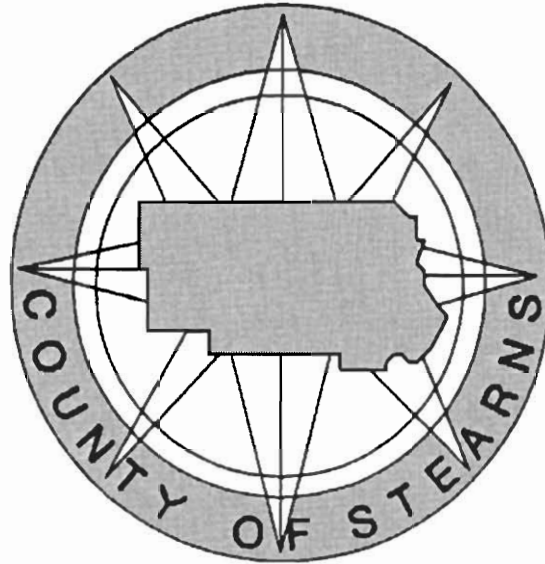


REQUEST FOR BID



**BY
STEARNS COUNTY**

FOR

QUALIFIED NEWSPAPER

A handwritten signature in black ink, appearing to read "Bill Davison".

PROPOSAL DUE DATE: 11 AM JANUARY 5, 2012

DIRECT ALL QUESTIONS TO BILL DAVISON, PURCHASING DIRECTOR

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Section 1 Bid Schedule

1.1 Bid Schedule

Listed below is a tentative schedule of events that will be used for this bid. Please consult this schedule for all time and dates concerning bid due dates, awards, bid conferences and completion dates. This schedule shall only be changed and/or modified by the Stearns County Purchasing Department or by requesting a bid addendum. Changes and/or corrections by other than the above listed are not valid.

Authorization to Bid	DECEMBER 2011
Publication Date	DECEMBER 2011
Bid Opening	11:00 AM JANUARY 5, 2012 Board Room Stearns County Administration Center
Bid Award	JANUARY 2012
Purchase Order Assignment	DECEMBER
Project Completion Date	

Section 2 Invitation to Bid

2.1 General Terms and Conditions

- I. Stearns County is a political subdivision of the State of Minnesota. Nothing in this document or the specifications shall release the County from the laws of Minnesota regarding purchasing.
- II. The County's representative is the purchasing agent. All questions regarding this specification shall be submitted to Stearns County clearly marked with the name or number of the specification on the **front** for identification. Questions shall be submitted to the attention of:

Stearns County Purchasing
Administration Center, RM 47
705 Courthouse Square
St. Cloud, MN 56303
(320) 656-3607

- III. Specifications are available for public inspection at the Office of the Purchasing Agent located at the above address. This office is open between 8:00 a.m. and 4:30 p.m., Monday through Friday.
- IV. Addenda are any graphics or written instruments issued by the County prior to the date set for submission, which modify or interpret the specifications by additions, deletions, clarifications, or corrections. Addenda shall be mailed to all who are known by the Purchasing Department to have received the specification.
- V. Specifications may include but not be limited to general terms, conditions, drawings, site survey, or addenda.
 - A. Respondents shall **promptly notify** the Purchasing Department of **any ambiguity, inconsistency or error** which may be discovered upon examination of the specification.
 - B. Clarification or interpretation of the specification shall only be made by the Purchasing Department. No other interpretations, correction or change shall be allowed. Respondents requesting clarification or interpretation shall make a request of the Purchasing Department. Requests for change or clarification received later than one (1) week prior to the deadline for submissions may not be honored due to time limitations.
 - C. Multiple submissions are permissible. However, multiple submissions must be clearly marked in order to avoid confusion. The Purchasing Department reserves the right to reject any unclear submissions.
 - D. Any interlineation, alterations or erasures shall be initialed by the respondent.
- VI. Materials, products and equipment described in the specification establishes a standard for type, function and quality. Items bid must be new and unused, current manufacturer production model. Unless a particular specification prohibits substitution, bidders are encouraged to propose

materials, products or equipment of comparable type, function, and quality. Descriptive literature, illustrations, performance, test data and any other data necessary for an evaluation. Where the specification requires specific types of material or equipment, the bidder may substitute like products or equipment as long as the substitution meets the intent of the original specification. Products substituted but not meeting the intent of the specification will be cause for rejection of the bid.

- VII. Bids submitted shall not be modified or changed in any way.
- A. Prices placed on the bid form may not be changed or modified within forty-five (45) days of the submission of the bid.
 - B. Bids shall include the legal name of the bidder and a statement that the bidder is a sole proprietor, partnership, corporation or some other legal entity. Each bid will be signed by the person or persons legally authorized to bind the bidder at the time of the bid. Any bid submitted by an agent should have a current power of attorney attached verifying the agent's authority to bid the bidder.
- VIII. **Three (3) copies** of all bid forms, attachments and any other document submitted with the bid shall be submitted to:

Stearns County Auditor's Office
Administration Center, RM 148
705 Courthouse Square
St. Cloud, MN 56303

Bids may be submitted up to the date and hour noted in the invitation and must be submitted to the above address prior to the bid opening. Bids received late regardless of reason will be returned unopened to the bidder. Bids may be withdrawn or resubmitted any time up to the deadline for bid closing.

- IX. Properly identified bids, which have been received on time, will be publicly opened and read aloud at the time noted on the bid invitation. Bidders are welcome to attend the bid opening. All bid openings will take place in the boardroom of the Stearns County Administration Center. An abstract of the bids submitted will be available for public inspection in the County Purchasing Office the day after the bid opening.
- A. The Purchasing Agent shall reject any or all bids not submitted on the appropriate bid forms, and bid with multiple pricing for the same specification, which is not covered by a written addendum, or any bid not presented in good faith.
 - B. After the bid opening, notified bidders shall make available for inspection in their showroom a sample of the materials being bid.
 - C. It is the intent of Stearns County to award the contract to the lowest responsible bidder meeting the specification. The County Board shall have the right to waive any informalities or irregularity in any bid or bids received in order to accept, in its judgement, product which serves its own best interests, or to advertise for new bids where the rejection of bids and readvertising is determined by the County to be in its own best

interest.

