

**SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS**

December 2, 2004

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session December 2, 2004 at 2:00 p.m. at the Courthouse in Austin, Minnesota.

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

Mayor Bonnie Rietz, City of Austin, presented the County Board with a plaque for County employee participation in an annual food drive with City of Austin employees.

Diana Moon, Administrative Assistant was recognized as Employee of the Month.

At this time a Public Hearing was held in regard to CUP #674 of Charlie Uthke, Petitioner, for operating a farm tractor and equipment restoration, repair and sales business, designing and manufacturing parts and shop equipment, rebuilding farm tractor components and storage of antique tractors and equipment on property.

Daryl Franklin, Environmental Services Director, reviewed the permit, Planning Commission recommendations and photos of the site.

Discussion took place to the number of vehicles to be stored outside at any time.

No one spoke for or against CUP #674.

Date: December 2, 2004

Res. #93-04

RESOLUTION

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 December 2, 2004 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, Petition No. CUP #674 of Charlie Uthke and to be issued pursuant to the Mower County Zoning Regulations for:

Operating a farm tractor and equipment restoration, repair and sales business, designing and manufacturing parts and shop equipment, rebuilding farm tractor components and storage of antique tractors and equipment on property.

Location: 1.87 Ac. NE ¼ Bk 255-413, Section 6, Windom Township, T102N R17W, Mower County, Minnesota.

Notice having been duly given and a hearing held December 2, 2004, on said petition.

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board accepts and adopts the findings of fact of the Mower County Planning Commission in the five required areas; and

BE IT FURTHER RESOLVED, that said petition is hereby approved, as recommended by the Mower County Planning Commission with conditions as follows:

- 1) Comply with MPCA Rules and Regulations for this type of facility.
- 2) Any floor drain must:
 - a. be discharged to the surface in an area that does not drain to a natural waterway or ditch; or
 - b. be discharged to a holding tank and not connected to an Individual Sewage Treatment System.
- 3) Batteries, used oil, antifreeze, etc. All business waste must be stored, recycled or disposed of in accordance with applicable MPCA solid and hazardous waste rules.
- 4) Comply with E.P.A. Pamphlet 816-R-00-018 "Class IV Auto Disposal System" dated November, 2000.
- 5) For aesthetics, the business may not accumulate more than 5 tractors waiting to be repaired and 5 farm implements for sale outside at any given time.

This permit is in accordance with Section 14-51(l) of the Mower County Code.

Passed and approved this 2nd day of December, 2004.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chair

By: _____
Clerk/Coordinator

At this time a Public Hearing was held in regard CUP #675 of Lance Pogones, Turtle Creek Properties, Petitioner, and Scott and Lisa Johnson, Owners, to plat property into a residential subdivision and allow the lots to be less than 1 ½ acre minimum each as they will be connected to a community individual sewage treatment system.

Daryl Franklin, Environmental Services Director, reviewed the permit and Planning Commission recommendations. Daryl also read a letter from Austin Utilities requesting a condition be added in regard to Gopher One Call System.

The Petitioner and Owner spoke in favor of CUP #675. No one spoke against the CUP.

Date: December 2, 2004

Res. #94-04

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 December 2, 2004 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, Petition No. CUP #675 of Lance Pogones, Turtle Creek Properties, Petitioner, and Scott and Lisa Johnson, Owners, and to be issued pursuant to the Mower County Zoning Regulations for:

To plat the property into a residential subdivision and allow the lots to be less than the 1 ½ acre minimum each as they will be connected to a community individual sewage treatment system.

Location: 27.73 Ac. NE ¼ NW ¼ , Section 5, Austin Township,
T102N R18W, Mower County, Minnesota.

Notice having been duly given and a hearing held December 2, 2004, on said petition.

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board accepts and adopts the findings of fact of the Mower County Planning Commission in the five required areas; and

BE IT FURTHER RESOLVED, that said petition is hereby approved, as recommended by the Mower County Planning Commission with conditions as follows:

1. Comply with Mower County Subdivision Ordinance.
2. All lots must be serviced by a community individual sewage treatment system.
3. Easements as requested by Austin Utilities & others will be shown on plat.
4. All pipeline easements shall be delineated on plat.

5. No access for lots directly on 31st Street N.W. Access for lots shall be from internal roads.
6. Developer will pay all costs associated with roads, driveway installations including culverts and fill and all 911 signage.
7. Developer will install road according to Township and County specifications.
8. Complete wetland inventory and evaluation, according to the 1987 Army Corps. Of Engineers Wetland Delineation Manual (NPDES) of area and submit with preliminary plat to the Mower County Planning Department.
9. The platting must be completed by December 31, 2006, if not the CUP is void.
10. Petitioner must complete and submit an EAW on the subdivision to Mower County for review. If the EAW determines that an EIS is necessary, Petitioner must complete and submit to the County.
11. Comply with Minnesota Pollution Control Agency requirements for project development, including but not limited to general storm water permit for construction activity. Developer will be responsible for all costs.
12. Comply with State and Local requirements in regard to wells.
13. Complete and submit NPDES Permit for subdivision.
14. Community wells shall be metered.
15. Petitioner/Owner shall be required to cure the violations under procedures of the Mower County Zoning Ordinance as it exists or may hereafter be amended. Mower County shall have all rights to abate any violations by such remedies as may be available to it under any applicable statute.

