

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

July 26, 2005

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session July 26, 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:**

Report on employment of MFIP Recipients.

Commissioner Hillier moved and Commissioner Ellingson seconded to authorize one designated employee or alternate to serve as a delegate and attend regional meetings in Owatonna of the Minnesota Social Services Association. Meetings are scheduled every two to three months. Motion carried.

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

- a.     REM Woodvale, Inc. – renew contract for Semi-independent Living Services, effective July 1, 2005 to June 30, 2006
- b.     REM Woodvale, Inc. – renew contract for In-Home Services, effective July 1, 2005 to June 30, 2006

Motion carried.

Commissioner Lang moved and Commissioner Cummings 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: July 26, 2005**

**Res. #52-05**

**RESOLUTION**

On motion of Commissioner Hillier, seconded by Commissioner Ellingson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held July 26, 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 July 1, 2005 through July 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 July 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 July 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 26<sup>th</sup> day of July, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Date: July 26, 2005

Res. #53-05

**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 July 26, 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 July 1, 2005 through July 31, 2005 are hereby approved.

BE IT FURTHER RESOLVED, That all assistance payments authorized by Director Actions and issued during the month of July 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 July 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 July 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 26<sup>th</sup> day of July, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Hillier, seconded by Commissioner Ellingson to eliminate one .5 FTE Office Support Specialist position in Central Services and add four hours to the second part-time position for a one .6 FTE Office Support Specialist position in Central Services effective July 25, 2005. Motion carried.

Motion made by Commissioner Lang, seconded by Commissioner Cummings to amend the 2005 Treasurer's budget using funds from the reserve contingency fund to increase expense line item #01-042-000-0000-6402 in the amount of \$3100.00. Motion carried.

Motion made by Commissioner Lang, seconded by Commissioner Cummings to approve the \$2000 funding request from the Southeast Minnesota EMS to assist in the purchase of a new database program out of the reserve contingency fund and authorize payment. Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Ellingson to set the fund balance designation for the GIS / GPS Project at \$500,000 and to amend the 2005 GIS budget from \$60,000 to \$253,000. This action is contingent upon agreements with Austin Utilities for map and data sharing and with Jones, Haugh & Smith, Inc. for map development and map updates. The program will be used only by the Assessor's and Highway's departments until the program is fully operational. Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Lang to delete the estimated December 31, 2005 fund balance designations previously authorized for Youth & Family, Adams Shop, Generator Equipment, Bridge Program, Civil Engineering Software and Fairground Buildings in the amount of \$3,427,948 and to set aside \$1,416,065 for potential redesignations in some or all of these categories or other uses as approved by the County Board. Motion carried.

The Board set a Work Session for Monday, August 15, 2005 at 9:00 a.m. in the County Board Room.

Motion made by Commissioner Cummings, seconded by Commissioner Hillier to authorize the County Engineer to obtain quotes for the tree project and pavement reclaim in Brownsdale contingent upon the results of the bids received for the Brownsdale CSAH #2 project. Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Ellingson to approve the minutes of July 5, 2005 and July 12, 2005. Motion carried.

Randy Studier and Sara Heineke from the Minnesota Extension office presented a proposed Memorandum of Intent for Nutrition Education Program Through Extension. The program is a cost share program that is part of the food stamp program on the national level providing education on proper food purchasing. That matter was referred

to the finance committee for review and board recommendation at a future date. No action was taken on the Memorandum of Intent.

At this time a continuation of Public Hearing was held in regard to the McDermott property and the Dinsmoor Special Assessment.

Craig Oscarson, County Coordinator, provided a summary of the previous Dinsmoor Special Assessment hearings in which all assessments were approved with the exception of the McDermott property. An appraisal of the property has been conducted with the appraiser indicating that the assessment was fair and just.

James McDermott spoke on his own behalf. A discussion regarding the property, the appraisal and the special assessment took place.

**Date: July 26, 2005**

**Res. #54-05**

**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 July 26, 2005 at the Courthouse, Austin, Minnesota.

WHEREAS, James McDermott supplied proper notice of objection to his share of the proposed assessment on the project commonly known as the Dinsmoor Acres Sewer, Water and Street Improvement; and

WHEREAS, pursuant to proper notice duly given as required by law, the County Board met and heard all objections and considered all testimony to James McDermott's proposed assessment for the improvement of

23rd Avenue Southwest between Trunk Highway 105 and 4th Drive Southwest;  
24th Avenue Southwest between Trunk Highway 105 and 4th Drive Southwest;  
and  
4th Drive Southwest between the south line of Dinsmoor Acres Subdivision and  
22nd Avenue Southwest

by the construction of sanitary sewer and water mains and service lines, storm sewer, curb and gutter, stabilized base, bituminous pavement, and turf restoration, and has amended such proposed assessment as it deems just

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is

hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

2. Such assessment shall be payable in equal annual installments extending over a period of 20 years, the first of the installments to be payable on or before the first Monday in January 2006, and shall bear interest at the rate of 6 1/2 percent per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2005. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
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.
4. The Coordinator shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County. Such assessments shall be collected and paid over in the same manner as other property taxes.

