

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

December 14, 2004

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session December 14, 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:**

Discussion on provider rate increase requests.

Gerard Treatment Center presenting information regarding a requested rate increase.

Brent Gunderson, Foster Care Report.

Notice of meeting with Dan Sparks at Human Services on Tuesday, December 14 at 1:30 P.M.

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

- a. Mower County Sheriff – renew Cooperative Agreement for Fraud Investigation Services, effective January 1, 2005 to December 31, 2005.
- b. Mower County Attorney – renew agreement for Fraud Prosecution Services, effective January 1, 2005 to December 31, 2005.
- c. John & Susan Wittkopp – renew contract for Court Related Services, effective January 1, 2005 to December 31, 2005.
- d. Parenting Resource Center – renew contract for Administrative Services, effective January 1, 2005 to December 31, 2005.
- e. Cedar House, Inc. – renew contract for Day Treatment Services, effective January 1, 2005 to December 31, 2005.
- f. Cedar House, Inc. – renew contract for Mental Health Case Management Services, effective January 1, 2005 to December 31, 2005.
- g. Cedar House, Inc. – renew contract for Mental Health Services, effective January 1, 2005 to December 31, 2005.
- h. Mower County Attorney, Sheriff, & Court Admin. – renew contract for IV-D Services, effective January 1, 2005 to December 31, 2006.

Motion carried.

Commissioner Ellingson 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.

**SOCIAL SERVICE ACTIONS:**

Commissioner Hillier moved and Commissioner Ellingson seconded to approve the Social Service Actions. Motion carried.

**INCOME MAINTENANCE ACTIONS:**

Commissioner Ellingson moved and Commissioner Tucker seconded to approve the Income Maintenance Actions. Motion carried.

George Brophy, DCA, presented an Acknowledgment of Lease Commencement to the Board for approval regarding Health and Human Services use of office space at the Oak Park Mall.

Motion made by Commissioner Hillier, seconded by Commissioner Ellingson to authorize the chair and coordinator to sign the Acknowledgment of Lease Commencement between Mower County and DCA commencing November 1, 2004 subject to county attorney review and approval. Motion carried.

Rich Peterson, County Assessor, presented a proposed resolution for a request that damaged homestead property be reassessed. The purpose of the reassessment is to review real estate damaged by the September 2004 flood and issue corrected tax statements giving credit for any decrease in real estate value due to flood damage.

**Date: December 14, 2004**

**Res. #95-04**

**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 December 14, 2004 at the Courthouse, Austin, Minnesota.

WHEREAS, Mower County experienced a disaster on September 15, 2004; and

WHEREAS, said disaster did cause extensive property damage to residential properties in Mower County; and

WHEREAS, Mower County has been declared a disaster area by Presidential Declaration of a Major Disaster; and

WHEREAS, Minnesota Statutes Chapter 273.123 provides for a reassessment of homestead properties damaged by a disaster upon application to the Governor of the State of Minnesota and the State executive Council;

WHEREAS, the minimum requirements of the aforementioned statute have been met as demonstrated in the attached damage assessment report;

NOW, THEREFORE, BE IT RESOLVED by the Mower County Board of Commissioners that Mower County does hereby request that the homestead property damage from the disaster that occurred on September 15, 2004 be reassessed for the purposes of special tax credit for property damaged by a disaster under provisions of Minnesota Statutes Chapter 273.123.

Passed and approved this 14<sup>th</sup> day of December, 2004.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Lang, seconded by Commissioner Ellingson to approve the quote of Waste Management for disposal of refuse from the trash compactor at the recycling center and approve and authorize the Recycling Coordinator to sign the three year Waste Management Service Agreement for non-hazardous wastes effective December 6, 2004. Motion carried.

Commissioner Ellingson shared information he acquired at the AMC annual conference regarding the number of veterans and veteran benefits in Mower County.

Bea Hoffman, Executive Director of SEMN Water Resource Board, presented the final report for shallow disposal well inventory.

Bea Hoffman presented to Robert Krueger, owner and operator of Red Rock Truck Center, Austin, Minnesota, an Environmental Excellence Award. Commissioner Cummings thanked Mr. Krueger for protecting the environment.

Motion made by Commissioner Ellingson, seconded by Commissioner Lang to approve the "Grant Agreement Related to Childhood Immunizations" between the Minnesota Department of Health and Mower County Community Health Services effective December 16, 2004 to December 15, 2005. Motion carried.

