

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

August 24, 2004

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session August 24, 2004 at 8:30 a.m. at the Courthouse in Austin, Minnesota.

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

**GENERAL:**

Commissioner Hillier moved and Commissioner Lang seconded to deny a request on behalf of the school districts of Grand Meadow, Southland, Lyle and LeRoy for payment of un-recovered costs related to the operation of the Whipple Heights day treatment program in Ostrander, MN. The contract between Mower County and the above districts was cancelled effective April 12, 2004. Motion carried.

Update on RFP for Prepaid Medical Assistance in Mower County.

Commissioner Ellingson moved and Commissioner Tucker 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: August 24, 2004**

**Res. #68-04**

**RESOLUTION**

On motion of Commissioner Hillier, seconded by Commissioner Lang, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 24, 2004 at the Courthouse, Austin, Minnesota.

WHEREAS, the Director of Community Social 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, record of social service plan cards, purchase of services abstract, payment authorizations, and payment records for the period August 1, 2004 through August 31, 2004 are hereby approved.

WHEREAS, the Director of Community Social 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 August 2004 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 Community Social Services for Mower County has been advised that all Social Service and Welfare Claims against Mower County submitted for payment in the month of August 2004 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 Welfare 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: Garry Ellingson aye, David Hillier aye, Ray Tucker aye, Richard P. Cummings aye, and Richard Lang aye. Passed and approved this 24<sup>th</sup> day of August, 2004.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: August 24, 2004**

**Res. #69-04**

**RESOLUTION**

On motion of Commissioner Tucker, seconded by Commissioner Ellingson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 24, 2004 at the Courthouse, Austin, Minnesota.

WHEREAS, the Director of Community Social 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 106 Welfare Information Form, the General Assistance Budget Form, and Emergency Assistance Forms, and Warrant Register of Payments for the period August 1, 2004 through August 31, 2004 are hereby approved.

BE IT FURTHER RESOLVED, That all assistance payments authorized by Director Actions and issued during the month of August 2004 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 and Board List in the Mower County Human Services Department, are hereby approved for payment.

BE IT FURTHER RESOLVED, That all personnel actions for the month of August 2004 for employees of the Department of Human Services as documented in the Department in the Personnel Abstracts, Payroll Reports and Personnel Action Reports, are hereby approved.

BE IT RESOLVED, That all refunds received during the month of August 2004 as listed on the Report of Refunds and Cancellation, DPW 759, are hereby acknowledged as received.

The Commissioners voted as follows: Garry Ellingson aye, David Hillier aye, Ray Tucker aye, Richard P. Cummings aye, and Richard Lang aye. Passed and approved this 24<sup>th</sup> day of August, 2004.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Ellingson, seconded by Commissioner Lang to approve the minutes of August 3 and August 10, 2004. Motion carried.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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Motion made by Commissioner Ellingson, seconded by Commissioner Tucker to approve the miscellaneous bill to Mike Motors in the amount of \$22,000.95 for the Veteran's van for immediate payment. Motion carried.

Motion made by Commissioner Ellingson, seconded by Commissioner Hillier to amend the 2004 Veteran's budget for the purchase of the passenger van by transferring \$22,000.00 from account 01-000-0000-2547 to account 01-121-000-0000-6621. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Ellingson to approve the bi-monthly bills for immediate payment. Motion carried.

