonds of the same series and maturity date, of any authorized denominations and of a like aggregate

principal amount, maturity and interest rate. The Bonds, upon surrender thereof at the office of the Registrar, may at the option of the registered owner thereof be exchanged for an equal aggregate principal amount of Bonds of the same maturity date and interest rate of any authorized denominations. In all cases in which the privilege of exchanging Bonds or transferring fully registered Bonds is exercised, the County shall execute and the Registrar shall deliver Bonds in accordance with the provisions of this Resolution. For every such exchange or transfer of Bonds, whether temporary or definitive, the County or the Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. Notwithstanding any other provision of this Resolution, the cost of preparing each new Bond upon each exchange or transfer, and any other expenses of the County or the Registrar incurred in connection therewith (except any applicable tax, fee or other governmental charge) shall be paid by the County. The County and the Registrar shall not be required to make any transfer or exchange of any Bonds called for redemption or to make any such exchange or transfer of Bonds during the fifteen (15) days next preceding the date of the first publication or the mailing (if there is no publication) of notice of redemption in the case of a proposed redemption of Bonds or to make any such exchange or transfer of Bonds during the fifteen (15) days next preceding any February 1 or August 1 interest payment date.

9. Record Date. Interest on any Bond which is payable, and is punctually paid or duly provided for, on any interest payment date shall be paid to the person in whose name that Bond (or one or more Bonds for which such Bond was exchanged) is registered at the close of business on the fifteenth day of the month preceding such interest payment date. Any interest on any Bond which is payable, but is not punctually paid or duly provided for, on any interest payment date shall forthwith cease to be payable to the registered owner on the relevant regular record date solely by virtue of such owner having been such owner; and such defaulted interest may be paid by the County in any lawful manner. Subject to the foregoing provisions of this paragraph, each Bond delivered under this Resolution upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond and each such Bond shall bear interest from such date that neither gain nor loss in interest shall result from such transfer, exchange or substitution.

10. Registered Owners. As to any Bond, the County and the Registrar and their respective successors, each in its discretion, may deem and treat the person in whose name the same for the time being shall be registered as the absolute owner thereof for all purposes and neither the County nor the Registrar nor their respective successors shall be affected by any notice to the contrary. Payment of or on account of the principal of any such Bond shall be made only to or upon the order of the registered owner thereof, but such registration may be changed as above provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

11. Disbursement of Bond Proceeds. Prior to disbursing the Bond proceeds for the acquisition, construction and betterment of the jail facilities, the County shall consult with the construction manager retained to assist the County with such acquisition,

construction and betterment to confirm that such proceeds will be disbursed only for expenditures that are properly allocable to a jail facility.

12. Tax Levy. For the convenience and proper administration of the moneys to be borrowed and repaid on the Bonds, and to make adequate and specific security to the Purchaser and holders from time to time of the Bonds, there is hereby created a special fund to be designated the "General Obligation Taxable Jail Bond Fund" (the "Fund") to be administered and maintained by the Treasurer as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the County. The Fund shall be maintained in the manner herein specified until all of the Bonds and the interest thereon shall have been fully paid.

To the Fund there is hereby pledged and irrevocably appropriated and there shall be credited: (1) any collections of all taxes hereafter levied for the payment of the Bonds and interest thereon; (2) all investment earnings on funds in the Fund; and (3) any and all other moneys which are properly available and are appropriated by the Board of Commissioners to the Fund. The amount of any surplus remaining in the Fund when the Bonds and interest thereon are paid shall be used as provided in Minnesota Statutes, Section 475.61, Subdivision 4.

The moneys in the Fund shall be used solely to pay the principal of and interest on the Bonds or any other bonds hereafter issued and made payable from the Fund.

For the prompt and full payment of the principal and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the County shall be and are hereby irrevocably pledged. If the balance in the Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency shall be promptly paid out of any other funds of the County which are available for such purpose, and such other funds may be reimbursed with or without interest from the Fund when a sufficient balance is available therein.

To provide moneys for payment of the principal and interest on the Bonds, there is hereby levied upon all of the taxable property in the County a direct annual ad valorem taxes to be spread upon the tax rolls and collected with and as part of other general property taxes in the County. Said levies are for the years and in the amounts as follows:

<u>Levy Year</u>	<u>Collection Year</u>	<u>Amount</u>
2009	2010	\$1,950,427.50
2010	2011	1,942,137.75
2011	2012	1,927,269.75
2012	2013	1,913,157.75
2013	2014	1,894,184.25
2014	2015	1,875,184.50
2015	2016	1,852,945.50
2016	2017	1,825,897.50
2017	2018	1,804,372.50
2018	2019	1,774,972.50

<u>Levy Year</u>	<u>Collection Year</u>	<u>Amount</u>
2019	2020	1,750,549.50
2020	2021	470,347.50

The tax levies are such that if collected in full they will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levies shall be irrevocable so long as any of the Bonds are outstanding and unpaid, provided that the County reserves the right to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

13. Credit Enhancement Program Agreement. The County has applied to the Minnesota Public Facilities Authority for participation in its County Credit Enhancement Program. The County hereby covenants and obligates itself to notify the Minnesota Public Facilities Authority of any potential default in the payment of the principal of or interest on the Bonds and to perform all of its obligations under the Agreement and Minnesota Statutes, Section 446A.086. The County shall deposit with the Registrar three business days prior to each February 1 and August 1 an amount sufficient to make the payment due on each such date or to notify the Minnesota Public Facilities Authority and that it will be unable to make all or a portion of that payment. The County's agreement with the Registrar shall include the provisions required by said Section 446A.086. The County shall do all other things which may be necessary to perform the obligations hereby undertaken under said Section 446A.086, including any requirements adopted by the Minnesota Public Facilities Authority.