Margene Gunderson, Director of Community Health, provided an update on public health preparedness activities in cooperation with Freeborn County for mass dispensing plans, isolation and quarantine and transportation.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Motion made by Commissioner Hillier, seconded by Commissioner Lang to approve the minutes of November 23, 2004, December 2, 2004 and December 2, 2004 truth in taxation hearing subject to review of the chair. Motion carried.

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

NaCO	\$ 777.00
City of Austin	793.54
Melchert, Hubert et al	114.45
Melchert, Hubert et al	341.25

Motion carried.

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

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
111.82	A+ PRINTING	1228.21	ADAMS DRUG
220.00	ALBERT LEA MEDICAL CENTER	8097.84	AMERICAN SOLUTIONS FOR BUSI
3486.32	AUSTIN FORD LINCOLN-MERCURY	3030.76	AUSTIN MEDICAL CENTER ATTN:
1064.10	AUSTIN NEWSPAPERS, INC	282.01	BACHMAN LEGAL PRINTING
159.25	JANE BAU	396.86	BOB BARKER COMPANY
222.25	BUDGET OIL CO	315.00	RUBY CAMPOS
999.58	CARDINAL HEALTH	1953.19	CEDAR VALLEY SERVICES, INC
245.80	CRC PRESS LLC	482.00	CSI
241.50	DANIEL DONNELLY LAW FIRM	152.23	DOUBLE K SPECIALTY, INC.
1306.63	MUNCILITE EMERGENCY AUTOMOTIVE	864.00	JAMES ERICKSON
146.60	MICHAEL FEUERHAK	317.12	THE FREE PRESS
430.29	FRONTIER	519.12	GLAXOSMITHKLINE
139.00	GLOBAL COMPUTER SUPPLIES	396.34	HARTY MECHANICAL INC
159.75	HOUSE CHEVROLET	517.77	IKON OFFICE SOLUTIONS
965.00	INTERTECHNOLOGIES GROUP	1718.23	INTERTECHNOLOGIES GROUP-AD
1104.86	J & K WINONA	148.90	JAKOBSON DRUG & HALLMARK S
10665.00	JONES,HAUGH & SMITH, INC.	302.30	K MART
720.00	KAUS RADIO	1794.66	KEY MUNICIPAL FINANCE INC
126.11	KEN KROUPA	555.00	EVAN LARSON
570.95	LASER PRODUCT TECHNOLOGIES INC	279.45	LEXISNEXIS MATTHEW BENDER
117.58	THE LIGHTING CONNECTION	4340.00	ROSEMARY LINDERMAN
533.36	MARTIN BROS	533.50	MASON CITY BUSINESS SYSTEMS
420.00	MAYER FUNERAL HOME	1524.00	MELCHERT HUBERT SJODIN
140.68	METRO SALES, INC.	813.21	MIDTOWN AUTO CLINIC
583.07	MIDWEST WIRELESS	348.00	MINNEAPOLIS FINANCE DEPARTM
1908.23	MINNESOTA COUNTIES COMPUTER CO	105.00	MINNESOTA COUNTY ATTORNEYS
120.00	MN ASSOC OF COUNTY VET SERVICE	16250.00	MN DEPT OF CORRECTIONS STS
465.50	THE MONITOR REVIEW	948.00	MOWER COUNTY SHOPPER
155.00	NATIONAL DISTRICT ATTORNEY	16789.39	NORTHLAND BUSINESS SYSTEMS
2468.37	PARAGON PRINTING & MAILING INC	108.50	PAMEA PATES, RPR
1881.45	PETTIPIECE & ASSOCIATES	209.00	PITNEY BOWES, INC
1174.50	PLUNKETT & ASSOCIATES INC	1006.00	POST BULLETIN COMPANY
150.00	POSTMASTER	244.00	RATWIK,ROSZAK & MALONEY,A
116.80	RAY ALLEN MFG.CO,INC	124.35	ROCHESTER MIDLAND CORPORAT
120.00	LYNNETTE SCHAFER, RPR	1170.91	SCHILLING PAPER COMPANY
170.00	DR. SCHMITT	958.50	SERVICEMASTER CLEAN
440.00	SHERIFF DODGE COUNTY	1927.69	SHERIFF GOODHUE COUNTY
15000.00	SHERIFF MITCHELL COUNTY	659.91	SMYTH COMPANIES, INC
187.08	STAPLES CREDIT PLAN	1197.70	STAR TRIBUNE
9475.78	STEELE COUNTY DETENTION CENTER	359.00	THOMPSON PUBLISHING GROUP
7791.10	UNIV OF MINN EXTENSION	100.00	WASECA POLICE DEPARTMENT

**COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA**

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371.69 WASTE MANAGEMENT OF SO MINNESO 48 PAYMENTS LESS THAN \$100 GENERAL FUND	4400.06 WELLS FARGO FINANCIAL LEAS 2,081.74 \$146,424.45 * TOTAL
ROAD & BRIDGE FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
209.36 ADVANCE AUTO PARTS	152.80 AUSTIN BUILDERS SUPPLY, INC
148.00 AUSTIN NEWSPAPERS, INC	6388.74 BERG BAG COMPANY
2035.00 BUSTAD DOZING AND EXCAVATING	177.82 CATCO
450.00 CITY OF LEROY	41000.00 DAKOTA MINNESOTA & EASTERN
337.50 DEXTER LP, INC	113.73 FOX ELECTRIC COMPANY, INC
1639.39 HANSON TIRE OF AUSTIN INC	660.33 HANSON TIRE SERVICE
154.32 INTERSTATE BATTERY SYSTEMS OF	243.25 K & K FABRICATION, INC
710.00 KESTNER ELECTRIC, INC.	213.10 LAWSON PRODUCTS, INC
345.86 LEEF BROS., INC.	219.01 MISSISSIPPI WELDERS SUPPLY
1728.81 MITCHELL 1	104.13 MOTOR SUPPLY COMPANY
213.00 MOWER COUNTY SHOPPER	475.00 MOWER COUNTY TREASURER
143.40 NAPA AUTO PARTS	2880.32 OSMUNDSON BROS. CONTRACTORS
963.45 PETROBLEND CORP.	1728.62 PRINSCO, INC.
323.66 PROLINE DIST., INC	1783.24 ROCHESTER SAND AND GRAVEL,
1465.60 SCHAEFFER MFG CO.	1605.60 TERMINAL SUPPLY CO.
142.38 TOP PERFORMANCE SALES	12994.04 ULLAND BROTHERS, INC.
292.24 EDWARD WOLF	178.07 YOUNG'S WELDING, INC.
245.24 ZIEGLER, INC	
16 PAYMENTS LESS THAN \$100	689.92
ROAD & BRIDGE FUND	\$83,154.93 * TOTAL
SOLID WASTE/RECYCLING FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
375.00 WALLACE BUSTAD	23723.05 CEDAR VALLEY SERVICES, INC
505.59 MINNESOTA SUPPLY COMPANY	160.50 WASTE MANAGEMENT OF SO MINN
8 PAYMENTS LESS THAN \$100	244.89
SOLID WASTE/RECYCLING FUND	\$25,009.03 * TOTAL
DITCH FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
3632.01 BOE BROTHERS TILING, INC	211.36 HATLE DRAINAGE & CONSTRUCTI
8685.00 MOWER COUNTY SOIL & WATER CONS	3576.51 RUBLE EXCAVATING & CONSTRUC
0 PAYMENTS LESS THAN \$100	.00
DITCH FUND	\$16,104.88 * TOTAL
FAMILY CONNECTIONS	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
221.83 MIDWEST WIRELESS	
0 PAYMENTS LESS THAN \$100	.00
FAMILY CONNECTIONS	\$221.83 * TOTAL
****	FINAL TOTAL..... \$270,915.12

Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Lang to deny the Application for Abatement of Penalties and Interest of Robert Albrecht in regard to parcel identification number #R.10.002.0010 for taxes payable in the year 2004. The basis for denial is consistency with current policy and practice by the County Board and the recommendation of the County Treasurer. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Ellingson to reappoint Jen Ulwelling to the Mower County Housing Authority for a five year term to commence on January 1, 2005. Motion carried.

The request of the County Treasurer to reduce the change fund was tabled to December 28, 2004 at which time other county change funds will also be revised.

Sheriff Terese Amazi and Jail Administrator Robert Roche request that the Steel County agreement for jail boarding be terminated. Jail boarding costs can be reduced by using the Mitchell County facility.

Motion made by Commissioner Ellingson, seconded by Commissioner Tucker to terminate the Steele County Jail Bed Contract requesting approval from Steele County for an earlier termination than allowed for in the contract and amend the Mitchell County Jail Bed Contract adding 5 beds. Motion carried.

