

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

November 22, 2005

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session November 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  
  Denise Barthels, Clerk Pro Temp

**GENERAL:**

Update on State Operated Services plans for state employees working in Minnesota Counties.

Update on Budget cutting measures pending in Congress.

Commissioner Cummings moved and Commissioner Lang seconded to approve a 2.2553% rate increase effective January 1, 2006 for Purchase of Service contracts not otherwise adjusted and to authorize the Chair and Director to sign the following amendments:

- a.     Sherry Bibus – approve amendment to contract for Day Care Licensing Services, effective January 1, 2006 to December 31, 2006.
- b.     Cedar Valley Services – approve amendment to contract for Extended Employment Services, effective January 1, 2006 to December 31, 2006.
- c.     Gary Corcoran – approve amendment to contract for Mental Health Services, effective January 1, 2006 to December 31, 2006.
- d.     Family Focus – approve amendment to contract for Residential Services, effective January 1, 2006 to December 31, 2006.
- e.     Gerard Treatment Programs – approve amendment to contract for Residential Services, effective January 1, 2006 to December 31, 2006.
- f.     Mower Council for the Handicapped – approve amendment to contract for General Case Management Services, effective January 1, 2006 to December 31, 2006.
- g.     REM Woodvale, Inc. – approve amendment to contract for In-Home Services, effective January 1, 2006 to December 31, 2006.
- h.     Susan Rockers-Wittkopp – approve amendment to contract for Court Related Services, effective January 1, 2006 to December 31, 2006.
- i.     Susan Rockers-Wittkopp – approve amendment to contract for Chemical Use Assessments, effective January 1, 2006 to December 31, 2006.

- j. Rule 36 Limited Partnership of Duluth – approve amendment to contract for IRTS Services, effective January 1, 2006 to December 31, 2006.
- k. Sheriff's Youth Programs Halstenson – approve amendment to contract for Residential Services, effective January 1, 2006 to December 31, 2006.

Motion carried.

Commissioner Ellingson moved and Commissioner Hillier seconded to authorize the Chair to sign a letter to Congressional representatives protesting recent House action to reduce federal funding for child support enforcement programs and to send a copy to the appropriate people. Motion carried.

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

- a. Workforce Development, Inc. – approve contract for Employment Services for Child Support Non-Custodial Parents, effective January 1, 2006 to December 31, 2006.
- b. Cedar House – approve amendment to contract for Mental Health Services, effective January 1, 2006 to December 31, 2007.
- c. Summit Ridge Services – approve amendment to contract for Semi-Independent Living Services, effective November 1, 2005 to December 31, 2006.

Motion carried.

Commissioner Cummings moved and Commissioner Hillier 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: November 22, 2005**

**Res. #83-05**

**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 November 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 November 1, 2005 through November 30, 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 November 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 November 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 November, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: November 22, 2005**

**Res. #84-05**

**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 November 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 November 1, 2005 through November 30, 2005 are hereby approved.

BE IT FURTHER RESOLVED, That all assistance payments authorized by Director Actions and issued during the month of November 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 November 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 November 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 November, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: November 22, 2005**

**Res. #85-05**

**RESOLUTION ESTABLISHING THE MINNESOTA SERVICE  
COOPERATIVES VEBA PLAN AND TRUST, AND A HEALTH  
REIMBURSEMENT ARRANGEMENT FOR ACTIVE EMPLOYEES AND  
ELIGIBLE RETIREES**

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 November 22, 2005 at the Courthouse, Austin, Minnesota.

WHEREAS, the County of Mower wishes to offer tax preferred and tax free benefit plans to current and former employees;

NOW THEREFORE, BE IT HEREBY RESOLVED:

1. The County of Mower will take whatever steps are necessary to establish a Voluntary Employees' Beneficiary Association ("VEBA") for the provision of a Health Reimbursement Arrangement for Active Employees.
2. The County of Mower hereby adopts the Minnesota Service Cooperatives VEBA Plan and Employee Benefits Trust Agreement, which is intended to qualify as a VEBA under Section 501(c)(9) of the Internal Revenue Code, and consents to and ratifies the appointment of the trustee and plan administrator in place on the adoption date of this agreement.
3. The effective date of the establishment of the VEBA and Health Reimbursement Arrangement shall be January 1, 2006.