D. Award recommendations to the County Board will be based on, but not limited to, the following general criteria:

1. Adherence to all conditions and requirements of bid specification.
2. Total bid price including any discounts, unit price or extended price.
3. Good faith of the bidder to meet the County's requirements.
4. General reputation and experience of the bidder.
5. Evaluation of the bidder's ability to service the County.
6. Financial responsibility of the bidder.
7. Prior knowledge of and experience with bidder in terms of past performances.
8. Needs and requirements of the County.
9. Experience with products involved.
10. Size and location of bidder.
11. Quantity and quality of merchandise offered.
12. Product appearance: Workmanship, finish, taste, feel, and results of product testing.
13. Overall completeness of product line offered.
14. Ability of meeting completion and delivery requirements.
15. Delivery dates.
16. Maintenance costs.
17. Warranty and guarantee provisions.
18. Repurchase or residual value.
19. Compatibility with current County products or services.
20. Any claim or test as deemed necessary by the County to assure product acceptability.

The County will make its determination of any combination of factors and may rank in any order of priority those factors deemed important in order to insure that the best interest of the County are served.

E. Stearns County has adopted a "no lemon" policy. Any bid award is contingent upon the proper functioning or durability of the item as specified in the specification section. Any product determined to be a "lemon" will be returned at the bidder's expense for a full replacement and where applicable, loss of bid security if satisfaction cannot be guaranteed. The County retains the right to accept the next lowest bidder if the originally awarded vendor cannot meet the product specifications. Payment of the award by the County does not release the bidder from this policy.

F. Unless otherwise indicated in the specification for bid, the County reserves the right to award the bid whole or in part, by item, by group of items, or by section where such action serves the best interest of the County.

G. The Stearns County Board of Commissioners will make all awards at its regularly scheduled meetings. It reserves the right to waive or modify any specification or recommendation deemed not to meet the best interests of the County.

X. The bidder receiving the award shall indemnify and hold harmless the County, its officers and

employees from and against all claims, damages, losses, expenses, including, but not limited to, attorney's fees arising out of or resulting from the performance of the contract. The contractor shall take all reasonable precaution to prevent damage, loss or injury to his or County employees and all persons at or around the site under his care.

- XI. No work, requiring submission of shop drawings, test data or other information may commence without the approval of the purchasing agent.
- A. Unless otherwise specified in writing, the supplier shall supply, but not limited to, labor, transportation, materials, fuel, energy, lights, scaffolding, and the tools necessary for the entire proper and final completion of the project and will be responsible for the safe proper and lawful construction, maintenance, and use of the same; and shall construct in the best and most workmanlike manner a complete project including everything properly incidental thereto as shown on the plans, stated in the specification or reasonably implied therefrom. This reasonable implication includes any substitution shown and represented to meet the specifications, but not specifically called out in the bid or bid award.
- B. The date of commencement of the project is the date established in the original purchase order issued by the purchasing agent. The bidder is expected to fully meet the deliver dates as specified in the bidding documents and failure to do so may result in the loss of the bid security. Loss of the bid security will be determined by the purchasing agent based on the circumstances involved, but not limited to, the failure to meet exact contract delivery times.
- XII. Application for payment may be made in the form of a standard invoice. Applications shall contain a purchase order number and a detailed itemized list of goods and services furnished against the specification. Payments under this contract will be made in the manner provided by law for payments of claim against the County and detailed in the specification and/or purchase order. No payments will be made for cost overruns.

Section 3 Specifications

Provide publication of public notices for Stearns County for the 2012 calendar year. The County publishes notices approximately 36 times a year. Samples of; the meeting minutes for an average month, the semi annual delinquent tax list and the annual financial statement are attached. The 2011 dollars spent on legal advertising are also attached. Using the type and column style for your publication, convert these samples to the number of column inches required for your publication.

Term

The length of this contract is January 1, 2012 through December 31, 2012.

The following conditions must be met:

- I. The newspaper shall be a "qualified newspaper" as defined by State Statute 331A.02 Subdivision 1-5. The vendor will submit samples as requested. (See Attachment 1)
 - 331A.02 Subdivision 1
 - A. County will verify.
 - B. Vendor will verify, Daily _____ Non Daily _____
 - C. County will verify.
 - D. Vendor will verify Comply _____
 - E. Office of Issue location _____
 - F. Vendor will verify _____
 - G. Vendor will verify _____
 - H. Vendor will verify _____
 - I. Vendor will verify _____
 - J. Vendor will verify _____
- II. Designation priority will be conducted, by the County, in accordance with State Statute 331A.04 Subdivisions 1-7 (See Attachment 2)
- III. Price. See Pricing page.
- IV. Evaluation
 - Meeting Minutes
 1. Using the type size and column size for your paper, convert the monthly samples to the number of column inches, per month, for your paper.
 2. This monthly figure will be multiplied by the price per column inch to get a monthly cost.
 3. The monthly cost will be multiplied by 12 months to get an annual cost for the meeting minutes.
 - Semi Annual Delinquent Tax List and Annual Financial Statement
 1. Using the type size and column size for your paper, convert the samples to the number of column inches for your paper.

The total cost will be calculated and the award will be made to lowest cost, qualified newspaper.

Section 4 Bid Documents

4.1 Contract Checklist

4.2 Bid Price Document

Fill out this form completely as it most directly influences the selection of a low responsible bidder. Fill out all of the line items you intend to bid. The County reserves the right to accept one or more of the line items listed.

NOTE: ALL PRICES MUST INCLUDE 6.875% MN STATE SALES TAX.

