

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

May 10, 2005

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session May 10, 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:**

Commissioner Hillier moved and Commissioner Cummings seconded to authorize the Director to sign Redetermination of Need forms for Day Training & Habilitation programs located at Turtle Creek Industries and Cedar Valley Services in Austin, and Cedar Branch DAC in Adams. Motion carried.

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

- a.     Betty Dugan – renew agreement for Group Residential Housing Services, effective July 1, 2004 to June 30, 2006.
- b.     Mower County Seniors, Inc. – approve amendment to increase the mileage rate for Transportation Services, effective January 1, 2005 to December 31, 2005.

Motion carried.

Out of home placement report.

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

**INCOME MAINTENANCE ACTIONS:**

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

The Insurance Committee comprised of representatives from each of the unions, non-union and administration, presented to the Board an alternative health insurance plan for the HMO plan the county currently offers as an alternative plan to the comprehensive major medical plan. The committee recommends a VEBA health insurance plan. The VEBA plan is a high deductible, low premium plan. The County would make contributions to a Health Plan Account for enrolled employees. The Personnel Committee will make a recommendation for board action regarding this proposal from the Insurance Committee on May 24, 2005.

Motion made by Commissioner Hillier, seconded by Commissioner Cummings to revise the direct deposit program for employees adopted by the Board on June 29, 1999 by adopting mandatory direct deposit for all employees effective October 1, 2005. Motion carried.

The Solid Waste Committee reported on the electronic recycling day and shared a collection report with the Board.

Motion made by Commissioner Cummings, seconded by Commissioner Hillier to set the project letting date for S.A.P. 050-602-023 -- C.S.A.H No. 2 to June 6, 2005 at 1 p.m. at the office of the County Highway Department. Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Hillier to approve the purchase of property legally described as The West 60.0 feet of the East 452.00 feet of the North 247.50 feet (15 rods) of the S1/2 SW1/4 NE1/4 Section 9 – T103N – R17W, Mower County, Minnesota for a storm sewer outlet for C.S.A.H. No. 2 project in the amount of \$3,000.00. Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Ellingson to approve the agreement between the City of Brownsdale and Mower County for the S.A.P. 050-602-023 C.S.A.H. No. 2 project. Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Ellingson to authorize the Chair and Engineer to sign a letter to area legislators supporting the transportation bill for increased transportation funding. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Lang to approve the minutes of April 26, 2005 and May 3, 2005. Motion carried.

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

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
310.01	ADAMS DRUG	250.00	ALBERT LEA TRIBUNE
165.59	AUSTIN AUTO VALUE	102.08	AUSTIN DRUG, INC
795.85	AUSTIN FORD LINCOLN-MERCURY	1968.74	AUSTIN MEDICAL CENTER ATTN:
712.09	AUSTIN NEWSPAPERS, INC	1600.00	AUSTIN SCHOOL DIST 492
550.52	BACHMAN LEGAL PRINTING	390.00	BAUDLER, BAUDLER, MAUS, BLAH
297.00	RUBY CAMPOS	428.32	CARE EXPRESS PRODUCTS INC

**COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA**

189.91 CDW GOVERNMENT, INC.	1952.12 CEDAR VALLEY SERVICES, INC
1646.69 DELL MARKETING L.P.	226.75 DONKERS HOMETOWN APPLIANCES
145.49 DANIEL DONNELLY LAW FIRM	189.02 DOUBLE K SPECIALTY, INC.
124.96 FOX ELECTRIC COMPANY, INC	911.21 HARTY MECHANICAL, INC.
2205.26 HOVERSTEN, JOHNSON, BECKMANN & H	611.54 IKON OFFICE SOLUTIONS
965.00 INTERTECHNOLOGIES GROUP	1630.87 INTERTECHNOLOGIES GROUP-ADM
595.42 J & K WINONA	774.10 JAKOBSON DRUG & HALLMARK SH
807.07 K MART	1250.00 MARY, PHD KENNING
2182.50 EVAN LARSON	540.34 LASER PRODUCT TECHNOLOGIES
223.65 THE LIGHTING CONNECTION	1460.00 ROSEMARY LINDERMAN
198.00 KIM LORIMOR	330.00 MAAO %PAUL KNUTSON
200.00 MACPO ATTN: TRACI GREEN	186.95 METRO SALES, INC.
643.44 MID AMERICA BUSINESS SYSTEMS	1764.00 MINNESOTA COUNTIES COMPUTER
108.25 MITCHELL COUNTY REGIONAL HEALT	305.00 MN BOARD OF ASSESSORS
238.00 MOWER COUNTY SHOPPER	200.00 NACRAAO
200.00 GARY NYQUIST	306.00 OFFICE OF JUSTICE PROGRAMS
3015.68 PARAGON PRINTING & MAILING INC	629.56 PETTIPIECE & ASSOCIATES
120.00 PLUNKETT & ASSOCIATES INC	18463.50 POLICE CENTRAL INC
131.15 RADISSON INN ST PAUL	116.55 RS EDEN INC
2867.64 SCHILLING SUPPLY COMPANY	1080.98 SERVICEMASTER CLEAN
165.00 SEVEN COUNTY PROCESS SERVERS L	150.00 SHERIFF OLMSTED COUNTY
894.71 SMYTH COMPANIES, INC	125.00 SOUTHEAST MN WATER RESOURC
262.50 PAUL SPYHALSKI	973.84 STAPLES CREDIT PLAN
115.00 TIGERDIRECT.COM	17876.03 W W GOETSCH ASSOCIATES INC
454.06 WASTE MANAGEMENT OF SO MINNESO	288.62 WELLS FARGO FINANCIAL LEASI
40 PAYMENTS LESS THAN \$100	1,577.70
GENERAL FUND	\$80,189.26 * TOTAL