14. Official Statement; Continuing Disclosure. The Official Statement relating to the Bonds, on file with the County Clerk/Coordinator and presented to this meeting, is hereby approved, and the County ratifies and confirms its designation of the Official Statement as a "near final" Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission and the furnishing thereof to prospective purchasers of the Bonds, insofar as the same relates to the Bonds and the sale thereof. The Continuing Disclosure Certificate included in the Official Statement is hereby approved and shall be executed and delivered in connection with the delivery of the Bonds to the Purchaser.

15. Certificates. The officers of the County are hereby authorized and directed to prepare and furnish to the purchaser of the Bonds and to the attorneys approving the same, certified copies of all proceedings and records of the County relating to the power and authority of the County to issue said Bonds within their knowledge or as shown by the books and records under their custody and control, including a no-litigation certificate, a no-arbitrage certificate, an addendum to the Official Statement as may be required by law and a certificate as to the Official Statement, and such certified copies and certificates shall be deemed representations of the County as to the facts stated therein.

16. 8038G Filing. The officers of the County are hereby authorized and directed to prepare and furnish to the Secretary of the Treasury a statement meeting the information reporting requirements of Section 149(e) of the Internal Revenue Code of 1986, as amended (the "Code"), by the 15th day of the second calendar month after the close of the calendar quarter in which the Bonds are issued.

17. Registration. The County Clerk/Coordinator shall file a certified copy of this Resolution in the office of the County Auditor and the County Auditor shall issue the certificate as to registration as required by Minnesota Statutes, Section 475.63.

18. Tax Covenant; Elections.

(a) The County shall not take or permit any action that would cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The County shall comply with the rebate requirements imposed under Section 148(f) of the Code and regulations thereunder, including (if applicable) the requirement to make periodic calculations of the amount subject to rebate thereunder and the requirement to make all required rebates to the United States. In addition, the County shall make no investment of funds that would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and regulations thereunder.

(b) The County hereby irrevocably elects to have the provisions of Section 54AA of the Code apply to the Bonds. The County further hereby irrevocably elects to have the provisions of Section 54AA(g) apply to the Bonds. The effect of such designations is to provide that the Bonds shall be taxable Build America Bonds as to which the County is entitled to a direct payment from the Department of the Treasury of 35% of the interest payable on the Bonds on each interest payment date. The County Finance Director or her designee is directed to file Form 8038-CP with respect to each interest payment date for the purpose of requesting payment of the applicable credit.

(c) All terms used in this paragraph 18 shall have the meanings provided in the Code and regulations thereunder.

Effect of Resolution. The provisions of this Resolution shall be deemed covenants for the benefit of the registered owners, from time to time, of the General Obligation Taxable Jail Bonds, Series 2009A (Build America Bonds).

Passed and approved this 23rd day of June, 2009.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion by Commissioner Hillier, seconded by Commissioner Lang to adjourn the meeting at 10:55 a.m. until July 7, 2009 at 1:00 p.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

INDEX

3

3.2 license
Chateau Raceway, 144
Deer Creek Speedway, 144

A

adjourn, 156
award bid
SP 50-606-027
Fitzgerald Excavating & Trucking, 142
SP50-620-013
Midwest Contracting, 142

B

Blue Plus Referral Health Professional Provider Service Agreement, 139

C

comp time
Corrections, 142

D

destruction of files, 139

F

fireworks display permit
Chateau Raceway, 144

J

Justice Center Project
Change Order #3, 145
Juvenile Accountability Block Grant 10 agreement, 144

L

Letter of Understanding
AFSCME
special retiree provision -- one employee, 145
liquor license
Austin Bowling Center, 144
Deer Creek Speedway, 144
Ramsey Golf Club, 144

M

minutes
6-9-09, 143
amended
6-9-09
add'l commissioner warrant, 144
add'l commissioner warrant figure change, 144

P

Purchase of Service Agreements
Home & Community Based Waiver Services
Adams Home Health Agency, 139
Kingsley House, 139
Wildwood Grove, Inc., 139
Professional Services
Janine Marks, 139

R

Res. #35-09
Social Service case openings, 140
Res. #36-09
Income Maintenance case actions, 141
Res. #37-09
Authorize Sale of \$16,660,000 general obligation jail bonds, 145

T

tentative agreement
AFSCME
amend CBA for retiree benefits, 145
LELS #81
amend CBA for retiree benefits, 145

V

Vanguard contract, 142
Veteran War Memorial monument improvements, 142

W

warrants
Commissioner additional, 144
Commissioner bi-monthly, 143