Passed and approved this 26<sup>th</sup> day of July, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

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

GENERAL FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
238.87	A+ PRINTING	1069.94	ADAMS DRUG
100.00	AMERICAN LEGION POST #140	100.00	AMERICAN LEGION POST #330
100.00	AMERICAN LEGION POST 146	420.68	AMI IMAGING SYSTEMS INC

**COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA**

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127.80	ARROW PRINTING	133.37	AUSTIN DRUG, INC
4145.65	AUSTIN MEDICAL CENTER ATTN:CAS	555.75	AUSTIN NEWSPAPERS, INC
669.08	AUSTIN POLICE DEPARTMENT	172.50	BEAR GRAPHICS, INC
5615.67	BISSEN TV & APPLIANCE, INC.	1050.46	BP PRODUCTS NORTH AMERICA,
446.00	BUDGET OIL CO	6000.00	ROGER CARTEN PHD
2007.37	CEDAR VALLEY SERVICES, INC	339.81	CITY OF AUSTIN
139.44	DOUBLE K SPECIALTY, INC.	2382.11	DTI
272.00	FOX ELECTRIC COMPANY, INC	149.17	GRAPHIC PRODUCTS INC
4260.00	GRAY & MALACKO LAW OFFICES	191.70	INTOXIMETERS, INC
1128.04	J & K WINONA	797.18	JAKOBSON DRUG & HALLMARK
506.16	K MART	140.00	JOY KANNE
368.00	KAUS RADIO	1250.00	MARY, PHD KENNING
1794.66	KEY GOVERNMENT FINANCE, INC.	204.69	LANGUAGE LINE SERVICES
10387.50	EVAN LARSON	686.04	LASER PRODUCT TECHNOLOGIES
153.15	LEXISNEXIS MATTHEW BENDER	111.83	THE LIGHTING CONNECTION
2170.00	ROSEMARY LINDERMAN	100.00	LYLE AMERICAN LEGION AUXILI
452.56	MARTIN BROS	162.94	MIDTOWN AUTO CLINIC
1135.72	MIDWEST WIRELESS	333.00	MINN STATE BAR ASSOCIATION
790.00	MINNESOTA CONTINUING LEGAL	6791.07	MINNESOTA COUNTIES COMPUTER
3632.00	MINNESOTA COUNTIES INFORM.SYS.	102.54	MINNESOTA ELEVATOR, INC
160.00	MN CVSO SECY & ASSIST. ASSOC	16947.25	MN DEPT OF CORRECTIONS STS
478.65	PERFORMANCE OFFICE PAPERS	264.95	POST BULLETIN COMPANY
104.37	PRESTO-X-COMPANY INC	144.85	PUBLIC SAFETY CENTER INC.
120.00	PYRAMID CONCEPTS INC.	314.29	QWEST
223.66	RADISSON HOTEL & CONFERENCE PL	132.30	RS EDEN INC
105.00	SAFE RIDE NEWS	113.64	SCHILLING SUPPLY COMPANY
135.00	SHERIFF FREEBORN COUNTY	23400.00	SHERIFF MITCHELL COUNTY
132.45	SMYTH COMPANIES, INC	420.56	STAPLES CREDIT PLAN
120.00	CJIS STATE OF MINN	4239.72	TINY'S BODY SHOP
179.82	UNIFORMS UNLIMITED INC	4256.70	UNIV OF MINN EXTENSION
350.72	WELLS FARGO FINANCIAL LEASING		
	43 PAYMENTS LESS THAN \$100	2,197.68	
GENERAL FUND		\$118,426.06	* TOTAL
ROAD & BRIDGE FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
894.60	ABOVE ALL CLEANING, INC	1038.38	ASPEN EQUIPMENT COMPANY
604.32	CONTINENTAL RESEARCH CORP.	139.20	ETTERMAN ENTERPRISES
900.00	FERRELLGAS-AUSTIN	146391.09	FLINT HILLS RESOURCES, LP
1800.52	HYDRAULIC SPECIALTY CO.	109.59	J & K WINONA
112.76	LEEF BROS., INC.	1140.13	THE LIGHTING CONNECTION
607.48	M-R SIGN COMPANY, INC.	208.94	MISSISSIPPI WELDERS SUPPLY
2688.84	PETROBLEND CORP.	300.49	PRINSCO, INC.
153.06	QWEST	298.96	REED CONSTRUCTION INFORMAT
131.43	RONCO ENGINEERING SALES, INC.	1262.88	SCHAEFFER MFG CO.
152.17	SWEENEY BROTHERS TRACTOR, INC.	160.80	DAVE SYVERSON FORD
270.73	ULVEN'S ACE HARDWARE	934.86	ZARNOTH BRUSH WORKS, INC.
619.62	ZIEGLER, INC		
	7 PAYMENTS LESS THAN \$100	425.23	
ROAD & BRIDGE FUND		\$161,346.08	* TOTAL
MOWER COUNTY TRANSIT-PUBLIC TRANSP.			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
	1 PAYMENTS LESS THAN \$100	30.00	
MOWER COUNTY TRANSIT-PUBLIC TRANSP.		\$30.00	* TOTAL
SOLID WASTE/RECYCLING FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
25253.98	CEDAR VALLEY SERVICES, INC	5280.00	IVERSON HAULING
156.00	KAUS RADIO	267.75	KRUEGER TRANSPORTATION
150.75	SV OVERHEAD DOOR, INC.		
	5 PAYMENTS LESS THAN \$100	128.28	
SOLID WASTE/RECYCLING FUND		\$31,236.76	* TOTAL