ROAD & BRIDGE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
279.90	GARY ANDERSON	207.68	APACHE GROUP
194.17	AUSTIN AUTO VALUE	152.00	AUSTIN MEDICAL CENTER ATTN:
372.78	CEDAR AUTO GLASS CENTER	3377.57	BOE BROTHERS TILING, INC
276.06	BOYER TRUCKS SO. ST. PAUL	150.00	BROCK WHITE CO LLC
1825.00	BUSTAD DOZING AND EXCAVATING	219.92	C S S
226.51	CINTAS FIRST AID & SAFETY	2048.00	DOUBLE K SPECIALTY, INC.
366.92	GILLUND ENTERPRISES	106.10	GREY PRODUCTS CORP.
163.90	INTERSTATE BATTERY SYSTEMS OF	250.00	JONES, HAUGH & SMITH, INC.
438.74	LAWSON PRODUCTS, INC	233.48	LEEF BROS., INC.
287.07	M-R SIGN COMPANY, INC.	275.00	MIDWEST DOOR INC
262.52	MISSISSIPPI WELDERS SUPPLY CO.	628.00	MOWER COUNTY SHOPPER
1047.43	MRCI	136.22	NAPA AUTO PARTS
550.00	OFFICE OF STATE AUDITOR	339.17	PETROBLEND CORP.
451.59	PROLINE DIST., INC	445.58	R & M STEEL
134.63	MR. SAM COMMUNICATIONS	1020.06	SCHAEFFER MFG CO.
136.00	SCHILLING SUPPLY COMPANY	2633.60	SOUTH CENTRAL TECH COLLEGE
229.61	ZEP MANUFACTURING COMPANY		
16 PAYMENTS LESS THAN \$100		677.91	
ROAD & BRIDGE FUND		\$20,143.12	* TOTAL

MOWER COUNTY TRANSIT-PUBLIC TRANSP.

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
3177.69	CITY OF AUSTIN		
1 PAYMENTS LESS THAN \$100		61.20	
MOWER COUNTY TRANSIT-PUBLIC TRANSP.		\$3,238.89	* TOTAL

SOLID WASTE/RECYCLING FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
375.00	WALLACE BUSTAD	23062.54	CEDAR VALLEY SERVICES, INC
264.00	WASECA COUNTY RECYLING	818.11	WASTE MANAGEMENT OF SO MINN
3 PAYMENTS LESS THAN \$100		53.96	
SOLID WASTE/RECYCLING FUND		\$24,573.61	* TOTAL

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

DITCH FUND		AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
4506.10	BOLTON & MENK INC.				
	0 PAYMENTS LESS THAN \$100			.00	
DITCH FUND				\$4,506.10	* TOTAL
COUNTY LIBRARY FUND		AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
4504.50	SOUTHEASTERN LIBRARIES COOP				
	0 PAYMENTS LESS THAN \$100			.00	
COUNTY LIBRARY FUND				\$4,504.50	* TOTAL
FAMILY CONNECTIONS		AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
540.00	LAURA RAMIREZ				
	0 PAYMENTS LESS THAN \$100			.00	
FAMILY CONNECTIONS				\$540.00	* TOTAL
****	FINAL TOTAL.....			\$137,695.48	****

Motion carried.

Motion made by Commissioner Lang, seconded by Commissioner Ellingson to approve the liquor license effective July 1, 2005 through June 30, 2006 for Lansing Corners. Motion carried.

At this time a Public Hearing was held in regard to an Environmental Assessment Worksheet from Lance Pogones for the proposed Wildwood Estates Subdivision.

Daryl Franklin, Environmental Services Director, reported to the Board the Findings of Fact and that there was a negative declaration for an environmental impact statement for Wildwood Estates Subdivision.

Mr. Lance Pogones spoke on his own behalf. There was no further speaking for or against the Environmental Assessment Worksheet.

**Date: May 10, 2005**

**Res. #37-05**

**RESOLUTION  
ESTABLISHING FINDINGS OF FACT AND  
ISSUING A NEGATIVE DECLARATION  
FOR AN ENVIRONMENTAL IMPACT STATEMENT  
ON THE DEVELOPMENT KNOWN AS  
WILDWOOD ESTATES SUBDIVISION**

On motion of Commissioner Cummings, seconded by Commissioner Ellingson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held May 10, 2005 at the Courthouse, Austin, Minnesota.

