

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

August 1, 2006

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session August 1, 2006 at 1:00 p.m. at the Courthouse in Austin, Minnesota.

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

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to authorize the Human Resource Director to fill a male Jailer vacancy. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to authorize the County Coordinator to sign a Letter of Understanding between Mower County and Local 9 in regard to an employment offer to an employee on probationary status contingent upon the employee completing probation in the current position prior to starting the new position. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Lang to adopt Section C125, Respectful Workplace Policy of the Mower County Personnel Policies effective immediately. A copy of the policy is on file in the Human Resources Office. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to approve the request of an employee dated July 31, 2006 to receive up to 80 hours of time from the medical leave bank. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Lang to authorize the Human Resource Director to fill a Probation Officer vacancy. Motion carried.

The Building Committee provided an update on information being forwarded to the City of Austin in regard to the project costs of a proposed Justice Center. Discussion took place in regard to the site selected for the proposed Justice Center in response to questions from a member of the public.

The Solid Waste Committee provided an update on installation of equipment on the sorting line at the Recycling Center.

At this time a Public Hearing was held in regard to CUP #703 of Chad and Laura Sayles to construct an additional dwelling in a wooded area. Daryl Franklin, Environmental Services Director, reviewed the request and Planning Commission recommendations.

One person spoke in favor of CUP #703. No one spoke against.

Date: August 1, 2006

Res. #50-06

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 August 1, 2006 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #703 of Chad and Laura Sayles, Petitioners, and to be issued pursuant to the Mower County Zoning Regulations for:

Construction of an additional dwelling on the property.

Location: N ½ SE ¼, Section 30, Windom Township, T102N R17W, Mower County, Minnesota

Notice having been duly given and a hearing held August 1, 2006, on said petition.

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board accepts and adopts the findings of fact of the Mower County Planning Commission in the five required areas; and

BE IT FURTHER RESOLVED, that said petition is hereby approved, as recommended by the Mower County Planning Commission with conditions as follows:

1. A Zoning Permit and ISTS Permit must be obtained prior to construction.
2. The CUP shall become void on 12/31/08 if no construction has begun or the use has not been established. However, the County Board may extend the CUP for an additional twelve (12) months by a motion if the conditions are the same as the approved CUP.
3. The Petitioner shall be responsible for obtaining a 9-1-1 rural address from the Mower County Engineer and for obtaining proper signage for the property. Any and all costs associated with 9-1-1 addressing and signage are the responsibility of the Petitioner.
4. Owner must contact the Mower County SWCD regarding the Wetland Conservation Act and provide the County a copy of one of the following:
 - a. A "No Loss Determination" (no wetlands on site).
 - b. A "Wetland Exemption" (the act does not apply).
 - c. A "Wetland Replacement Plan" approval.

5. Owner must provide a copy to the County of an Erosion Control Plan for the site by working with the Mower County SWCD or by hiring a private contractor.
6. Petitioner must sign a "Rural and Agricultural Home Owners Assumption of Risk Assessment Form" and have it recorded at the Mower County Recorder's Office.

This permit is in accordance with Section 14-84.4 of the Mower County Zoning Ordinance.

Passed and approved this 1st of August, 2006.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

At this time a Public Hearing was held in regard to CUP #704 of Sandy Fredrickson to construct an additional dwelling in a wooded area. Daryl Franklin, Environmental Services Director, reviewed the request and Planning Commission recommendations.

No one spoke in favor of or in opposition to CUP #704.

Date: August 1, 2006

Res. #51-06

RESOLUTION

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 August 1, 2006 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #704 of Sandy Fredrickson, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

Construction of an additional dwelling on the property.

Location: S 494 ft. W ½ SE ¼ Exc. N 4 ft. W 404 ft. S 490 ft. SE ¼ SW ¼ ,
Section 34, Dexter Township, T103N R16W, Mower County,
Minnesota.

Notice having been duly given and a hearing held August 1, 2006, on said petition.

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board accepts and adopts the findings of fact of the Mower County Planning Commission in the five

required areas; and

BE IT FURTHER RESOLVED, that said petition is hereby approved, as recommended by the Mower County Planning Commission with conditions as follows:

1. A Zoning Permit and ISTS Permit must be obtained prior to construction.
2. The CUP shall become void on 12/31/08 if no construction has begun or the use has not been established. However, the County Board may extend the CUP for an additional twelve (12) months by a motion if the conditions are the same as the approved CUP.
3. The Petitioner shall be responsible for obtaining a 9-1-1 rural address from the Mower County Engineer and for obtaining proper signage for the property. Any and all costs associated with 9-1-1 addressing and signage are the responsibility of the Petitioner.
4. Owner must contact the Mower County SWCD regarding the Wetland Conservation Act and provide the County a copy of one of the following:
 - a. A "No Loss Determination" (no wetlands on site).
 - b. A "Wetland Exemption" (the act does not apply).
 - c. A "Wetland Replacement Plan" approval.
5. Owner must provide a copy to the County of an Erosion Control Plan for the site by working with the Mower County SWCD or by hiring a private contractor.
6. Petitioner must sign a "Rural and Agricultural Home Owners Assumption of Risk Assessment Form" and have it recorded at the Mower County Recorder's Office.