Motion made by Commissioner Lang, seconded by Commissioner Ellingson to authorize the chair to sign the 2005 Natural Resource Block Grant Agreement. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Lang to make the following appointments to the SMART trail application review committee for 2005:

Gerald Meier  
Daryl Franklin  
Craig Hoium, alternate  
Charles Anderson, alternate

Motion carried.

**Date: December 14, 2004**

**Res. #96-04**

**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 14, 2004, at the Courthouse in Austin, Minnesota.

**BE IT RESOLVED** that Mower County enter into a sub-grant agreement with the Division of Emergency Management in the Minnesota Department of Public Safety for the program entitled Hazard Mitigation Grant Program for Presidential disaster declaration FEMA 1569-DR-MN.

**BE IT FURTHER RESOLVED** that the Mower County Environmental Services Director, and/or the Mower County Coordinator, are hereby authorized to execute and sign such sub-grant agreements and any amendments hereto as are necessary to implement the project on behalf of Mower County.

Passed and approved this 14<sup>th</sup> day of December, 2004.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

By: \_\_\_\_\_  
County Coordinator

**Date: December 14, 2004**

**Res. #97-04**

**RESOLUTION**

On motion of Commissioner Tucker, seconded by Commissioner Lang, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 14, 2004 at the Courthouse, Austin, Minnesota.

WHEREAS, Transportation enhancement projects received federal funding from the Surface Transportation Program (STP) of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) of 1998; and

WHEREAS, The Federal Highway Administration (FHWA) requires that states agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right of way or property ownership acquired without prior approval from the FHWA; and

WHEREAS, The Federal Highway Administration (FHWA) requires applicants to provide a minimum of 20% match of the estimated cost of proposed projects; and

WHEREAS, The Minnesota Department of Transportation (Mn/DOT) has determined that for projects implemented with enhancement funds, these above requirements should be applied to the project sponsor; and

WHEREAS, Mower County is the project sponsor for the transportation enhancements project identified as Shooting Star Alternative Transportation Trail.

BE IT RESOLVED, That Mower County act as sponsoring agency for a "Transportation Enhancements" project identified as Shooting Star Alternative Transportation Trail and acknowledges herewith that it is willing to be the project sponsor; and accepts responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations, including a commitment to secure and guarantee the local share of a minimum of 20% of the costs of this project.

BE IT FURTHER RESOLVED, That the project sponsor hereby agrees to assume full responsibility for the operation and maintenance of property and facilities related to the aforementioned enhancement project and for the preparation and submittal of necessary project plans, specifications and bid documents on or before April 15 of the project year.

BE IT FURTHER RESOLVED, That the primary contact shall be Michal Hanson, County Engineer and he is hereby authorized to act as agent on behalf of this applicant.

Passed and approved this 14<sup>th</sup> day of December, 2004.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

It was noted that an opinion had been received from the Mower County Attorney that it would be appropriate to rescind a CUP provided that both the Board and the property owner agreed.

Motion made by Commissioner Tucker, seconded by Commissioner Hillier to rescind Resolution #69-02 for Blair CUP #613 for the construction of a mini-storage facility and rescind Resolution #90-93 for Larry Wilson to change one non-conforming use to another non-conforming use for the Wilson property located in Section 6 of Windom Township. Motion carried.

The Chair opened the floor for any new testimony regarding the proposed 2005 tax levy. The Coordinator noted that one letter had been received opposing the tax levy and reduction in services. However, it was also noted that the letter mainly addressed city services.

Marianne Law, Parenting Resource Center, addressed the board regarding the benefits of the FAST program and requested that the County continue its support of the program.

Date: December 14, 2004

Res. #98-04

**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 December 14, 2004 at the Courthouse, Austin, Minnesota.

**WHEREAS**, on September 14, 2004 the Mower County Board of Commissioners adopted a preliminary tax levy and set meeting dates for public hearings on said levy and County Budget,

**WHEREAS**, on December 2, 2004, a public Truth in Taxation hearing was held with formal action to be taken on December 14, 2004,

**THEREFORE, BE IT RESOLVED** that the 2005 net property tax levy be set at \$9,971,613.00; and

**BE IT FURTHER RESOLVED** that the 2005 Solid Waste Service Charge be set at \$278,723.00.

Passed and approved this 14<sup>th</sup> day of December, 2004.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Adopting a 2005 budget was tabled to December 28, 2004.

Motion by Commissioner Ellingson, seconded by Commissioner Lang to adjourn the meeting at 12:05 p.m. until December 28, 2004 at 8:30 a.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

Attest:

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

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