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
548.30	ADAMS DRUG	129.95	MARY ANGELL
303.99	AUSTIN DRUG, INC	199.16	AUSTIN FIRE AND SAFETY
2963.06	AUSTIN MEDICAL CENTER ATTN:CAS	285.00	AUSTIN NEWSPAPERS, INC
283.80	AVAYA COMMUNICATION	6868.03	AVIANDS
889.24	BEAR GRAPHICS, INC	579.25	BP PRODUCTS NORTH AMERICA,
200.25	BUDGET OIL CO	261.00	RUBY CAMPOS
1951.27	CEDAR VALLEY SERVICES, INC	2182.14	DTI
1153.19	ENFORCERS PUBLIC SAFETY SUPPLY	974.04	GOLD CROSS AMBULANCE SERVIC
141.80	GREENE DOORS & HARDWARE	1649.44	HARTY MECHANICAL, INC.
220.95	HASTINGS SHOE SERVICE	559.13	HEMOCUE INC
265.64	J & K WINONA	112.80	K MART
220.20	LASER PRODUCT TECHNOLOGIES INC	203.55	LEXISNEXIS MATTHEW BENDER
225.82	THE LIGHTING CONNECTION	401.60	MCKESSON GENERAL MEDICAL CO
210.35	METRO SALES, INC.	979.93	MIDWEST WIRELESS
218.00	MINN STATE BAR ASSOCIATION	1764.00	MINNESOTA COUNTIES COMPUTER
200.00	GARY NYQUIST	103.50	OVERHEAD DOOR OF ALBERT LEA
239.50	OWATONNA CLINIC PA	3037.47	PARAGON PRINTING & MAILING
669.74	QWEST	359.90	RAY ALLEN MFG.CO,INC
1277.64	SCHILLING PAPER COMPANY	494.16	SCHMIDT-GOODMAN OFFICE PROD
199.06	SEARS	979.80	SERVICEMASTER CLEAN
15330.00	SHERIFF MITCHELL COUNTY	480.26	SMYTH COMPANIES, INC
150.00	SOUTHEAST SERVICE COOPERATIVE	115.00	ATTN: ST. DAVID'S
10699.00	STEELE COUNTY DETENTION CENTER	213.19	TARGET
3429.30	TINY'S BODY SHOP	4367.75	UNIFORMS UNLIMITED INC
3860.00	UNIV OF MINN EXTENSION	375.34	WELLS FARGO FINANCIAL LEAS
3523.75	WEST GROUP	835.73	WHITEWATER WIRELESS,INC ROC
101.69	WOODRUFF COMPANY		
	23 PAYMENTS LESS THAN \$100	1,016.34	
GENERAL FUND		\$79,003.00	* TOTAL

ROAD & BRIDGE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
193.39	CEDAR AUTO GLASS CENTER	2001.01	CATCO
130.30	DIAMOND VOGEL PAINTS	3849.76	ERICKSON ENGINEERING
105.23	HOLIDAY CARS, INC.	885.00	JONES,HAUGH & SMITH, INC.
25134.71	KOCH MATERIALS COMPANY	207.12	LAWSON PRODUCTS, INC
128.24	LEEF BROS., INC.	299.90	DENNIS LEWISON
496.42	MANTEK	135.14	ROCKMOUNT NASSAU
278.50	NATIONAL FLUID SAFETY	483.43	PETROBLEND CORP.
347.11	PRINSCO, INC.	256.71	PROLINE DIST., INC
125.25	QWEST	185.33	ROCHESTER PETROLEUM EQUIPM
826.00	SHOPKO	233.24	SNAP-ON TOOLS
246.66	STAPLES CREDIT PLAN	605.10	STATE OF MINNESOTA,
12477.71	WHKS & CO	875.22	ZARNOTH BRUSH WORKS, INC.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

16 PAYMENTS LESS THAN \$100	612.49	
ROAD & BRIDGE FUND		\$51,118.97 * TOTAL
2000-FLOOD PROJECT		
AMOUNT    VENDOR NAME		AMOUNT    VENDOR NAME
3350.00 WALLACE BUSTAD		
0 PAYMENTS LESS THAN \$100	.00	
2000-FLOOD PROJECT		\$3,350.00 * TOTAL
SOLID WASTE/RECYCLING FUND		
AMOUNT    VENDOR NAME		AMOUNT    VENDOR NAME
658.00 AUSTIN NEWSPAPERS, INC		302.00 WALLACE BUSTAD
125.85 CEDAR VALLEY SERVICES, INC		225.00 CITY OF AUSTIN
475.00 FOX ELECTRIC COMPANY, INC		4761.25 IVERSON HAULING
128.95 J & K WINONA		
4 PAYMENTS LESS THAN \$100	109.82	
SOLID WASTE/RECYCLING FUND		\$6,785.87 * TOTAL
DITCH FUND		
AMOUNT    VENDOR NAME		AMOUNT    VENDOR NAME
2010.00 RUBLE EXCAVATING & CONSTRUCTIO		886.59 THOMAS SCHNEIDER
1 PAYMENTS LESS THAN \$100	66.00	
DITCH FUND		\$2,962.59 * TOTAL
COUNTY LIBRARY FUND		
AMOUNT    VENDOR NAME		AMOUNT    VENDOR NAME
4620.00 SOUTHEASTERN LIBRARIES COOP		
0 PAYMENTS LESS THAN \$100	.00	
COUNTY LIBRARY FUND		\$4,620.00 * TOTAL
FAMILY CONNECTIONS		
AMOUNT    VENDOR NAME		AMOUNT    VENDOR NAME
160.00 AUSTIN MEDICAL CENTER ATTN:CAS		226.30 MIDWEST WIRELESS
0 PAYMENTS LESS THAN \$100	.00	
FAMILY CONNECTIONS		\$386.30 * TOTAL
****	FINAL TOTAL.....	\$148,226.73 ****