This permit is in accordance with Section 14-84.4 of the Mower County Zoning Ordinance.

Passed and approved this 1st of August, 2006.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

At this time a Public Hearing was held in regard to CUP #705 of FPL Energy to install a meteorological tower on the property. Daryl Franklin, Environmental Services Director, reviewed the request and Planning Commission recommendations.

No one spoke in favor of or in opposition to CUP #705.

Date: August 1, 2006

Res. #52-06

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 August 1, 2006 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #705 of FPL Energy, Petitioner, and Sue Dougan, Owner, and to be issued pursuant to the Mower County Zoning Regulations for:

Installation of a meteorological tower on the property.

Location: SW ¼ Exc. W 535 ft. S 570 ft. N 989 ft. & S ½ NW ¼ , Section 20, Bennington Township, T102N R14W, Mower County, Minnesota

Notice having been duly given and a hearing held August 1, 2006, on said petition.

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board accepts and adopts the findings of fact of the Mower County Planning Commission in the five required areas; and

BE IT FURTHER RESOLVED, that said petition is hereby approved, as recommended by the Mower County Planning Commission with conditions as follows:

1. Secure the necessary State, Federal or Local Permits.
2. Follow all applicable Federal and State safety and health regulations during construction process.
3. The CUP shall become void two years from the date of approval by the County Board if no construction has begun or the use has not been established.

This permit is in accordance with Section 14-51(d) of the Mower County Zoning Ordinance.

Passed and approved this 1st of August, 2006.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Motion by Commissioner Cummings, seconded by Commissioner Ellingson to approve the Sub-Recipient Reimbursement Agreement with the Hiawatha Valley Resource Conservation and Development Incentives for Small Feedlot Fixes –Project Implementation effective through June 30, 2008. Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Lang to approve the minutes of July 18, 2006. Motion carried.

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

Election Systems and Software	\$358,713.84
Aleta Christopherson	2,381.50
KKE Architects, Inc.	524.77
City of Austin	1,000.00

and to amend the 2006 budget increasing line item #01-013-6265 from \$1500 to \$3500. Motion carried.

Motion by Commissioner Lang, seconded by Commissioner Ellingson to approve the following bi-monthly bills for payment:

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
236.61	ADAMS DRUG	3746.75	ADAMS, RIZZI AND SWEEN
100.00	AMERICAN LEGION POST 146	100.00	AMERICAN LEGION POST 146 AUXIL
108.78	AUSTIN DRUG, INC	1120.48	AUSTIN MEDICAL CENTER ATTN:CAS
381.45	AUSTIN NEWSPAPERS, INC	101.33	AUSTIN POLICE DEPARTMENT
137.29	BIG K 3578	115.00	BJORKLUND COMPENSATION CONSULT
516.75	CARDINAL HEALTH	2000.00	CINEMAGIC THEATRE AUSTIN
440.00	CITY OF AUSTIN	5241.45	DARCAN
4081.99	DEVELOPMENT CORP OF AUSTIN	1859.21	DTI
176.00	FIRSTLAB INC.	805.80	FLEET SERVICES
275.71	FOX ELECTRIC COMPANY, INC	105.39	GALLS INC.
643.50	GAMES PEOPLE PLAY	1066.68	GOLD CROSS AMBULANCE SERVICE M
2822.50	HARTY MECHANICAL INC	733.99	HOLIDAY INN ST PAUL
1266.16	IBM CORPORATION	334.07	J & K WINONA
194.74	LASER PRODUCT TECHNOLOGIES INC	396.15	LEXISNEXIS MATTHEW BENDER
315.33	THE LIGHTING CONNECTION	450.00	ROSEMARY LINDERMAN
370.50	MARTIN BROS	3600.00	MCF - STILLWATER
210.00	MEDTOX DIAGNOSTICS INC	110.50	MELCHERT HUBERT SJODIN
714.36	METRO SALES, INC.	410.23	MINNESOTA COUNTIES INS TRUST
109.50	MINNESOTA COUNTY ATTORNEYS ASS	560.00	MINNESOTA COURT INTERPRETER PR
109.72	MINNESOTA ELEVATOR, INC	8380.18	MN DEPT EMPLOYMENT & ECONOMIC
16947.25	MN DEPT OF CORRECTIONS STS	2707.71	MN OFFICE OF ENTERPRISE TECHNO
7398.00	MOWER COUNTY SOIL & WATER CONS	545.00	NORTHLAND BUSINESS SYSTEMS
186.58	NICHOLAS OMAN	168.81	QWEST
8788.18	RATWIK, ROSZAK & MALONEY, ATTY	483.83	RS EDEN INC
675.44	SCHILLING SUPPLY COMPANY	128.00	DR. SCHMITT
119.03	SHOPKO STORE #141	180.00	ST. PAUL POLICE CANINE FOUNDAT
240.00	CJIS STATE OF MINN	495.00	SUBWAY ONALASKA
217.09	THIRD JUDICIAL DISTRICT PUBLIC	3552.13	UGS
157.30	ULTRAMAX	414.71	UNIFORMS UNLIMITED INC
180.00	UPPER MIDWEST TRANSLATORS & IN	144.84	WELLS FARGO FINANCIAL LEASING
4491.61	WEST GROUP		
	33 PAYMENTS LESS THAN \$100	1,830.67	
GENERAL FUND		\$94,499.28	* TOTAL

