

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

March 22, 2005

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session March 22, 2005 at 8:30 a.m. at the Courthouse in Austin, Minnesota.

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

**GENERAL:**

Review of proposal for contracts with employment Services providers.

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

- a.     Susan Rockers-Wittkopp – renew contract for Chemical Use Assessments, effective April 1, 2005 to March 31, 2006.

Motion carried.

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

**Date: March 22, 2005**

**Res. #24-05**

**RESOLUTION**

On motion of Commissioner Ellingson, seconded by Commissioner Lang, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 22, 2005 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 March 1, 2005 through March 31, 2005 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 March 2005 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 March 2005 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 22<sup>nd</sup> day of March, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: March 22, 2005**

**Res. #25-05**

**RESOLUTION**

On motion of Commissioner Cummings, seconded by Commissioner Hillier, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 22, 2005 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 March 1, 2005 through March 31, 2005 are hereby approved.

BE IT FURTHER RESOLVED, That all assistance payments authorized by Director Actions and issued during the month of March 2005 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 March 2005 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 March 2005 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 22<sup>nd</sup> day of March, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Hillier, seconded by Commissioner Ellingson to relocate the Finance Director and Payroll/Benefits Coordinator to the office of the County Treasurer and approve the reassignment of duties in the office of the County Treasurer as

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

---

on file in the office of the County Coordinator due to the absence of the Treasurer. The reassignment of duties is subject to review and revision by the finance committee as necessary. The relocation of personnel is to provide backup and assistance in the Treasurer's department. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Lang to approve the agreement with AFSCME Local No. 2566 resolving grievances with revisions to Article VI, Sections C & E of the union contract and compensating employees for overtime worked. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Cummings to set a public hearing for a proposed ordinance for the regulatory sale of ingredients used in the manufacture of METH on April 12, 2005 at 11:00 a.m. at the County Board of Commissioner's regular meeting at 201 1<sup>st</sup> Street NE, Austin, MN. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Lang to approve the minutes of March 8, 2005. Motion carried.

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

General Fund			
Adams Drug	\$ 895.40	ADP Screening & Selection	\$ 114.00
APS Services, Inc.	173.45	Arrow Printing	134.50
Assembled Products Corp.	66.23	Assoc. of MN Counties	600.00
Austin Drug, Inc.	66.50	Austin Fire & Safety	358.50
Austin Medical Center	6,204.29	Austin Newspapers, Inc.	5,293.75
Avaya Communication	234.90	Aviands	5,889.42
Bachman/Tracy	357.08	Bissen TV & Appliance, Inc.	223.65
Budget Oil Co.	454.50	Campos/Ruby	252.00
Care Express Products, Inc.	58.08	Cedar Valley Services, Inc.	1,960.02
Christopherson/Aleta	58.50	Cinemagic Theatre	75.00
Double K Specialty, Inc.	43.99	DTI	2,551.17
Emergency Automotive Tech	58.76	Evans Printing & Publishing	1,926.38
Farm & Home Publishers	330.15	Freeborn-Mower Cooperative	23.00
Games People Play	60.00	Hanson Camera	5.27
Harty Mechanical, Inc.	112.50	Hasler Mailing Systems	282.23
Ikon Office Solutions	154.18	J & K Winona	649.21
Jakobson Drug & Hallmark	150.50	Kmart	128.43
Kaus Radio	78.00	Key Municipal Finance, Inc.	1,812.61
Kroupa/Ken	57.25	Laser Product Tech.	499.33
Leef Bros., Inc.	26.32	Lees Lock Security Service	40.60
Lexisnexis Matthew Bender	94.14	Lighting Connection	111.83
MACO	400.00	MACPZA Treasurer	100.00
Madson, Lisa	100.00	Metro Sales	483.00
Midtown Auto	830.70	Midwest Wireless	945.41
Midwest Wireless Communicat	12.99	MN Counties Computer	1,764.00
MN Elevator	102.54	MJN/Perinatal Conference	55.00
MN Conference on Adolescent	135.00	Motor Supply Company	46.11
Mower County Red Cross	28.00	Nyquist/Gary	230.37
Office Solution Providers	145.61	Ofstedahl/Gary	24.50
Paragon Printing & Mailing	2,823.11	Post Bulletin Company	637.00
Powerphone, Inc.	578.00	Praxair Distribution, Inc.	37.90
Presto-X-Company	126.74	Public Safety Training Cons	440.00

**COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA**

---

Pyramid Concepts, Inc.	\$ 80.00	Qwest	\$ 302.53
Sam Goody	75.00	Schilling Supply Company	61.24
Servicemaster Clean	1,418.58	Seven County Process Server	80.00
Sheriff Freeborn County	180.00	Sheriff Goodhue County	1,893.19
Sheriff Mitchell County	21,840.00	Sheriff Steele County	10.00
Smyth Companies, Inc.	442.52	South Central Athlete	60.00
Staples Credit Plan	771.23	State Auditor/Office	2,029.50
Sterling State Bank	66.30	Target	135.00
Uniforms Unlimited, Inc.	236.30	Univ of Minn Extension	8,585.90
Vaughn/Pamela	97.81	Vereide/Sherwood	100.00
Viking Glass & Lock	25.56	Voice & Data Networks, Inc.	84.94
Wagner Hardware	10.63	Waste Management of So. MN	495.93
Wells Fargo Financial Leas	612.93	West Group	4,804.79
Whitewater Wireless, Inc.	4,958.02	BP Products North America	815.39
S.E.M.N.T.F.	5,000.00		
General Fund Total	\$97,984.89		

Road & Bridge Fund			
Above All Cleaning, Inc.	\$ 894.60	American Test Center, Inc.	\$ 275.00
Austin Builders Supply, Inc	369.83	Bundy Auto Parts	314.37
CATCO	139.30	Cintas First Aid & Safety	96.48
Crysteel Truck Equipment	190.26	Etterman Enterprises	48.78
Fastenal Company	25.39	Force American, Inc.	71.11
Grainger	194.98	Greenman Heating & Refrig.	11.93
Hanson Tire Service	1,685.33	J & K Winona	129.90
Johnson Auto Electric	276.90	Jones, Haugh & Smith	950.00
Leef Bros., Inc.	110.93	Motor Supply Company	187.14
NAPA Auto Parts	68.72	Osmundson Bros. Contractors	430.00
Paragon Printing & Mailing	71.38	Postmaster	254.00
Proline Dist., Inc.	96.90	R & M Steel	355.80
Reed Construction Inform	133.32	Schaeffer Mfg Co.	631.44
Syverson Ford/Dave	72.46	Wheeler Electric of LeRoy	438.09
Woodruff Company	4.74		
Road & Bridge Total	\$8,529.08		

Solid Waste/Recycling Fund			
Austin Newspapers, Inc.	\$ 911.00	Cedar Valley Services, Inc.	\$ 24,018.11
Freeborn-Mower Cooperative	26.09	Iverson Hauling	4,357.50
Midwest Wireless	14.41	O'Connor, Inc.	445.20
Qwest	10.36	Staples Credit Plan	19.46
Waste Management of So MN	53.16		
Solid W/Recycle Fund Total	29,855.29		

Building Fund	
Larry's Garage Doors	\$ 100.00
Building Fund Total	\$ 100.00

Ditch Fund			
Rinke-Noonan	\$ 1,377.50	Ruble Excavating & Construc	\$ 2,400.00
Ditch Fund Total	\$ 3,777.50		

Family Connections			
Heimer/Shari	\$ 134.16	Keim/Marcia	\$ 169.80
Matheis/Carol	139.02	Midwest Wireless	255.06
Oehlke/Audrey	150.36	Randall/Kerry	52.63
Family Connections Total	\$ 901.03		
<b>FINAL TOTAL</b>	<b>\$141,147.79</b>		

Motion carried.



Bituminous materials to Koch Materials Co. with a bid of \$1.043 per gallon

Calcium chloride to Univar USA, Inc.

\$.786 per gallon for 38% calcium chloride solution, and

\$435.00 per ton of Type 2 pellet calcium chloride

Diesel fuel with 2% soy biodiesel additive to each fuel delivery at \$.029 per gallon and

Gasoline to Freeborn County Co-op with overhead profit price per gallon as

follows:

Austin Shop Diesel \$.026 per gallon

Gasoline \$.2219 per gallon

Outlying Shops Diesel \$.055 per gallon

Motion carried. Full bid abstract on file in the office of the County Auditor and County Engineer.

Motion made by Commissioner Ellingson, seconded by Commissioner Hillier to approve the purchase of a Johnston Model MT 350 Dual Engine Sweeper by the Highway Department for a purchase price of \$149,824.20. This item was a 2005 budgeted item. Motion carried.

**Date: March 22, 2005**

**Res. #26-05**

**RESOLUTION**

On motion of Commissioner Cummings, seconded by Commissioner Lang, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 22, 2005 at the Courthouse, Austin, Minnesota.

WHEREAS, Mower County has determined that Bridge 736 in Section 11 of Lansing Township is deficient and should be replaced, and

WHEREAS, local roads play an essential role in the overall State transportation network and local bridges are the critical component of the local road systems, and

WHEREAS, State support for the replacement, rehabilitation, and removal of local bridges continues to be crucial to maintaining the integrity of the local road systems and is necessary for the County and the Townships to proceed with the management of deficient bridges, and

WHEREAS, Mower County intends to proceed with the replacement of this bridge as soon as possible;

NOW THEREFORE, BE IT RESOLVED, that Mower County commits that it will proceed with the design and contract documents for the removal of this bridge immediately after being notified that funds are available in order to permit the work to take place.