WHEREAS, Mower County is a political subdivision, organized and existing under the laws of the State of Minnesota; and

WHEREAS, THE Board of Commissioners of Mower County has adopted zoning and subdivision regulations, per Ordinance 02-02 dated September 9, 2002, including subsequent amendments, to promote the orderly, economic and safe development and utilization of land within the County; and

WHEREAS, Lance Pogones, hereinafter known as the Developer, made Preliminary Plat application for approval of a residential subdivision creating 20 lots on land located at:

All that part of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 5-T102N-R18W, Mower County, Minnesota; lying northwesterly of the centerline of Turtle Creek;

together with that portion of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 5-T102N-R18W, lying northwesterly of said centerline of Turtle Creek.

WHEREAS, THE Board of Commissioners decided on December 2, 2004, to require a discretionary Environmental Assessment Worksheet (EAW) to be prepared and submitted by the Developer; and

WHEREAS, the Mower County Board of Commissioners have reviewed the EAW and all public comments, and have made the following Findings of Fact:

1. The developer submitted an EAW to the County Board on March 20, 2005.
2. On March 21, 2005 the completed EAW was submitted to the Minnesota Environmental Quality Board (EQB) for publication in the EQB Monitor on March 28, 2005.
3. Copies of the EAW were distributed and made available to interested persons for comment.
4. Written public comments were received until April 27, 2005.
5. The Mower County Board of Commissioners held a public hearing to solicit comments from local parties of interest. The hearing received published notice in the County's Official Newspaper.
6. The Mower County Board of Commissioners reviewed and discussed the EAW and public comments at its May 10, 2005 meeting. In accordance with Minnesota Rules, Part 4410.1700, the County Board determined that the proposed project did not have the potential for significant environmental effects and found that an EIS is not required, based upon the following Findings of Fact and upon the condition recommended by the Planning Commission in Item 6 above.
  - A. Type, extent and reversibility of environmental effects.
    1. No land will be taken out of agricultural production permanently. This is out of a total of 406,668 acres of agricultural land that are available in Mower County. Therefore, this subdivision does not have the potential for significant environmental effects since the land hasn't been in production.

2. No wetlands exist based on the "Notice of Wetland Conservation Act" decision that was completed by the Mower County SWCD.
  3. The effects of surface water runoff on the site will not pose a significant threat to water quality of the watershed or its sub-watershed given the large size of lots for the proposed development. There is a large area of permeable surface for stormwater filtration prior to discharge. In addition, the County is requiring that the developer comply with MPCA requirements for, but not limited to, a general stormwater permit for construction activities.
- B. Cumulative potential effect of related or anticipated future projects.
1. The surrounding area consists of several residential subdivisions and this subdivision will be infilling this area. Therefore, this proposed project does not represent potential for cumulative potential effects on the environment.
- C. The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority.
1. The impacts to wetlands are subject to review and permit by the Mower County Soil and Water Conservation District under the 1991 Wetland Conservation Act of Minnesota, the U.S. Army Corps. Of Engineers Section 404 Permit, and Minnesota Dept. of Natural Resources.
  2. The impacts of runoff are also governed by the Minnesota Pollution Control Agency Stormwater Permit.
- D. The extent to which environmental effects can be anticipated and controlled as a result of other environmental studies undertaken by public agencies or the project proposer, or of EIS's previously prepared on similar projects.
1. Based upon the response from the Minnesota Department of Transportation, they had no comments.
  2. The MPCA response was received after the deadline of April 27, 2005.

NOW, THEREFORE, BE IT RESOLVED by the Mower County Board of Commissioners, as follows:

1. The Environmental Assessment Worksheet as prepared for Lance Pogones, Wildwood Estates Subdivision, responses to public comments, and Findings of Fact are hereby approved.
2. An Environmental Impact Statement will not be required for the project as defined the Environmental Assessment Worksheet submitted by Lance Pogones.

This resolution was adopted by the Mower County Board of Commissioners on the 10<sup>th</sup> day of May, 2005, by a vote of 4 Ayes and 0 Nays. Commissioner Hillier abstained.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Date: May 10, 2005

Res. #38-05

**RESOLUTION**

**Residential Anti-displacement and Relocation Assistance Plan**

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 May 10, 2005 at the Courthouse, Austin, Minnesota.

**WHEREAS**, Mower County anticipates participating in the Minnesota Small Cities Development Program. Through this participation, acquisition, demolition and rehabilitation will occur. The consequence of the proposed activities is that the potential for displacement exists, although it is not anticipated. The purpose of the Residential Antidisplacement and Relocation Assistance Plan is to describe the steps that Mower County shall take to mitigate the adverse effects of displacement on low and moderate income persons.

**THEREFORE BE IT RESOLVED**, that Mower County hereby adopts the residential antidisplacement and relocation assistance plan for all of Mower County, excluding the City of Austin.

Passed and approved this 10<sup>th</sup> day of May, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Ellingson, seconded by Commissioner Lang to adjourn the meeting at 11:47 a.m. until May 24, 2005 at 8:30 a.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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