

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

November 7, 2006

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session November 7, 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

Rosie Ramos, Office Support Assistant in Human Services, was recognized as Employee of the Month.

Motion made by Commissioner Ellingson, seconded by Commissioner Cummings to award bids for the new public safety radio system and to approve an expenditure of \$1,246,488.21 of county funds as the Mower County share of the project. This expenditure includes the County share of the five bid parcels, FCC licensing fees, and software and server from MASYS.

Project Parcel	Low Bidder	Bid
Parcel One	Whitewater Wireless, Inc.	1,088,018.07
Parcel Two	Whitewater Wireless, Inc.	154,169.92
Parcel Three	Whitewater Wireless, Inc.	246,032.27
Parcel Four	Watson Furniture Group	26,802.14
Parcel Five	Whitewater Wireless, Inc.	214,345.28

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

At this time, a Public Hearing was held concerning the development of a proposed scope of an environmental assessment for a 161 kV substation.

A summary of the request was provided by Daryl Franklin, Environmental Services. The Planning Commission recommended approval of the request.

The Petitioner spoke on his own behalf stating that the scope of this project is similar to the December 2005 approved project for a 161 kV substation.

No one spoke for or against the project.

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to accept the scope of the environmental assessment for a proposed 161 kv high voltage line and substation to be constructed in Mower County as recommended by the Planning Commission, to authorize Horizon Wind Energy to proceed with the environmental assessment and to set a public hearing for the Horizon Wind Energy environmental assessment on December 26, 2006 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 Cummings, seconded by Commissioner Lang to approve the following miscellaneous bills for immediate payment:

KKE Architects \$2,731.00

Patrick Flanagan, Attorney 2,070.00

Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Cummings to approve the following list of surplus property for auction:

Quantity	Item	Department
1	Fiberglass truck topper	Sheriff
1	Storage box for truck bed	Sheriff
1	1994 Ford Aerostar van, red	Sheriff
1	1996 GMC Sierra pickup truck 4x4, green	Sheriff
1	1998 Chevrolet pickup truck 4x4, maroon	Sheriff
1	1987 Oldsmobile, grey	Sheriff
1	L-shaped desk	Human Services
1	Typewriter	Env. Services

Motion carried.

Motion made by Commissioner Lang, seconded by Commissioner Ellingson to approve the payment to Baudler Trust Account for the purchase of the Gary and Rose Groh flood buyout property in the amount of \$74,700.00 and for Baudler to complete the closing. Motion carried.

Motion made by Commissioner Ellingson, seconded by Commissioner Tucker to approve a contract amendment with Iverson Hauling for an additional \$218.40 per month effective December 1, 2006 to accommodate the increased recycling collection. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Ellingson to approve the minutes of October 24, 2006. Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Ellingson to approve the safe and sober contract grant for overtime reimbursement funding with the State of Minnesota, Public Safety and the Austin Police Department effective to September 30, 2007 and to authorize the County Sheriff to sign the agreement. Motion carried.

**Date: November 7, 2006**

**Res. #70-06**

**RESOLUTION**

On motion of Commissioner Ellingson, seconded by Commissioner Cummings, the following Resolution was unanimously passed and adopted at a meeting held November 7, 2006 at the Courthouse in Austin, Minnesota.

**BE IT RESOLVED;** That the resignation of Gene Muchow as Mower County Health Officer effective January 1, 2007 be accepted with regrets and thank Dr. Muchow for the 40 years of dedicated service;

Passed and approved this 7<sup>th</sup> day of November, 2006.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Cummings, seconded by Commissioner Lang to amend the 2006 data processing budget with an increase of \$4,984.08 for line item 01-061-000-0000-6409 from the reserve contingency for the purchase of software enhancement for the phone system. Motion carried.

Motion made by Commissioner Ellingson, seconded by Commissioner Cummings to amend the 2006 jail budget with an increase of \$920.50 for line item 01-251-000-0000-6302 from the reserve contingency for the repair of cabinetry. Motion carried.

Motion made by Commissioner Ellingson, seconded by Commissioner Lang to amend the 2006 county attorney's budget with an increase of \$1,719.37 for line item 01-091-000-0000-6302 from the attorney settlement funds in reserve for office equipment. Motion carried.

The Board recessed at 1:58 p.m.

The Board reconvened at 2:13 p.m.

The process of establishing a watershed district for the Cedar River was reviewed by Bev Nordby, Soil and Water Conservation District. The next step is for the County Board to approve a petition for the establishment of the watershed district pursuant to Minnesota Statute 103D.205.

**Date: November 7, 2006**

**Res. #71-06**

**RESOLUTION**  
**Petition for the Establishment of the**  
**Cedar River Watershed District**  
**Pursuant to Minnesota Statute 103D.205**

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 7, 2006 at the Courthouse, Austin, Minnesota.