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

SOCIAL SERVICE FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
7580.84	DEVELOPMENT CORP OF AUSTIN		
	0 PAYMENTS LESS THAN \$100	.00	
SOCIAL SERVICE FUND		\$7,580.84	* TOTAL
ROAD & BRIDGE FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
180.86	AUSTIN NEWSPAPERS, INC	981.50	CRETEX CONCRETE PRODUCTS NORTH
72771.01	FLINT HILLS RESOURCES, LP	228.87	M-R SIGN COMPANY, INC.
239.49	MISSISSIPPI WELDERS SUPPLY CO.	289.75	PROLINE DIST., INC
173.39	QWEST	377.36	REED CONSTRUCTION INFORMATION
233.32	ROCHESTER PETROLEUM EQUIPMENT	351.97	SWANSTON EQUIPMENT CORPORATION
161.70	ULVEN'S ACE HARDWARE	980.31	ZARNOTH BRUSH WORKS, INC.
	7 PAYMENTS LESS THAN \$100	327.29	
ROAD & BRIDGE FUND		\$77,296.82	* TOTAL
SOLID WASTE/RECYCLING FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
23410.82	CEDAR VALLEY SERVICES, INC	5631.24	IVERSON HAULING
	5 PAYMENTS LESS THAN \$100	117.58	
SOLID WASTE/RECYCLING FUND		\$29,159.64	* TOTAL
BUILDING FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
1050.00	ADAMS, RIZZI AND SWEEN	4448.94	G & G HEATING AND AIR CONDITIO
346.25	A.G., INC STROBEL		
	0 PAYMENTS LESS THAN \$100	.00	
BUILDING FUND		\$5,845.19	* TOTAL
DITCH FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
195.00	RICHARD LICKTEIG	1470.00	MOWER COUNTY SOIL & WATER CONS
	0 PAYMENTS LESS THAN \$100	.00	
DITCH FUND		\$1,665.00	* TOTAL
FAMILY CONNECTIONS			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
220.00	AUSTIN MEDICAL CENTER ATTN:CAS		
	0 PAYMENTS LESS THAN \$100	.00	
FAMILY CONNECTIONS		\$220.00	* TOTAL
****	FINAL TOTAL.....	\$216,266.77	****

Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Lang to approve the Letter of Commitment of funds for the proposed Smith Hazard Mitigation Project in Adams, Minnesota. Motion carried.

Daryl Franklin, Director of Environmental Services, and Lowell Franzen, presented to the Board the Annual Feedlot Report.

Motion made by Commissioner Cummings, seconded by Commissioner Ellingson to authorize the chair to sign the 2006 Annual County Feedlot Officer and Performance Credit Report and 2007 County Feedlot Work Plan Form. Motion carried.

Motion made by Commissioner Ellingson, seconded by Commissioner Lang to approve the Contract for Residential Services placement facility with Clarinda Youth Corporation effective July 1, 2006 through June 30, 2007. Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Lang to authorize the County Engineer to order a 2007 Sterling Single Axle Truck Model #M7500 for \$70,045.12 and a 2007 Sterling Tandem Truck Model #LT9500 for \$114,204.21 for delivery and payment in budget year 2007. Motion carried.

Cheryl Corey, Convention and Visitor's Bureau and SMTA (Southern Minnesota Tourism Association) provided a summary of local tourism activities and who monetary support is utilized and made a request for continued funding in 2007. Ms. Corey's request was referred to the finance committee for review.

The chair declared a recess at 3:15 p.m. in order for the County Ditch Board to meet on an issue related to the Ditch #1 project.

The County Board meeting was reconvened at 3:35 p.m.

Motion by Commissioner Cummings, seconded by Commissioner Tucker to adjourn the meeting at 3:39 p.m. until August 15, 2006 at 8:30 a.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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