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

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Hillier, seconded by Commissioner Lang to accept the Flexible Spending Plan Guide with Blue Cross Blue Shield and authorize MII as the account vendor. Motion carried.

Donna Welsh, Finance Director, reported that the property owners were contacted by mail regarding the reimbursement of the cost to clean up their property as ordered by the Court for the Crews/Ulwellig property. The property owners did not respond.

The Finance Committee recommended that the Crews/Ulwellig property owners be assessed cleanup costs over a 10 year period at 6% interest where the principal remains constant.

**Date: November 22, 2005**

**Res. #85a-05**

**RESOLUTION**

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

WHEREAS, Mower County has established ordinances regarding Conditional Use Permits and violations of ordinances require action to meet conditions; and

WHEREAS, said action by Mower County can require compliance costs to be paid by the noncompliant taxpayer; and

WHEREAS, Mower County has incurred cleanup costs on property ID #19.022.0011, Roger Crews Et AL & Sandra Ulwellig, in the amount of \$49,850.00; and

WHEREAS, Roger Crews and Sandra Ulwellig have not paid cleanup costs, allowing costs to be recovered as a property assessment;

THEREFORE, LET IT BE RESOLVED, that the amount of \$49,850.00 will be assessed against property ID#19.022.0011, Sec 22, Twnhp 104, Range 017, 10.3 AC NW COR SE 1/4 NW1/4 S TWP R BK 320-458, for a period of 10 years beginning payable year 2006 with a 6% annual interest rate effective 1/1/06, equal annual principal payments.

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

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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Donna Welsh, Finance Director, reviewed the Investment Report provided to the Board. In addition Ms. Welsh provided a brief overview of the 2004 audit noting the cooperative effort of Todd Lysne, Wayne Edgar and Val Kruger by providing teamwork that assisted in a good audit.

Motion made by Commissioner Cummings, seconded by Commissioner Lang to authorize the County Coordinator to send letters of appreciation to Donna Welsh, Todd Lysne, Wayne Edgar and Val Kruger for their work on the 2004 audit. Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Lang to set the 2006 Solid Waste Service Charge at \$278,723.00. Motion carried.

The Building Committee provided an update on the jail site selection process. Seventeen sites had been reviewed by committee and the top three sites of which two of the three locations have two sites for a total of five separate site locations have been selected for a detailed analysis. The committee recommended that the sites be analyzed in terms of purchase price, costs of utility infrastructure and possible site improvements to equalize the sites in terms of pre-construction conditions. Expenditures would require board approval.

A discussion regarding the possible costs of the site analyses, the costs expended to date for the project and the method of payment for the project followed the committee's recommendation. The board took no action on the building committee's recommendation for site analyses requesting that the building committee provide projected costs for the site analyses prior to board action.