Board of Commissioner Meeting Minutes

- 1. Number of column inches per month _____
(use sample to determine)

- 2. Price for legal publications _____ per column inch
(This rate will be also be used to determine the cost
Of other legal publications such as delinquent tax
Notices and financial statements when they are printed)

- 3. Average monthly Cost for Meeting minutes _____ per month
(#1 x #2)

- 4. Average yearly cost (#3 x 12) _____ per year

- 5. Type Size _____

- 6. Column size _____

- 7. Publication date(s) _____

- 8. Submission deadline (date of week) _____
Or number of days prior to publication

Submit sample of your publication _____

4.3 Bidder Statement of Ownership

Company

Date

President/Owner
(Signature)

Printed Name

*CORPORATE
SEAL*

Secretary

Company Address

Treasurer

Company Address

4.4 Addendum

The following addendum are hereby acknowledged:

Addendum #1 Dated: _____ Addendum #2 Dated: _____
Addendum #3 Dated: _____ Addendum #4 Dated: _____

Westlaw

MN ST § 331A.02
M.S.A. § 331A.02

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C

Minnesota Statutes Annotated Currentness
Trade Regulations, Consumer Protection
Chapter 331A. Qualified Newspapers

→331A.02. Requirements for a qualified newspaper

Subdivision 1. Qualification. No newspaper in this state shall be entitled to any compensation or fee for publishing any public notice unless it is a qualified newspaper. A newspaper that is not qualified must inform a public body that presents a public notice for publication that it is not qualified. To be qualified, a newspaper shall:

- (a) be printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 1,000 square inches, or 800 square inches if the political subdivision the newspaper purports to serve has a population of under 1,300 and the newspaper does not receive a public subsidy;
- (b) if a daily, be distributed at least five days each week. If not a daily, the newspaper may be distributed twice a month with respect to the publishing of government public notices. In any week in which a legal holiday is included, not more than four issues of a daily paper are necessary;
- (c) in at least half of its issues each year, have no more than 75 percent of its printed space comprised of advertising material and paid public notices. In all of its issues each year, have 25 percent, if published more often than weekly, or 50 percent, if weekly, of its news columns devoted to news of local interest to the community which it purports to serve. Not more than 25 percent of its total nonadvertising column inches in any issue may wholly duplicate any other publication unless the duplicated material is from recognized general news services;
- (d) be circulated in the political subdivision which it purports to serve, and either have at least 500 copies regularly delivered to paying subscribers, or 250 copies delivered to paying subscribers if the political subdivision it purports to serve has a population of under 1,300, or have at least 500 copies regularly distributed without charge to local residents, or 250 copies distributed without charge to local residents if the political subdivision it purports to serve has a population of under 1,300;
- (e) have its known office of issue established in either the county in which lies, in whole or in part, the political subdivision which the newspaper purports to serve, or in an adjoining county;
- (f) file a copy of each issue immediately with the State Historical Society;
- (g) be made available at single or subscription prices to any person or entity requesting the newspaper and making the applicable payment, or be distributed without charge to local residents;
- (h) have complied with all the foregoing conditions of this subdivision for at least one year immediately preceding the date of the notice publication;
- (i) between September 1 and December 31 of each year publish a sworn United States Post Office periodicals-class statement of ownership and circulation or a statement of ownership and circulation verified by a recognized independent circulation auditing agency covering a period of at least one year ending no earlier than the June 30 preceding the publication deadline. When publication occurs after December 31 and before July 1, qualification shall be effective from the date of the filing described in paragraph (j) through December 31 of that

MN ST § 331A.02
M.S.A. § 331A.02

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year; and

(j) after publication, submit to the secretary of state by December 31 a filing containing the newspaper's name, address of its known office of issue, telephone number, and a statement that it has complied with all of the requirements of this section. The filing must be accompanied by a fee of \$25. The secretary of state shall make available for public inspection a list of newspapers that have filed. Acceptance of a filing does not constitute a guarantee by the state that any other qualification has been met.

Subd. 2. Repealed by Laws 2004, c. 182, § 33.

Subd. 3. Publication; suspension; changes. The following circumstances shall not affect the qualification of a newspaper, invalidate an otherwise valid publication, or invalidate a designation as official newspaper.

(a) Suspension of publication for a period of not more than three consecutive months resulting from the destruction of its known office of issue, equipment, or other facility by the elements, unforeseen accident, or acts of God or by reason of a labor dispute.

(b) The consolidation of one newspaper with another published in the same county, or a change in its name or ownership, or a temporary change in its known office of issue.

(c) Change of the day of publication, the frequency of publication, or the change of the known office of issue from one place to another within the same county. Except as provided in this subdivision, suspension of publication, or a change of known office of issue from one county to another, or failure to maintain its known office of issue in the county, shall deprive a newspaper of its standing as a qualified newspaper until it again becomes qualified pursuant to subdivision 1.

Subd. 4. Declaratory judgment of legality. A person interested in a newspaper's qualification under this section may petition the district court in the county in which the newspaper has its known office of issue for a declaratory judgment to determine whether the newspaper is qualified. Unless filed by the publisher, the petition and summons shall be served on the publisher as in other civil actions. Service in other cases shall be made by publication of the petition and summons once each week for three successive weeks in the newspaper or newspapers the court may order and upon the persons as the court may direct. Publications made in a newspaper after a judgment that it is qualified but before the judgment is vacated or set aside shall be valid. Except as provided in this subdivision, the Uniform Declaratory Judgments Act [FN1] and the Rules of Civil Procedure shall apply to the action.

Subd. 5. Posting notices on web site. If, in the normal course of its business, a qualified newspaper maintains a Web site, then as a condition of accepting and publishing public notices, the newspaper must agree to post all the notices on its Web site at no additional cost. The notice must remain on the Web site during the notice's full publication period. Failure to post or maintain a public notice on the newspaper's Web site does not affect the validity of the public notice.

CREDIT(S)

Laws 1984, c. 543, § 21. Amended by Laws 1985, c. 174, § 1, eff. May 22, 1985; Laws 1985, 1st Sp., c. 13, § 315; Laws 1987, c. 30, § 1; Laws 1987, c. 286, § 1; Laws 1988, c. 682, § 42; Laws 1990, c. 395, § 1, eff. April 5, 1990; Laws 1991, c. 205, § 17; Laws 1997, c. 137, § 13; Laws 2001, c. 38, § 1; Laws 2004, c. 182, §§ 8 to 11.

[FN1] Sections 555.01 to 555.16.

HISTORICAL AND STATUTORY NOTES

2004 Electronic Update

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MN ST § 331A.04
M.S.A. § 331A.04

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C

Minnesota Statutes Annotated Currentness

Trade Regulations, Consumer Protection

Chapter 331A. Qualified Newspapers

→331A.04. Designation of a newspaper for official publications

Subdivision 1. Priority. The governing body of a political subdivision, when authorized or required by statute or charter to designate a newspaper for publication of its public notices, shall designate a qualified newspaper in the following priority.