Motion made by Commissioner Hillier, seconded by Commissioner Tucker to approve the County Auditor's request for duplicate warrant for original warrant #43496 dated June 21, 2004 to Dawn Stehlik in the amount of \$20.56. Motion carried

Motion made by Commissioner Tucker, seconded by Commissioner Ellingson to approve and authorize the chair to sign the Addendum to Engagement Letter for an extension of the 2003 audit with the Minnesota State Auditor's office at an additional cost of \$6,000.00. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Lang to accept the donation of railroad right-of-way land from William and Donnis Allen in Section 4 and Section 9 of Adams Township for the bike trail. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Ellingson to approve the 2004 Fiscal Agent Agreement with Family Connections. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Lang to adopt the Mower County Right-To-Know program in compliance with Minnesota OSHA

standards informing employees of potentially hazardous substances in the workplace. Motion carried.

At this time a discussion took place concerning a request from the Sheriff's Youth Program for a fee increase for the Rule 5 facility that was consistent with the state average for Rule 5 facilities. In 2003 the County Board froze the daily fee at \$161.04. The state average currently is approximately \$190.00 per day. The finance committee initially proposed a 5% increase for 2004 and an additional 5% for 2005 over the current rate.

Motion made by Commissioner Tucker, seconded by Commissioner Ellingson to increase the rate for the Sheriff's Youth Program Rule 5 Facility to \$190.00 per day effective October 1, 2004 with a review of the rate in one year. Motion carried.

The next order of business was a discussion concerning the proposed independent contract agreement for the mentoring program and second chance class. Tom Neilon, Director of Correctional Services, reported that the independent contractor was unable to enter the contract due to the cost of the insurance requirements. Tom Neilon proposed hiring the individual as a part-time employee for the mentoring program.

Motion made by Commissioner Tucker, seconded by Commissioner Ellingson to authorize the employment of a part-time, non-benefited salaried employee in the Department of Corrections for the mentoring program with a monthly salary of \$650.00 based on an estimated ten (10) hours per week effective September 1, 2004. Motion carried.

The solid waste committee reported that a conditional use permit was required from the City of Austin for the compactor.

**Date: August 24, 2004**

**Res. #70-04**

**RESOLUTION**

On motion of Commissioner Tucker, seconded by Commissioner Lang, the following Resolution was passed and adopted at a meeting held August 24, 2004 at the Courthouse, Austin, Minnesota.

**WHEREAS**, on August 24, 2004 the Root River Antique Historical Power Association, Inc. presented a request for a Minnesota Lawful Gambling License for gambling to be conducted at Root River Antique Historical Power Association, Inc.

**BE IT RESOLVED THAT**, the Mower County Board of Commissioners do hereby approve the issuance of a Minnesota Lawful Gambling License to Root River Antique Historical Power Association, Inc. for gambling at Root River Antique Historical Power Association, Inc.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Hillier, seconded by Commissioner Tucker to approve the Lease Agreement at a rate of \$1 per year with the Mower County Trail Management Committee for the snowgroomer equipment subject to county attorney and Minnesota Counties Insurance Trust review and approval. Motion carried.

Jill Cordes, Chief Deputy Recorder, made a presentation to the Board on behalf of the employees in the offices of the Recorder, Treasurer and Auditor concerning the election vs. appointment of the Recorder, Treasurer and Auditor. A request was made for a presentation of the fall ballot referendum be made by the commissioners to the employees in these offices. The Personnel Committee will review the request.

Mike Hanson, County Engineer, reported on the bid(s) received for the Belleman's Addition sewer project.

