

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

January 2, 2007

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session January 2, 2007 at 1:00 p.m. at the Courthouse in Austin, Minnesota.

All members present, viz: Dick Lang, Chair
Richard Cummings
Raymond Tucker
David Hillier
Dave Tollefson
Craig Oscarson, County Coordinator

Craig Oscarson, Clerk of the County Board, took nominations for Chairperson for 2007.

Motion by Commissioner Hillier, seconded by Commissioner Tucker to nominate Dick Lang as 2007 Chairperson. Motion carried.

The Clerk asked for further nominations and hearing none, Commissioner Cummings moved to cease nominations and cast a unanimous ballot for Commissioner Lang. Motion carried.

The Chair took nominations for Vice-Chairperson.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to nominate Richard Cummings as 2007 Vice-Chairperson. Motion carried.

The Chair asked for further nominations three times and hearing none, called for the question. Motion carried.

The Chair made the following 2007 Committee appointments:

Committee	Commissioner(s)
*SEMCAC	Tollefson/Lang
**Finance & Purchasing	Tucker/Lang
***Personnel	Hillier/Cummings
Buildings & Grounds	Cummings/Tollefson
Solid Waste	Hillier/Cummings
Planning	Tollefson/Hillier(alternate)
County Extension	Lang/Tucker
Court System	Hillier/Cummings

Airport & Zoning	Hillier/Lang
Law Library	Tucker
Water Quality Joint Powers Board	Hillier/Tollefson
Interstate Trail Committee	Hillier/Tucker
Community Health Services	Tollefson/Tucker(alternate)
EMS Joint Powers Board	Tucker
JT. PA Board (PIC)	Tucker
RC & D	Cummings
Austin Development Corporation	Lang
County Board of Health	All Commissioners
Road & Bridge Committee	All Commissioners
LEC Advisory Committee	Tollefson/Cummings
Ordinance Committee	Tucker/Tollefson
Family Connections	Hillier/Lang
Regional Housing	Lang/Cummings
SEMREX Joint Powers Board	Cummings
Austin Library Board (no vote)	Cummings
SCHSAC	Tollefson/Tucker (alternate)
City/County Joint Issues (monthly meeting)	Lang/Tucker
Transit Board (AMCAT)	Hillier/Tollefson
SWCD Board (no vote)	Tucker

Date: January 2, 2007

Res. #01-07

RESOLUTION

On motion of Commissioner Tucker, seconded by Commissioner Hillier, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 2, 2007 at the Courthouse, Austin, Minnesota.

BE IT RESOLVED, that the County Auditor-Treasurer be authorized to make the following expenditures from the County General Revenue Funds. Payment in full to be made for all appropriations under \$5,000.00. All appropriations over \$5,000.00 to be disbursed quarterly.

CATEGORY:
HUMAN SERVICES

SEMCAC	\$2,000.00
Lyle Senior Citizens.....	\$600.00
LeRoy Senior Citizens	\$600.00
Grand Meadow Senior Citizens	\$600.00
Brownsdale Seniors	\$600.00
Sargeant Seniors.....	\$600.00
Mower County Senior Citizens.....	\$10,000.00

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Mower County Senior Citizens -- Chore\$36,000.00

ENVIRONMENT & HOUSING

Mower County Soil & Water\$148,951.00
Agricultural Society\$20,000.00
Historical Society\$32,000.00
SEMN Water Resource Board\$3,300.00

ECONOMIC DEVELOPMENT

Development Corp. of Austin\$23,400.00
Development Corp. of Grand Meadow\$3,000.00
Development Corp. of LeRoy\$3,000.00
Development Corp. of Lyle\$600.00
Development Corp. of Adams\$1,200.00
Development Corp. of Brownsdale\$600.00
SEMN Initiative Fund\$1,000.00

CULTURE & RECREATION

Southern Minnesota Tourism\$500.00

Passed and approved this 2nd day of January, 2007.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion by Commissioner Hillier, seconded by Commissioner Cummings to allocate \$25,414.00 for minor repairs to the Mower County Agricultural Society, Historical Society and 4H payable in January. Motion carried.