Subd. 2. Known office in locality. If there are one or more qualified newspapers, the known office of issue of which are located within the political subdivision, one of them shall be designated.

Subd. 3. Secondary office in locality. When no qualified newspaper has a known office of issue located in the political subdivision, but one or more qualified newspapers maintain a secondary office there, one of them shall be designated.

Subd. 4. General circulation in locality. When no qualified newspaper has its known office of issue or a secondary office located within the political subdivision, then a qualified newspaper of general circulation there shall be designated.

Subd. 5. Other situations. If a political subdivision is without an official newspaper, or if the publisher refuses to publish a particular public notice, matters required to be published shall be published in a newspaper designated as provided in subdivision 4. The governing body of a political subdivision with territory in two or more counties may, if deemed in the public interest, designate a separate qualified newspaper for each county.

Subd. 6. Exception to designation priority. (a) Notwithstanding subdivisions 1 to 3, the governing body of a political subdivision may designate any newspaper for publication of its official proceedings and public notices, if the following conditions are met:

(1) the newspaper is a qualified medium of official and legal publication;

(2) the publisher of the newspaper furnishes a sworn statement, verified by a recognized independent circulation auditing agency, covering a period of at least one year ending no earlier than 60 days before designation of the newspaper, stating that the newspaper's circulation reaches not fewer than 75 percent of the households within the political subdivision;

(3) the newspaper has provided regular coverage of the proceedings of the governing body of the political subdivision and will continue to do so; and

(4) the governing body votes unanimously to designate the newspaper.

(b) If the circulation of a newspaper designated under this subdivision falls below 75 percent of the households within the political subdivision at any time within the term of its designation as official newspaper, its qualification to publish public notices for the political subdivision terminates.

MN ST § 331A.04
M.S.A. § 331A.04

Page 2

Subd. 7. Joint bidding. A bid submitted jointly by two or more newspapers for the publication of public notices must not be considered anticompetitive or otherwise unlawful if the following conditions are met:

- (1) all of the qualified newspapers in the political subdivision participate in the joint bid;
- (2) the existence of the joint bid arrangement is disclosed to the governing body of the political subdivision before or at the time of submission of the joint bid; and
- (3) the board is free to reject the joint bid and, if it does, individual qualified newspapers do not refuse to submit separate bids owing to the rejection of the joint bid.

CREDIT(S)

Laws 1984, c. 543, § 23. Amended by Laws 2003, c. 59, § 1; Laws 2004, c. 182, § 14.

HISTORICAL AND STATUTORY NOTES

2004 Main Volume

Laws 1984, c. 543, § 70, provides that this section is effective Jan. 1, 1985, except as it applies to independent school districts, with respect to which it is effective July 1, 1985.

LIBRARY REFERENCES

2004 Main Volume

Newspapers ↪ 1(1, 3).
Westlaw Topic No. 274.

M. S. A. § 331A.04, MN ST § 331A.04

Current through end of 2004 Regular Session

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END OF DOCUMENT

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III

Sample Meeting Minutes

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA }
COUNTY OF STEARNS } ss.

Patty Austreng, being duly sworn, on oath says that he/she is publisher or authorized agent and employee of the publisher of the newspaper known as the Cold Spring Record, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331.02, 331.06, and other applicable laws, as amended.

(B) The printed Stearns County Board of Commissioners Meeting Regular Session Tuesday, February 1, 2011

which is attached, was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Tuesday, the 22nd day of February, 20 11, and was thereafter printed and published on every Tuesday, to and including Tuesday, the day of 20; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

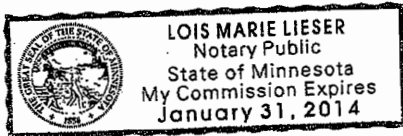
abcdefghijklmnopqrstuvwxyz

BY Patty Austreng

TITLE Agent

Subscribed and sworn before me on this 22nd day of February, 20 11. Lois Marie Lieser

Notary Public



STEARNS COUNTY BOARD OF COMMISSIONERS MEETING REGULAR SESSION TUESDAY, FEBRUARY 1, 2011 9:00 A.M.

The Stearns County Board of Commissioners Meeting was called to order by Don Otte, Chair. Present were Commissioners DeWayne Mareck, Jeff Mergen, Mark Bromenschenkel, Leigh Lenzmeier, Don Otte, County Administrator George Rindelaub, Auditor-Treasurer Randy Schreifels and Tammy Moulzolf from the Auditor-Treasurer's Office.

CONSENT AGENDA:

Motion was made by Commissioner Lenzmeier, seconded by Commissioner Bromenschenkel and carried unanimously to approve the following items on said agenda: Approve minutes from the January 25, 2011 Regular Session and Human Services Board Meetings; Approve appointment of Lin Holder as the District 1 Representative on the Great River Regional Library Board; Approve appointment of Don Otte as the County Board Representative on the Park Commission; Approve Application for Gambling Exemption Permits from Holdingford Sportsmens Club for gambling activities to be held March 19, 2011 at The Landing located in Avon Township and from Fairhaven Lions for gambling activities to be held February 26, 2011 at B.J.'s Bait located in Fairhaven Township; Approve Citizen Corps Grant No. 2010-00757 which funds our Community Emergency Response Team (CERT) program; Approve as recommended by the Planning Commission a Conditional Use Permit Action for Polar Tank Trailer, Brockway Township, to construct office space in the Rural Townsite (RT) zoning district. The property is part of the S1/2SE1/4 of Section 6 and part of the N1/2NE1/4 of Section 7, lying northerly and southerly of County Road 17 in Brockway Township (126/29) subject to 3 conditions; Approve Out of Class Pay for the following employees: Brian Kluempke, Highway Department, from Engineering Technician Grade 16 to Senior Engineering Technician Grade 19 when performing work assignments from November 30, 2010 to approximately February 15, 2011. Chuck Weiman, Highway Department, from Sign Technician Grade 15 to Mechanic Grade 17 when performing work assignments from December 20, 2010 to approximately February 25, 2011 and Out of Class Pay extensions for Jennifer Butkowski, Purchasing Department, from Office Specialist III Grade 9 to Buyer Grade 15 and Donna Plemel, Purchasing Department, from Office Specialist II Grade 8 to Office Specialist III Grade 9, for approximately four months from December 17,

2010; Approve agreement between MN Department of Public Safety and Stearns County Sheriff's Office to allow the Stearns County Sheriff's Office use at no cost a breath test instrument.