**Date: August 24, 2004** **Res. #71-04**  
**RESOLUTION DECLARING COST TO BE ASSESSED, AND ORDERING**  
**PREPARATION OF PROPOSED ASSESSMENT**

On motion of Commissioner Hillier, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 24, 2004 at the Courthouse, Austin, Minnesota.

WHEREAS, costs have been determined for the improvement of

16th Street Southeast from a point 700 feet south of 10th Drive Southeast to 22nd Avenue Southeast;

22nd Avenue Southeast from Trunk Highway 218 to a point 800 feet west thereof; and

15th Street Southeast and 20th Avenue Southeast between 22nd Avenue Southeast and 16th Street Southeast,

by the construction of sanitary sewer and water mains and service lines, surface restoration, and appurtenant construction,

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF MOWER COUNTY, MINNESOTA:

1. The portion of the cost of such improvement to be paid by the County is hereby declared to be all cost in excess of \$487,856.68 and the portion of the cost to be assessed against benefited property owners is declared to be \$487,856.68.
2. Assessments shall be payable in equal annual installments extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January 2005, and will bear interest at the rate of 5.75 percent per annum from the date of adoption of the assessment resolution.
3. The County Coordinator, with the assistance of the County Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the area affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.
4. The Coordinator shall upon completion of such proposed assessment, notify the Board thereof.

Passed and approved this 24<sup>th</sup> day of August, 2004.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: August 24, 2004**

**Res. #72-04**

**RESOLUTION  
FOR HEARING ON PROPOSED ASSESSMENT**

On motion of Commissioner Tucker, seconded by Commissioner Hillier, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 24, 2004 at the Courthouse, Austin, Minnesota.

WHEREAS, by a resolution passed by the County Board on August 24, 2004, the County Coordinator was directed to prepare a proposed assessment of the cost of improving

16th Street Southeast from a point 700 feet south of 10th Drive Southeast to 22nd Avenue Southeast;

22nd Avenue Southeast from Trunk Highway 218 to a point 800 feet west thereof; and

15th Street Southeast and 20th Avenue Southeast between 22nd Avenue Southeast and 16th Street Southeast,

by the construction of sanitary sewer and water mains and service lines, surface restoration, and appurtenant construction,

AND WHEREAS, the Coordinator has notified the Board that such proposed assessment has been completed and filed in his office for public inspection,

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF MOWER COUNTY, MINNESOTA:

1. A hearing shall be held on the 14th day of September, 2004 in the County Board Room in the Courthouse at 5:30 p.m. to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The County Coordinator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement to be assessed. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the County Treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. He may at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

Passed and approved this 24<sup>th</sup> day of August, 2004.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Ellingson, seconded by Commissioner Lang to set the letting date for bituminous pavement construction at the Austin Shop parking lot

to September 27, 2004 at 1:00 p.m. at the office of the County Highway Department and awarded at the County Board of Commissioner's meeting. Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Ellingson to adjourn the meeting at 11:19 a.m. until September 7, 2004 at 1:00 p.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

**INDEX**

- 2**  
2004 budget amendment  
veteran's, 266
- A**  
Addendum to Engagement Letter  
w/ MN State Auditor, 267
- B**  
bi-monthly bills, 266
- D**  
destruction of designated Agency files, 263  
donation of land for bike trail  
Wm. & Donnis Allen, 267  
duplicate warrant, 267
- F**  
fee schedule  
Sheriff's Youth Program Rule 5 Facility  
\$190/day, 268  
Fiscal Agent Agreement--2004  
Family Connections, 267
- L**  
Lease Agreement  
MCTMC--Mower County Trail Management  
Committee  
snowgroomer equipment, 269
- letting date  
Austin Shop parking lot  
9-27-04 at 1 pm, 271
- M**  
minutes  
8-3-04 & 8-10-04, 265  
miscellaneous bills, 266
- P**  
part-time, non-benefited employee  
Dept. of Corrections, 268  
payment of un-recovered costs to school districts for  
Whipple Heights day treatment program  
request DENIED, 263
- R**  
Res. #68-04  
social service actions, 263  
Res. #69-04  
income maintenance actions, 264  
**Res. #70-04**  
**gambling permit**  
**Root River Antique Historical Assn, 268**  
Res. #71-04  
Belleman's  
Declaration of Cost, 269  
Res. #72-04  
Belleman's  
Assessment Hearing  
9-14-04 at 5  
30 p.m., 270  
Right-To-Know program, 267