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

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
261.66	ADAMS DRUG	285.00	ANDERSON RADIATOR SERVICE
1799.42	AUSTIN MEDICAL CENTER ATTN: CAS	465.50	AUSTIN NEWSPAPERS, INC
847.21	BP	1950.84	CEDAR VALLEY SERVICES, INC
1706.24	DANIEL DONNELLY LAW FIRM	2152.23	DTI
108.25	FOX ELECTRIC COMPANY, INC	561.97	GRANDVIEW LODGE
947.09	HANSON TIRE SERVICE, INC. AUST	297.00	CAMPOS HERRERA
306.56	HOLIDAY INN AUSTIN	456.61	J & K WINONA
1412.26	JAKOBSON DRUG & HALLMARK SHOP	12305.00	JONES, HAUGH & SMITH, INC.
106.48	K MART	1794.66	KEY GOVERNMENT FINANCE,
131.10	LANGUAGE LINE SERVICES	4847.04	EVAN LARSON
223.44	LASER PRODUCT TECHNOLOGIES INC	111.83	THE LIGHTING CONNECTION
900.00	ROSEMARY LINDERMAN	365.15	MARTIN BROS
480.00	MCA	288.31	MEDDIRECT
550.20	MELCHERT HUBERT SJODIN	1153.51	METRO SALES, INC.
1280.35	MIDWEST WIRELESS	238.57	MINNESOTA CONTINUING LEGAL
260.00	MINNESOTA SHERIFF ASSOCIATION	1610.95	MN OFFICE OF ENTERPRISE TEC
594.27	MPH INDUSTRIES, INC	385.50	NAPA AUTO PARTS
201.23	OSAGE DENTAL ARTS	234.00	PITNEY BOWES, INC
201.29	PRESTO-X-COMPANY INC	331.13	QWEST
201.50	RED WING SERVICE COMPANY, INC.	129.27	ROCHESTER MIDLAND CORPORAT
1237.00	RS EDEN INC	2172.35	SCHILLING SUPPLY COMPANY
142.83	SMYTH COMPANIES INC	1327.50	PAUL SPYHALSKI
397.98	STAPLES CREDIT PLAN	198.00	ULTRAMAX

**COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA**

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164.95 UNIFORMS UNLIMITED INC	4244.50 UNIV OF MINN EXTENSION
350.72 WELLS FARGO FINANCIAL LEASING	2923.93 WHITEWATER WIRELESS, INC ROC
32 PAYMENTS LESS THAN \$100	1,478.90
GENERAL FUND	\$57,121.28 * TOTAL

ROAD & BRIDGE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
2886.03	AAA STRIPING SERVICE COMPANY	894.60	ABOVE ALL CLEANING, INC
478.02	CEDAR AUTO GLASS CENTER	347.30	AUTO VALUE AUSTIN
259.03	BOYER TRUCKS SO. ST. PAUL	500.25	BUSTAD DOZING AND EXCAVAT
328.97	CATCO	241.26	CINTAS FIRST AID & SAFETY
1124.74	CONTINENTAL RESEARCH CORP.	2122.74	CRETEX CONCRETE PRODUCTS NO
1478.24	CRYSTEEL TRUCK EQUIPMENT, INC.	378.00	DEXTER LP, INC
489.05	DOUBLE K SPECIALTY, INC.	229.74	FASTENAL COMPANY
159.92	HANSON TIRE OF AUSTIN INC	1537.38	HANSON TIRE SERVICE
1625.00	JONES, HAUGH & SMITH, INC.	213.31	KESTNER ELECTRIC, INC.
183.94	LEEF BROS., INC.	434.61	M-R SIGN COMPANY, INC.
460.57	MANTEK	298.15	MATCO TOOLS
183.46	MEDGAARDEN'S SOUTHWEST SALES,	548.16	METRO SALES, INC.
240.00	MINN CO HWY ENGINEERS ASSN	158.87	MISSISSIPPI WELDERS SUPPLY
13851.66	NORTH AMERICAN SALT CO	245.68	PETROBLEND CORP.
456.69	PROLINE DIST., INC	173.40	QWEST
175.71	MR. SAM COMMUNICATIONS	1329.02	STATE OF MINNESOTA,
108.12	DAVE SYVERSON FORD	202.30	THOMPSON MOTORS OF WYKOFF,
2343.00	TRIMBLE'S CYCLE CENTER, INC	213.54	UNITED LABORATORIES
2102.80	WHKS & CO	133.16	WOODRUFF COMPANY
688.32	ZIEGLER, INC		
15 PAYMENTS LESS THAN \$100		723.56	
ROAD & BRIDGE FUND		\$40,548.30	* TOTAL