VETERANS SERVICES - TERRY FERDINANDT, DIRECTOR:

Presentation was made on the Veterans Service Office Quarterly Report ending December 31, 2010.

STEARNS COUNTY SOIL AND WATER CONSERVATION DISTRICT:

Presentation was made by Dennis Fuchs, Stearns County Soil and Water Conservation District Administrator, introducing a new staff member and discussion was held on Cooperative Programs with USDA Natural Resources and Conservation Service.

HUMAN RESOURCES - JENNIFER THORSTEN, DIRECTOR:

Presentation was made to assist in providing direction to staff for upcoming Human Services Administrator position vacancy. Motion was made by Commissioner Mareck, seconded by Commissioner Bromenschenkel and carried unanimously to have Human Services Director Roma Steil present an overview to the Board of the history of the structure of the Department and the pros and cons, approve Human Resources moving forward with searching for managerial firms and the services they can provide in performing a managerial audit in the Human Services Department and approve the administering of a process for an internal out-of-class assignment or interim director position with the understanding that this appointment is not to be considered a permanent position.

ENVIRONMENTAL SERVICES - DON ADAMS DIRECTOR:

Presentation was made by Angie Berg, Land Use Division Supervisor, on consideration of a one (1) lot plat entitled "Baker's Acres" submitted by Lisa Baker of Cold Spring, MN. The property is zoned Agriculture 40 (A-40). The 13.87 acre plat lies southwesterly of CSAH 9 and is located in part of the NW1/4 of the NW1/4 in Section 9 of Avon Township (125/30). Motion was made by Commissioner Mareck, seconded by Commissioner Lenzmeier and carried unanimously to approve as recommended by the Environmental Services Department the one (1) lot plat entitled "Baker's Acres" located in Avon Township subject to four conditions.

Motion was made by Commissioner Mergen, seconded by Commissioner Otte and carried unanimously to cease legal action on gravel pit operations and review county ordinance to allow for an extension of registering gravel pits.

Motion was made by Commission Bromenschenkel, seconded by Commissioner Lenzmeier and carried unanimously to authorize Board Chair to sign the Minnesota Pollution Control Grant Agreement Clean Water Partnership Phase I Resource Investigation for Pelican Lake providing for lake protection.

HIGHWAY - MITCHELL ANDERSON, ENGINEER:

Presentation was made on the final payment on SAP 73-604-33 and CP 134-09-30; West Metro Corridor Building Demolition.

Motion was made by Commissioner Lenzmeier, seconded by Commissioner Mergen and carried unanimously to approve a payment plan for the City of St. Augusta for CSAH 115 Reconstruction Project as follows: one-third payment of balance due with no interest to be paid by the end of June 2011; the remaining due with interest at a rate of 3% starting in June 2011 to be paid one-third by the end of June 2012 and one-third by June 2013.

Motion was made by Commissioner Mareck, seconded by Commissioner Lenzmeier and carried unanimously to adopt Resolution 11-10 Bridge Priority Resolution adding the bridge along CSAH 19 to the priority list.

Presentation was made updating the Board on CSAH 19 Bridge.

Motion was made by Commissioner Mareck, seconded by Commissioner Bromenschenkel and carried unanimously to approve the hiring of Craig Holmgren for two renewal appraisals for County 75 and 37th Avenue Project at a cost of \$300.00 a piece.

RECESS MEETING:

At 11:06 A.M., Chair Otte requested the Regular County Board Meeting to conduct a Human Services Board Meeting.

RECONVENE MEETING:

Chair Otte reconvened the County Board Meeting at 11:32 A.M. with Commissioners Mareck, Mergen, Bromenschenkel, Lenzmeier, and Otte present. Also present was the County Administrator, Auditor-Treasurer and Tammy Moulzolf from the Auditor-Treasurer's Office.

CLOSED SESSION:

Motion was made by Commissioner Mareck, seconded by Commissioner Bromenschenkel and carried unanimously to go into closed session at 11:45 A.M. pursuant to Minnesota Statutes 13D.05, Subd. 3(b) to consider and receive legal advice in relation to CV-09-12808 Pobuda V. Stearns County.

Chair Otte brought the meeting back into open session at which time motion was made by Commissioner Lenzmeier, seconded by Commissioner Mareck and carried unanimously to resolve the matter of Pobuda vs. Stearns County with total compensation paid in the amount of \$15,000; \$7,500 paid by Stearns County and \$7,500 paid by MCIT.

ADJOURNMENT:

Board Chair Otte adjourned the County Board Meeting at 12:03 P.M. **STEARNS COUNTY HUMAN SERVICES BOARD MEETING TUESDAY, February 1, 2011 11:06 A.M.**

The Stearns County Human Services Board Meeting was called to order by Chair Don Otte, with Commissioners Mareck, Bromenschenkel, Mergen, Lenzmeier and Otte present. Also present were the County Administrator, Auditor-Treasurer and Tammy Moulzolf from the Auditor-Treasurer's office.

Community Corrections Division Director Mark Sizer gave a presentation regarding Electronic Monitoring Services (EMS).

Finance & Technology Division Director Dona Pederson gave an overview of Mandated Services, Projected Expenditures, Revenues and Requested Tax Support for 2011.

At 11:32 A.M., Chair Otte declared the Human Services Board Meeting closed.

(Publish February 22, 2011)

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA }
COUNTY OF STEARNS }

ss.

Patty Austreng, being duly sworn, on oath says that he/she is publisher or authorized agent and employee of the publisher of the newspaper known as the Cold Spring Record, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331.02, 331.06, and other applicable laws, as amended.

(B) The printed Stearns County Board of Commissioners Meeting Regular Session Tuesday, February 15, 2011

which is attached, was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Tuesday, the 8th day of February, 20 11, and was thereafter printed and published on every Tuesday, to and including Tuesday, the day of , 20 ; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

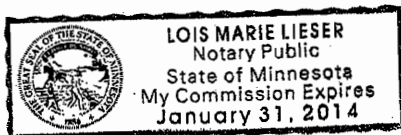
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BY Patty Austreng

TITLE Agent

Subscribed and sworn before me on this 11th day of March, 20 11. Lois Marie Lieser

Notary Public



STEARNS COUNTY BOARD OF COMMISSIONERS MEETING REGULAR SESSION TUESDAY, FEBRUARY 15, 2011 9:00 A.M.