WHEREAS, the undersigned Petitioners, pursuant to Minnesota Statutes Section 103D.205, hereby petition the Board of Water & Soil Resources for the establishment of a Watershed District, pursuant to Minnesota Statutes Chapter 103D.

**I.**

The name of the proposed Watershed District shall be the Cedar River Watershed District.

**II.**

That the proposed Cedar River Watershed District shall include the area set forth in the light green portion of the attached map, attached hereto as Exhibit A, which area contains approximately 278,540 acres or approximately 435 square miles, located in Mower, Freeborn, Steele and Dodge Counties, all in the State of Minnesota.

**III.**

The Cedar River Watershed has experienced an increase in damaging floods over the last 30 years. This watershed has gone through landuse changes that include urban development, intensive agricultural practices, accelerated storm water runoff and increased demands on drainage systems. These changes have resulted in degradation to water quality and major hydrologic changes subjecting the Cedar River to dangerous flash flooding during or following heavy rainfall events. Significant damaging floods have occurred twice in 1978, in 1993, 2000 and 2004. Each of those floods was worse than the previous flood. The September 2004 flood had a loss of 2 lives; damages in Freeborn and Mower County were estimated at 17 million in private and public property losses. According to the report for the water quality monitoring program on the Cedar in 2000 and 2001 shows the levels of fecal coliform and total suspended solids above state health standards. Monitoring is needed to further evaluate the Cedar and it's tributaries under various precipitations and flow conditions and determine the sources of fecal coliform and total suspended solids into the Cedar River.

A coordinated and focused effort to reduce flooding and improve water quality on the impaired Cedar River is needed in the 4 county areas.

Contemplated improvements in the watershed district would include the following:

1. Significant flood and peak flow reduction of 20% in the Cedar River and Dobbins Creek areas.

2. Prevention of structural damages in the watershed area during a 100-year 24 hour rainfall event.
3. Reduction of sediment loading in the watershed streams as a result of reduced flows and corresponding reduction in erosion of farmland and riverbanks. This will be accomplished by wetland restorations, installation of buffers and erosion control practices.
4. Reduction of nutrient loads to all streams in the watershed.
5. Protection and improvement of Township, County, City and State infrastructure resulting from reduced levels of flooding.
6. Protection of the Minnesota Department of Transportation Highway System including 218 and Interstate 90.

IV

Through the contemplated improvements listed above that include protection of public infrastructure, improvement of water quality and the reduction of peak flows, the formation of a watershed district would be conducive to public health and welfare and would accomplish the purposes of Minnesota Statutes Chapter 103D.

V.

The area of the proposed Watershed District is shown on the attached map labeled Exhibit A and is the area set forth in light green of Exhibit A.

VI.

The proposed number of managers for the proposed Watershed District is 7.

VII.

The list of nominees for the manager positions are as follows:

Name	Address	Phone
Mike G. Jones	141 Main Street Blooming Prairie, MN 55917	507-583-7573
Steven Kraushaar	86392 160 Street Glenville, MN 56036	507-437-1531
Rich Bergstrom	1203 4 <sup>th</sup> Avenue SE Austin, MN 55912	507-437-4232
Lee Bjorndal	108 North Main Street Austin, MN 55912	507-433-2393
Jim Gebhardt	31776 State Hwy 56 Waltham, MN 55982	507-477-2184
John Bungum	27199 570 <sup>th</sup> Avenue Austin, MN 55912	507-567-2299 507-437-5667

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Dan Regner	2015 7 <sup>th</sup> Avenue SE Austin, MN 55912	507-433-7018
Al Layman	24069 547 <sup>th</sup> Avenue Austin, MN 55912	507-437-1297
Dan Vermilyea	50245 275 <sup>th</sup> Street Austin, MN 55912	507-437-8457
Carol Mostrom	1902 25 <sup>th</sup> Street SW Austin, MN 55912	507-219-6722
Ken Penkava	50991 262 <sup>nd</sup> Street Austin, MN 55912	507-437-2675
Harlen Peck	52958 162 <sup>nd</sup> Street Austin, MN 55912	507-438-6688
Justin Hanson	708 15 <sup>th</sup> Street NE Austin, MN 55912	507-822-2344
<i>Dodge County nominee to be named later.</i>		

WHEREAS, the following petitioner, Mower County, who has more than 50% area within the proposed Watershed District, hereby petition the Board of Water & Soil Resources to establish the Cedar River Watershed District:

Passed and approved this 7<sup>th</sup> day of November, 2006.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Ellingson, seconded by Commissioner Tucker to adjourn the meeting at 2:22 p.m. until November 14, 2006 at 8:30 a.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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