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

DITCH FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
2948.00	MOWER COUNTY SOIL & WATER CONS	1618.00	RINKE-NOONAN
	0 PAYMENTS LESS THAN \$100		.00
DITCH FUND		\$4,566.00	* TOTAL
STATE & AGENCY COLLECTION FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
	1 PAYMENTS LESS THAN \$100		60.00
STATE & AGENCY COLLECTION FUND		\$60.00	* TOTAL
FAMILY CONNECTIONS			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
226.35	MIDWEST WIRELESS		
	0 PAYMENTS LESS THAN \$100		.00
FAMILY CONNECTIONS		\$226.35	* TOTAL
****	FINAL TOTAL.....	\$315,891.25	****

Motion carried.

Motion made by Commissioner Ellingson, seconded by Commissioner Lang to authorize the Assessor to sign an extended Service Contract with Vanguard Appraisals, Inc. for the County Assessor's web page and authorize payment of the service fee in the amount of \$4,458.00. Motion carried.

Date: July 26, 2005

Res. #55-05

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 July 26, 2005 at the Courthouse, Austin, Minnesota.

WHEREAS, on July 26, 2005 the Cedar River Ducks Unlimited presented a request for a Minnesota Lawful Gambling License for gambling to be conducted at the Cedar Valley Conservation Club.

BE IT RESOLVED THAT, the Mower County Board of Commissioners do hereby approve the issuance of a Minnesota Lawful Gambling License to Cedar River Ducks Unlimited for gambling at the Cedar Valley Conservation Club.

Passed and adopted this 26<sup>th</sup> day of July, 2005.

THE MOWER COUNTY BOARD OF COMMISSIONERS

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

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

Motion made by Commissioner Cummings, seconded by Commissioner Hillier to approve the applications for annual solid waste permits effective July 1, 2005 for Triple J Disposal, Inc., Sunshine Sanitation, Cedar Valley Services, Inc., Stewart Sanitation, Iverson Hauling and Waste Management. Motion carried.

At this time a continuation of the Public Hearing from July 7 , 2005 was held in regard to CUP #683 of Matt and Viola Klassen to construct an additional home on property that is uneconomical for agricultural use.

The Chair asked for new testimony. None was received. The commissioners had constructed a site visit on July 25, 2005.

The Owners spoke on their own behalf. The County Engineer provided traffic statistics for the site location. There was no further speaking for or against CUP #683.

Motion made by Commissioner Lang, seconded by Commissioner Ellingson to deny CUP #683 of Matt and Viola Klassen for an additional dwelling on the property due to road safety issues and the high crop efficiency rating for the property. Motion carried.

Motion by Commissioner , seconded by Commissioner to adjourn the meeting at 11:52 a.m. until August 2, 2005 at 1:00 p.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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