SOCIAL SERVICE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
2 PAYMENTS LESS THAN \$100		40.00	
SOCIAL SERVICE FUND		\$40.00	* TOTAL

SOLID WASTE/RECYCLING FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
24884.17	CEDAR VALLEY SERVICES, INC	5714.95	IVERSON HAULING
234.00	KAUS RADIO	363.21	MINNESOTA SUPPLY COMPANY
152.00	WASECA COUNTY RECYLING		
6 PAYMENTS LESS THAN \$100		130.50	
SOLID WASTE/RECYCLING FUND		\$31,478.83	* TOTAL

SEWER IMPROVEMENT LOANS/ I.S.T.S

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
20000.00	MN DEPT OF TRADE & ECONOMIC DE	.00	
0 PAYMENTS LESS THAN \$100			
SEWER IMPROVEMENT LOANS/ I.S.T.S		\$20,000.00	* TOTAL

DITCH FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
5753.35	JONES, HAUGH & SMITH, INC.	.00	
0 PAYMENTS LESS THAN \$100			
DITCH FUND		\$5,753.35	* TOTAL

FAMILY CONNECTIONS

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
140.00	AUSTIN MEDICAL CENTER ATTN: CAS	229.42	MIDWEST WIRELESS
1 PAYMENTS LESS THAN \$100		34.00	
FAMILY CONNECTIONS		\$403.42	* TOTAL
****	FINAL TOTAL.....	\$155,345.18	****

Motion carried.

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

Skalicky Appraisals	\$ 600.00
Reinartz Appraisals	600.00

Motion carried.

**Date: November 22, 2005**

**Res. #86-05**

**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 November 22, 2005 at the Courthouse, Austin, Minnesota.

**WHEREAS**, Mower County has determined that Bridge L5105 in Section 1 of Windom 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 removal 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 November, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Cummings, seconded by Commissioner Ellingson to set the project letting date to December 19, 2005 at 1:00 p.m. at the office of the County Highway Department and awarded at the County Board of Commissioner's meeting for the replacement of bridge L5105. Motion carried.

The County Engineer requested that the Mark Hurd contract for aerial photos be amended to include photos at 5000 feet for an additional cost of \$18,600.00. The photos would be taken of the communities of Austin, Lansing, Dexter, Lyle, Grand Meadow, Rose Creek, LeRoy and Brownsdale. The photos could provide greater detail and would be useful to the County Assessor. The amendment to the contract would still be under budget.

Motion made by Commissioner Ellingson, seconded by Commissioner Cummings to amend the contract with Mark Hurd in the amount of an additional \$18,600 to add aerial photos be taken at 5000 feet for all fourteen Mower County Cities. Motion carried.

The County Engineer notified the Board that two Mower County bridges located on the east side of Austin are in need of replacement. The County needs to seek bonding for these projects and local legislators need to be contacted for support. The engineer was instructed to send the information to the state legislators. Commissioner Lang will contact the legislators regarding the bond fund request.

Motion made by Commissioner Cummings, seconded by Commissioner Ellingson to set a public hearing for December 13, 2005 on the Election Equipment Plan at 10:00 a.m. at the County Board of Commissioner's regular meeting at 201 1<sup>st</sup> Street NE, Austin, MN. Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Hillier to approve the minutes of November 1, 2005 and November 8, 2005. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Hillier to deny the Application for Abatement of Penalties of Kendall Roche in regard to parcel identification number 34.593.0140 for taxes payable in 2005. The basis for denial is consistency with current policy and practice. Motion carried.

Motion made by Commissioner Lang, seconded by Commissioner Cummings to approve "Perinatal Hepatitis B (\$500 per event) and Immunization Practice Improvement (\$200 per event) Agreement" between the Minnesota Department of Health and Mower County Community Health Services effective January 1, 2006 through December 15, 2006. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Lang to adjourn the meeting at 11:33 a.m. until December 1, 2005 at 3:00 p.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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