The Stearns County Board of Commissioners Meeting was called to order by Don Otte, Chair. Present were Commissioners DeWayne Mareck, Jeff Mergen, Mark Bromenschenkel, Leigh Lenzmeier, Don Otte, County Administrator George Rindelaub, Auditor-Treasurer Randy Schreifels and Roxanne Gerads from the Auditor-Treasurer's Office.

Chair Otte turned the meeting over to Vice-Chair Mareck.

CONSENT AGENDA:

Motion was made by Commissioner Otte, seconded by Commissioner Bromenschenkel and carried unanimously to approve the following items on said agenda: Approve minutes from the February 1, 2011 Regular Session and Human Services Board meeting; Authorize the Board Chair to sign a letter granting Central Planes Aviation, Inc. permission to fly over unincorporated areas to spray for tent worm caterpillars; Approve tuition reimbursement of 50% of the tuition cost up to a maximum of \$500 per employee per year for Sandra Kruse for successfully completing Fall Semester 2010 at St. Cloud State University; Approve application for Gambling Exemption Permit from Albany Sportsmen's Club inc. for gambling activities to be held June 26, 2011 at Albany Sportsmen's Club located in Krain Township; Approve Gambling Exemption Permit from Cold Spring Softball Association for gambling activities to be held August 18, 2011 at the Cold Spring Softball Park located in Wakefield Township; Approve application for Temporary On-Sale Intoxicating Liquor License for the Church of the Holy Cross of Pearl Lake for their fundraiser to be held on April 16, 2011 at Holy Cross School located in Maine Prairie Township; Accept Regular and Human Services claims for January 2011 in the amount of \$12,263,779.38; Approve the 2010 pay Equity Compliance Report; Approve career ladder advancement for Robert Spitzley, Environmental Services Department effective March 16, 2011; Accept Human Services recommendation and appoint Freda Jansen as the Advisory Committee Chair for 2011; Adopt Resolution 11-11 authorizing the Board Chair, County Auditor/Treasurer and Sheriff to sign the Boat and Water Safety Agreement for 2011 in the amount of \$27,796.00; Authorize the Board Chair to sign the Grant Agreement on behalf of the County Board of Commissioners to replace failing septic systems in the County in the amount of \$42,410.

HIGHWAY - MITCHELL ANDERSON, ENGINEER:

Presentation was made by Doug Fischer, Anoka County, President of Minnesota County Engineers Association, John McDonald, Fairbault County, Vice-President of MCEA, Rich Sanders, Polk County; Secretary of MCEA presented Mitch Anderson with the 2010 Outstanding Minnesota County Engineer Award.

Motion was made by Commissioner Otte, seconded by Commissioner Bromenschenkel and carried unanimously to authorize staff to enter into an agreement with Wiseth Smith Nolting of Alexandria for Design Engineering Services for Bridge 92052 replacement along Highway 19 in the amount of \$28,236.00.

Presentation was made regarding a West Metro Corridor Financial update.

Motion was made by Commissioner Bromenschenkel, seconded by Commissioner Mergen and carried unanimously to postpone until a future meeting to award the contract for SP 73-070-04 (6" Epoxy Edgeline Striping).

Motion was made by Commissioner Otte, seconded by Commissioner Bromenschenkel and carried unanimously to adopt Resolution 11 - 12 to authorize execution of the agreement for a traffic control signal at Trunk Highway No. 71 and County Road No 186 within the corporate limits of the City of Sauk Centre.

COUNTY ATTORNEY -

JANELLE KENDALL:

Motion was made by Commissioner Bromenschenkel, seconded by Commissioner Mergen and carried unanimously to set a public hearing for Monday, April 11, 2011 at the West Side Service Center at 7:00 pm on consideration of terminating the Little Cedar Island Lake.

PUBLIC HEARING - US FISH AND WILDLIFE:

A public hearing was held regarding consideration of a request from US FISH and WILDLIFE to construct a pond on the upper 590 feet of Stearns County Ditch 18 and to obtain flowage easement from Sharon Kostreba, the landowner. Loren Philippi appeared before the board regarding access to Ditch 18; William Dickhausen appeared before the board on concerns of the affects on the pond. Vice-Chair Mareck closed the public hearing. Motion was made by Commissioner Otte, seconded by Commissioner Bromenschenkel and carried unanimously to approve a request from US Fish and Wildlife to construct a pond located in St Wendel Township on the upper 590 feet of Stearns County Ditch 18 and authorize the US Fish and Wildlife to obtain a flowage easement from Sharon Kostreba, the landowner.

PARKS - CHUCK WOCKEN, DIRECTOR:

Motion was made by Commissioner Bromenschenkel, seconded by Commissioner Mergen and carried unanimously to authorize staff to proceed with negotiations with BNSF for access to its active corridor for the completion of the project to extend the Lake Wobegon Trail from St. Joseph through downtown St. Cloud.

RECESS MEETING:

At 10:46 A.M. Vice-Chair Mareck recessed the Regular County Board Meeting to conduct a Human Services Board Meeting.

RECONVENE MEETING:

Vice-Chair Mareck reconvened the County Board Meeting at 11:20 A.M. with Commissioners Mareck, Mergen, Bromenschenkel, Lenzmeier, and Otte present. Also present was the County Administrator, Auditor-Treasurer and Roxanne Gerads from the Auditor/Treasurer's Office.

ENVIRONMENTAL SERVICES - DON ADAMS DIRECTOR:

Motion was made by Commissioner Otte, seconded by Commissioner Mergen and carried unanimously to approve the application and authorize the Environmental Services Director to issue the 2011 Solid Waste Collection & Transportation Operation License to Pflipsen Trucking, LLC.

Motion was made by Commissioner Otte, seconded by Commissioner Bromenschenkel and carried unanimously to authorize the signature of Mississippi Watershed Phase I project contract with the lead local governing unit, the Elk River Watershed Association.