Date: January 2, 2007

Res. #02-07

RESOLUTION

On motion of Commissioner Cummings, seconded by Commissioner Tucker, the following Resolution was unanimously passed and adopted at a meeting held January 2, 2007 at the Courthouse in Austin, Minnesota.

BE IT RESOLVED, by the Board of County Commissioners of Mower County, Minnesota to appoint the following persons as Mower County Delegates to the Association of Minnesota Counties for 2007: Commissioner David Hillier, Commissioner Ray Tucker, Commissioner Richard Cummings, Commissioner Dick Lang, Commissioner Dave Tollefson and County Coordinator Craig Oscarson. There are two vacancies for AMC Delegates,

which will be filled at a later date.

Passed and approved this 2nd day of January, 2007.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion by Commissioner Tucker, seconded by Commissioner Tollefson, the following fees were set for 2007 liquor license fees:

- | | | |
|----|-------------------|------------|
| 1. | On Sale | \$2,160.00 |
| 2. | Sunday On Sale | 240.00 |
| 3. | Wine | 240.00 |
| 4. | Bottle Club (C&D) | 240.00 |
| 5. | Beer On Sale | 72.00 |

Motion carried.

Date: January 2, 2007

Res. #03-07

RESOLUTION

On motion of Commissioner Cummings, seconded by Commissioner Tucker, the following Resolution was unanimously passed and adopted by the Mower County Board of Commissioners January 2, 2007 at a meeting at the Courthouse, Austin, Minnesota.

BE IT RESOLVED That the County Auditor-Treasurer be allowed to pay various incidental expenses including: utilities, telephone, juror and witness fees approved by the Court, request by a Judge for immediate payment, postage, license fees, jail food contract payments, payments for travel advances, costs associated with travel and conferences when pre-payment is required, credit card payments when necessary to avoid late penalties and charges, payments from the Canteen Fund not to exceed \$2,000 and only from the capital outlay line item, except in cases where the Auditor-Treasurer considers the sum to be excessive, in which case he shall file the bill for action by the County Board at its regular monthly meeting. All claims for reimbursement must be submitted to the County Auditor-Treasurer within 6 months of occurrence in order to qualify for payment.

BE IT FURTHER RESOLVED, that the County Auditor-Treasurer be allowed to pay partial contract payments provided a signed legal contract is on file, the department head supervising the contract has approved the payment for work completed and that the payment is not a final payment on a contract.

Passed and approved this 2nd day of January, 2007.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion by Commissioner Hillier, seconded by Commissioner Cummings to set the dangerous dog certificate fee for 2007 at \$150.00 per certificate. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to set the 2007 fireworks display permit fee at \$50.00. Motion carried.

The Board received the following quotes for 2007 legal newspaper:

Austin Daily Herald	\$3.35 per column inch
LeRoy Independent	\$2.55 per column inch
Austin Post Bulletin	18.87 per column inch

Motion by Commissioner Hillier, seconded by Commissioner Tucker to table the award for the 2007 legal newspaper to January 9, 2007 and refer to the County Attorney for review and opinion. Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Tucker to set the 2007 mileage reimbursement rate at forty cents (\$0.40) per mile and the finance committee is to review the reimbursement policy for possible modification. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to set the 2007 burning permit fee at \$15.00. Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Lang to adopt the following fees for the Environmental Services Department, effective January 1, 2007 and the finance committee is to review the fee for large cluster systems for board recommendation:

PLANNING PERMITS:

Conditional Use Permit Application – <i>PLUS</i>	\$500.00
Filing Fee	\$46.00
Variance Application – <i>PLUS</i>	500.00
Filing Fee	\$46.00
Rezoning Application – <i>PLUS</i>	500.00
Filing Fee	\$46.00
Change of Non-Conforming Use - <i>PLUS</i>	\$500.00
Filing Fee	\$46.00
Platting	500.00
Zoning Permit	30.00