Passed and approved this 22<sup>nd</sup> day of March, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

At this time a Public Hearing was held in regard to the application of Matthias and Viola Klassen for the rezoning of property to Planned Unit Development (PUD) to allow platting of the property into a residential subdivision.

Daryl Franklin, Environmental Services Director, reviewed the application and the Planning Commission recommendations and the document entitled Assumption of Risk Assessment.

John Schulte spoke on behalf of petitioner. One person spoke against the rezoning of the property.

**Date: March 22, 2005**

**Res. #27-05**

**RESOLUTION**

On motion of Commissioner Ellingson, seconded by Commissioner Cummings, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 22, 2005 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, application for property rezoning of Matthias and Viola Klassen to be issued pursuant to the Mower County Zoning Regulations for:

Rezoning of property to Planned Unit Development (PUD) to allow platting of the property into a residential subdivision.

Location: E ½ NW ¼ Exc. E 332 ft. N 374 ft. S 592 ft. SE NW, Section 12, Frankford Township, T103N R14W, Mower County, Minnesota, PIN #06-006-0060

Notice having been duly given and a hearing held on March 22, 2005, on said petition.

**NOW, THEREFORE, BE IT 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. Site evaluations will be conducted on the "primary" sewage treatment site for each lot. The site evaluations shall be submitted to the Mower County Environmental Services Department prior to selling any lots.
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 795<sup>th</sup> Avenue except for proposed Block 2, Lot 5 due to existing access to township road.
6. Developer will pay all costs associated with roads and driveway installations including culverts and fill.
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 of area and submit with preliminary plat to the Mower County Planning Department.
9. The platting must be completed by March 31, 2007, 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. Any costs for residential 911 signing for rural addressing of streets and homes shall be born by the developer.
15. All individuals purchasing a lot in the subdivision must sign a form entitled, "Rural and Agricultural Home Owners Assumption of Risk Assessment" and this must be on file with the Mower County Environmental Services Office.
16. All individuals purchasing a lot in the subdivision must receive notice of potential noise from the nearby race track.

This application is in accordance with Division 11 of the Mower County Code.

Passed and approved this 22<sup>nd</sup> day of March, 2005 as amended by the following motion passed prior to passing this resolution.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Chair

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

Motion made by Commissioner Hillier, seconded by Commissioner Lang to amend the proposed resolution for the rezoning of property by deleting the condition that a vegetative barrier must be installed on the east, west and north side of the proposed subdivision. Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Lang to adjourn the meeting at 11:52 a.m. until April 5, 2005 at 1:00 p.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

Attest:

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

**INDEX**

**A**

AFSCME Agreement  
    resolve grievances, 65  
    revise contract  
        Article VI, 65  
amend proposed Res.#27-05, 71

**B**

Bid awards  
    bituminous  
        Koch Materials Co., 68  
    calcium chloride  
        Univar USA, 68  
    CP 50-05-01  
        Osmundson Brothers Construction, 67  
    CP 50-05-02  
        all bidders  
            Osmundson  
            Skyline  
                Koch, 67  
    CP 50-05-03  
        all bidders  
            Ulland Bros.; Shamrock Enter.; Rochester Sand  
                & Gravel, 67  
    CP 50-05-04  
        L.R. Falk Construction, 67  
    CP 50-05-05  
        Damel Corp., 67  
    CP 50-05-06  
        AAA Striping Service, 67  
    CP 50-05-07  
        Ulland Bros., 67  
    diesel fuel with 2% soy biodiesel additive  
        Freeborn County Co-op, 68  
    gasoline  
        Freeborn County Co-op, 68  
bi-monthly bills, 65

**D**

destruction of files, 62  
duplicate warrant, 67

**F**

Finance Director/Payroll Benefits  
    relocate to Treasurer's office, 65

**H**

Homeownership Fund Board

reappoint  
    Randy Queensland, 67

**M**

minutes  
    3-8-05, 65  
miscellaneous bills, 67

**P**

Public Hearing  
    Rezoning of Property  
        Klassen, 69  
public hearing set  
    ordinance for regulatory sale of ingredients for mfg  
        METH  
        4-12-05 at 11 a.m., 65  
Purchase of Service Agreements  
    Susan Rockers Wittkopp  
        chemical use assessments, 62

**Q**

Queensland, Randy  
    reappoint to Homeownership Fund Bd., 67

**R**

Res. #24-05  
    social service cases, 62  
Res. #25-05  
    income maintenance cases, 63  
Res.#26-05  
    Bridge 736 replacement, 68  
Res.#27-05  
    Rezone Property to residential lots  
        Klassen, 69

**S**

Sweeper purchase  
    hwy dept., 68

**T**

Tobacco Free Communities Grant Agreements, 67  
Treasurer office  
    reassignment of duties, 64  
    relocate Finance Director & Payroll Benefits Coord, 64