This permit is in accordance with Section 14-62 of the Mower County Code.

Passed and approved this 2nd day of December, 2004. Commissioner Hillier abstained from voting.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chair

By: _____
Clerk/Coordinator

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to continue the voluntary foster care agreement and payment in regard to Co. # 007855 and refer to the County Attorney. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to approve an Administrative Agreement effective immediately with the 3rd District Court Judges for administration of Correctional Services employees, with the exception of the Director, and to implement comparable worth for Correctional Services effective October 1, 2004 as provided in the pay schedule attached to the agreement. Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Hillier to adopt the following Electronic Funds Transfer Policy, effective December 2, 2004:

The goals for electronic fund transfers (EFT) are compliance with state and federal payment requirements, ease of use creating operational efficiencies, payments on demand, and purchase of services or investments. Any cost associated with an EFT should be carefully weighed against the benefit of wiring funds.

- Wire transfers are generated as per Letter of Agreement from the bank as to name, code, passwords, liability and authority.
- No wire transfers shall be made outside the continental United States.
- Only listed authorized employees of Mower County Treasurer functions can authorize wire transfers except those listed below. Wire transfer requests for disbursements must include departmental account coding authorization.
- Wire transfer information shall be held and retained in a secured vault.
- Security codes are changed on a random basis by the bank. Wires can only be initiated using the security code. Most wire transfers will be set up on a repetitive wire request form.
- All transfers will be recorded and confirmation must be received from the bank or money market fund accounts, currently US Bank and Cadre Consulting on the date of transfer. Confirmation receipt should also be sent/faxed/or e-mailed to an employee designee not in the Treasurer function, currently Administration staff approved for financial information data. Any single wire transfer amount in excess of \$500,000 requires pre-approval from Mower County Administration or their designee.
- Records of wire amounts, time and dates of occurrence, bank contact personnel along with transfer reference number are the responsibility of the Treasurer function to maintain and comply with retention records schedule.
- Verification of wire transfers must be received from the financial institution within five working days and bank accounts must be reconciled within 30 days after month end.
- Wire transfers can occur outside of the Treasurer function in these areas: e-mail of payroll file by payroll/administration with review by Treasurer function; e-filing of state sales and fuel tax by administration and highway departments with same day review by Treasurer function. Furthermore, Treasurer function has the ability to reverse previous mentioned transfers.
- Investment institutions need a Letter of Authorization signed by the Treasurer and either County Administration Official or a County Commissioner with wire instructions to credit Mower County's account.
- Items that wire transfers can generally be used for are: Distribution of property taxes, purchase or sale of investments, and payment of state, federal or local taxes. Special items are also approved when savings are achieved such as a purchase of electronic equipment, but must be pre-approved by Administration.

Motion carried.

At this time Jim Hartson addressed the Board in regard to concerns on bids received for operation of the transit system in December 2003.

Motion by Commissioner Hillier, seconded by Commissioner Lang to rescind the motion from April 6, 2004 in regard to increasing the contribution to the Minnesota Community Capital Fund (MCCF). Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Lang to declare the following list as surplus property:

Quantity	Description	Unit#	Department
1	2000 Ford Explorer	204	Env. Services
1	1997 Chevy Pickup 4x2	98	Highway
1	1997 Chevy Pickup 4x4	29	Highway
1	1994 Ford F350 Service Truck	58	Highway
6	pallets obsolete parts		Highway
1	Sharp el 1197 desk calculator w/o paper		Treasurer
1	large commode		Nursing
2	stand up scales		Nursing
1	Microscope		Nursing
1	electronic typewriter		Nursing
2	baby scales		Nursing
2	metal desk		Nursing
2	large mirrors		Nursing
1	desk chair, purple		Nursing
1	pamphlet rack		Nursing
1	1997 Crown Victoria		Sheriff
1	1999 Crown Victoria		Sheriff
1	2000 Crown Victoria		Sheriff
1	1998 Ford Ranger 4x4 pickup		Sheriff
1	1991 Ford Tempo, silver		Sheriff
1	1995 Chevy Camaro, teal		Sheriff
1	calculator		Human Services
4	2-drawer file cabinets		Human Services
1	electric wheelchair		Human Services
6	tables		Human Services
1	desk top		Human Services
1	couch		Human Services
12	wooden boxes		Human Services
3	typewriters		Human Services
2	chairs		Human Services
2	shelving units		Human Services
1	coat rack		Human Services
6	desks		Human Services
?	4 drawer file cabinets		Human Services
1	small table on wheels (cart)		Human Services
1	box cell phones and parts		Human Services

Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Hillier to approve the following miscellaneous bills for immediate payment:

Wells Fargo	\$350.72
Wagner Construction	4,000.00
Triple J Disposal	98.00
City of Austin	137.39
Association of Minnesota Counties	8,000.00

Motion carried.

The Board received notification that Duane Stanley has been appointed as Interim Director of Mower County Correctional Services by the Third Judicial District Court.

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to set a Public Hearing to discontinue the Mower County Well Ordinance for December 28, 2004 at 10:30 a.m. Motion carried.

Motion by Commissioner Lang, seconded by Commissioner Hillier to accept a donation from the Austin Police Officer Association in the amount of \$500.00 to Mower County Mentoring. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to adjourn the meeting at 4:25 p.m. until December 2, 2004 at 6:00 p.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____ **Chairperson**

Attest:

By: _____
Clerk/Coordinator

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