Motion was made by Commissioner Lenzmeier, seconded by Commissioner Otte and carried unanimously to authorize the Board Chair to sign a contract with the City of St. Augusta for land use services.

Presentation was made regarding changes to the ordinance related to mining operations. The consensus of the board was to have Commissioners Mergen and Otte work with members of the Planning Commission and staff to develop language for ordinance changes regarding mining operations.

Presentation was made by Jennifer Buckentine, Environmental Services regarding contract for services for development of the conservation easement program.

Don Adams, Environmental Services Director informed the board of a recent manure spill in Stearns County.

EMERGENCY MANAGEMENT - MARVIN KLUG:

Presentation was made regarding 2011 Flood Preparation. Motion was made by Commissioner Lenzmeier, seconded by Commissioner Mergen and carried unanimously to authorize the Board Chair to sign a Flood Response Policy.

ISSUES BY COMMISSIONERS:

Motion was made by Commissioner Lenzmeier, seconded by Commissioner Otte and carried unanimously to direct staff to recruit an acting Human Services Director from outside the county.

ADJOURNMENT:

Vice-Chair Mareck adjourned the Stearns County Board of Commissioners Meeting at 12:10 P.M.

**STEARNS COUNTY HUMAN SERVICES BOARD MEETING
TUESDAY, February 15, 2011
10:46 A.M.**

The Stearns County Human Services Board Meeting was called to order by Vice-Chair DeWayne Mareck, with Commissioners Mareck, Bromenschenkel, Mergen, Lenzmeier and Otte present. Also present were the County Administrator, Auditor-Treasurer and Roxanne Gerads from the Auditor-Treasurer's office.

Presentation was made by Janet Reigstad, Community Supports Division Director regarding Civil Commitment.

Motion was made by Commissioner Otte, seconded by Commissioner Mergen and carried unanimously to authorize the Board Chair to sign a contract with St. Cloud Hospital for hold on emergency admissions and judicial order for the period February 1, 2011 through December 31, 2011 at a rate of \$1,450.00 per day for usual and customary items attendant to room charges on the Hospital's mental illness/chemical dependency unit.

Presentation was made by Janet Reigstad, Community Supports Division Director regarding chemical dependency - assessment and treatment.

Motion was made by Commissioner Bromenschenkel, seconded by Commissioner Otte and carried unanimously to approve and authorize the Board Chair to sign a contract effective February 15, 2011 through December 31, 2011 with Element Mental Health Services, LLC for the purpose of providing chemical dependency treatment services, at a rate of \$39.28 per hour.

Motion was made by Commissioner Bromenschenkel, seconded by Commissioner Otte and carried unanimously to approve and authorize the Board Chair to sign a contract effective February 15, 2011 through December 31, 2011 with Serenity Path Inc. for the purpose of providing chemical dependency treatment services, at a rate of \$39.28 per hour.

Motion was made by Commissioner Otte, seconded by Commissioner Bromenschenkel and carried unanimously to authorize and adopt Resolution 11 - 13 establishing and authorize the Human Services Administrator to appoint members on an annual basis to the Stearns County Child Protection Case Consultation Team.

Vice-Chair Mareck adjourned the Human Service Board at 11:20 A.M.

(Publish March 8, 2011)

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA }
COUNTY OF STEARNS }

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Patty Austreng, being duly sworn, on oath says that he/she is publisher or authorized agent and employee of the publisher of the newspaper known as the Cold Spring Record, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331.02, 331.06, and other applicable laws, as amended.

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which is attached, was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Tuesday, the 8th day of March, 2011, and was thereafter printed and published on every Tuesday, to and including Tuesday, the day of , 20 ; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

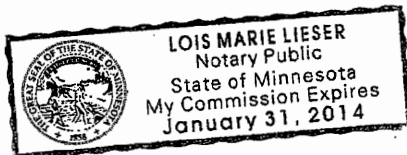
BY Patty Austreng

TITLE Agent

Subscribed and sworn before me on this 9th day of

March, 2011. Lois Marie Lieser

Notary Public



STEARNS COUNTY BOARD OF COMMISSIONERS MEETING REGULAR SESSION TUESDAY, FEBRUARY 22, 2011 9:00 A.M.

The Stearns County Board of Commissioners Meeting was called to order by Don Otte, Chair. Present were Commissioners DeWayne Mareck, Jeff Mergen, Mark Bromenschenkel, Leigh Lenzmeier, Don Otte, County Administrator George Rindelaub, Auditor-Treasurer Randy Schreifels and Roxanne Gerads from the Auditor-Treasurer's Office.

Chair Otte turned the meeting over to Vice-Chair Mareck.

PUBLIC ACCESS FORUM:

Paul Magedanz appeared before the board regarding the request for a conditional use permit.

CONSENT AGENDA:

After reviewing the items on the consent agenda, Commissioner Otte pulled item B2 which was consideration of the conditional use permit submitted by Paul Magedanz, Richmond, MN, motion was then made by Commissioner Lenzmeier, seconded by Commissioner Otte and carried unanimously to approve the following items on said agenda: Approve Gambling Exemption Permit from St. Anna Sportsmens Club for gambling activities to be held on May 21, 2011 at The Landing located in Avon Township; Approve as recommended by the Planning Commission the conditional/interim use permit applications from 1) Leslie Gertken, St. Joseph, MN, to continue a mining operation on approximately 11 acres located in St. Wendel Township subject to eight conditions: 2) a conditional use permit submitted by Arnold Gruenes, Richmond, MN in Eden Lake Township to construct a 122'x364' barn; construct a 24'x280' breezeway; to expand an existing, asphalt feed storage area to 400'x600' to construct a 20'x 24' breezeway, to construct a 24'x30' breezeway, and, to construct a 340'x 500'x20' Liquid Manure Storage Area to remove an existing 70'x72' barn to remove an existing 26'x41' barn to remove on existing 26'x50' barn. Final animal numbers will be 981 cows and 170 heifers>500 pounds. Animal Units (AU) on the farm are permitted at 1, 493 AU and will not change subject to one condition; Accept for informational purposes the Human Services claims paid for January, 2011 in the amount of \$79,351.69.

VETERANS SERVICE - TERRY FERDINANDT, VETERANS OFFICER:

Motion was made by Commissioner Mergen, seconded by Commissioner Lenzmeier and carried unanimously to adopt Resolution 11-14 authorizing the Veterans Service Officer Enhancement Grant Agreement in the amount of \$10,000 which assists in the reduction of homelessness and authorizing the Veterans Service Officer Enhancement Grant Agreement in the amount of \$10,000 for marketing/advertising the VET LINK Line.

RECESS MEETING:

At 9:10 A.M. Vice-Chair Mareck recessed the Regular County Board Meeting to conduct a Human Services Board Meeting.

RECONVENE MEETING:

Vice-Chair Mareck reconvened the County Board Meeting at 9:27 A.M. with Commissioners Mareck, Mergen, Bromenschenkel, Lenzmeier, and Otte present. Also present was the County Administrator, Auditor-Treasurer and Roxanne Gerads from the Auditor/Treasurer's Office.

ADMINISTRATION - GEORGE RINDELAUB, ADMINISTRATOR:

Presentation was made by Steve Hammes, Assistant to the Administrator regarding a Zero Based Budget Overview.

HIGHWAY - MITCHELL ANDERSON, ENGINEER:

Motion was made by Commissioner Otte, seconded by Commissioner Bromenschenkel and carried unanimously to reject all bids for SP 73-070-04 6" Epoxy Edgeline Striping.

Motion was made by Commissioner Bromenschenkel, seconded by Commissioner Otte and carried unanimously to enter into an agreement with Title Professionals with a cost not to exceed \$800 on the Scepniak property located within the West Metro Corridor Project.

ENVIRONMENTAL SERVICES - DON ADAMS DIRECTOR:

Motion was made by Commissioner Lenzmeier, seconded by Commissioner Mergen and carried unanimously not to concur with the Planning Commission and scheduled a public hearing for March 15, 2011 at 10:10 a.m. on consideration of a rezoning request submitted by Kory Bellmont to rezone approximately 13.12 acres located in Eden Lake Township.

Motion was made by Commissioner Otte, seconded by Commissioner Lenzmeier and carried unanimously to not concur with the Planning Commission on the conditional Use permit submitted by Paul Magedanz and schedule a public hearing for March 15, 2011.

PARKS - CHUCK WOCKEN, DIRECTOR:

Motion was made by Commissioner Bromenschenkel, seconded by Commissioner Lenzmeier to adopt Resolution 11 - 15 approving the submission of the 2011 Regional Park Grant and Park Legacy Grant application to the Minnesota DNR for the development of Rockville County Park & Nature Preserve. On roll call vote, Commissioner Lenzmeier Yes, Commissioner Mergen No, Commissioner Otte No, Commissioner Bromenschenkel Yes, Commissioner Mareck Yes. Motion passed.

Motion was made by Commissioner Bromenschenkel, seconded by Commissioner Lenzmeier to adopt Resolution 11 - 16 authorizing the submission of the 2011 Federal Recreational Trail Program Grant application to the Minnesota DNR for a Bridge in Rockville County Park and Nature Preserve. On roll call vote, Commissioner Mergen No, Commissioner Otte No, Commissioner Bromenschenkel Yes, Commissioner Lenzmeier Yes, Commissioner Mareck Yes. Motion passed.

ASSESSOR OFFICE - GARY GROSSINGER, ASSESSOR:

Motion was made by Commissioner Lenzmeier, seconded by Commissioner Mergen and carried unanimously to set the County Board Appeal and Equalization meeting for Wednesday June 15, 2011.

ADMINISTRATION - GEORGE RINDELAUB, ADMINISTRATOR:

Presentation was made regarding a review of Human Services Management Audit and Administrative Study Recommendations.

Motion was made by Commissioner Lenzmeier, seconded by Commissioner Otte and carried unanimously to enter into a contract and temporarily appoint Dave Rooney as the interim Human Services Administrator.

ISSUES BY COMMISSIONER

Motion was made by Commissioner Mergen, seconded by Commissioner Lenzmeier and carried unanimously to appoint Commissioner Mareck as an alternate to the Region 7W Transportation Policy Board.

ADJOURNMENT:

Vice-Chair Mareck adjourned the Stearns County Board of Commissioners Meeting at 12:50 P.M.

**STEARNS COUNTY HUMAN SERVICES BOARD MEETING
TUESDAY, February 22, 2011
9:10 A.M.**

The Stearns County Human Services Board Meeting was called to order by Vice-Chair DeWayne Mareck, with Commissioners Mareck, Bromenschenkel, Mergen, Lenzmeier and Otte present. Also present were the County Administrator, Auditor-Treasurer and Roxanne Gerads from the Auditor-Treasurer's office.

Presentation was made by Renee Frauendienst, Public Health Division Director regarding Statewide Health Improvements Plan (SHIP) Update.

Motion was made by Commissioner Otte, seconded by Commissioner Bromenschenkel and carried unanimously to approve SHIP funding for worksites in a total of \$97,805 and award letter for each worksite in the amounts noted: Centracare Health System - \$16,630.00, College of St Benedict - \$7,500.00, ISD 742 - \$9,725.00, DeZurik Inc. - \$17,350.00, Kern, DeWenter, Viere Ltd. - \$20,500.00, Mother of Mercy Campus of Care - \$7500.00, Resource Training & Solutions - \$7500.00, St. Cloud State University - \$11,100.00.

Presentation was made by Janet Gologowski, Gateway Services Division Director regarding Project Homeless Connect - April 4, 2011.

At 9:27 A.M. Vice-Chair Mareck closed the Human Services Board Meeting.

(Publish March 8, 2011)

2011 Publishing expenses

Cold Spring Record – 1/1/11 thru 11/30/11	
HWY-Road project public hearings/HWY annual supply/Adopt-a-road/bids/etc...	281
Board Commissioners' Minutes	4439
ENVS Variance hearing/ordinances	1549
Financial Statement published once/year	882
Delinquent Property Tax List published twice/year	2970
Forfeited Property List published twice/year	2840
Voter Registration Sample Ballots published twice/year	9
Mandated Publishing Total	12970
Subscriptions – various departments	63
One Time Ads	39
Parks – General Ads	151
Employee Position Ads	0
Non-Mandated Publishing	253
Total Paid to Cold Spring Record Inc.	13223