DRINKING WATER ANALYSIS:

Nitrate & Bacteria	\$42.00
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Total Coliform	21.00
Nitrate-Nitrogen	21.00
Retest water	21.00
Out-of-County Water Test	53.00
County Water Test with collection	105.00
Fluoride Analyses	16.00

WASTE WATER ANALYSIS:

BOD	\$47.00
TSS	\$16.00
Fecal Coliform	\$21.00

ENVIRONMENTAL HEALTH PERMITS:

Permit to Construct Sewage Treatment System	\$500.00
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Feedlots

Yearly Fee (under 299 animal units)	\$ 42.00
Year Fee (over 300 animal units)	\$130.00

New Feedlot Fees

10 – 99 animal units	\$ 26.00
100 – 299 animal units	\$ 105.00
300 – 499 animal units	\$ 210.00
500 – 699 animal units	\$ 525.00
700 - 999 animal units	\$ 735.00
1,000 – 3,000 animal units	\$1,050.00

Tire Fees

13' – 15' Tire	\$ 2.00
16' – 18' Tire	\$ 4.00
19' – 21' Tire	\$ 7.00
Small Tractor Tire	\$15.00
Large Tractor Tire	\$30.00
Off-Road Tire	\$40.00

Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Tucker to set the 2007 tobacco license fee at \$75.00. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Hillier to authorize the Human Resource Director to fill the full-time position of heavy equipment operator at the Highway Department according to union contract and personnel policies. Motion carried.

The County Board will meet with area legislators on January 13, 2007 at the courthouse. The County Coordinator is to make the arrangements.

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

Fox Electric	\$ 2,400.00
Association of Minnesota Counties	14,730.00
Rural MN Energy Board	2,000.00
NACO	810.00

Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Hillier to amend the 2006 Auditor's budget increasing the expense of the election equipment adding sales tax in the amount of \$6,937.50 to the purchase. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Tollefson to approve the 2007 WestLaw contract for the County Attorney's office and authorize the County Attorney to sign the agreement. Motion carried.

The Board recessed at 1:47 p.m. and reconvened at 2:06 p.m.

Ann Hutton, SELCO Executive Director, and Ann Hokanson, Austin Public Library Director, appealed to the Board to support lobbying efforts for an increase in the Regional Public Library System Basic Support appropriation in the 2007 legislative sessions.

Date: January 2, 2007

Res. #04-07

RESOLUTION

On motion of Commissioner Tucker, seconded by Commissioner Cummings, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 2, 2007 at the Courthouse, Austin, Minnesota.

WHEREAS, the regional library systems in Minnesota have contributed to improvements in library operation and efficiencies in providing services to the entire population of the State of Minnesota; and

WHEREAS, the State of Minnesota has not increased Regional Library Basic System Support in over a decade; and

WHEREAS, the funding for regional library systems has increasingly fallen on local property tax dollars; therefore

BE IT RESOLVED, that the Mower County Board of Commissioners hereby requests its legislative representatives and the Governor to place a high priority on a substantial increase in the Regional Public Library System Basic Support appropriation during the 2007 legislative session; and

BE IT FURTHER RESOLVED, that the Mower County Board of Commissioners hereby requests that the Association of Minnesota Counties (AMC) join the Minnesota Library Association (MLA) in lobbying the Legislature for this increase during the 2007 legislative session.

Passed and approved this 2nd day of January, 2007.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion by Commissioner Hillier, seconded by Commissioner Cummings to enter closed session at 2:30 p.m. due to client/attorney privilege to discuss a proposed tax court settlement with K-mart Corporation. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Tollefson to reconvene the Special Session at 2:46 p.m. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Cummings to authorize the County Assessor to proceed with the proposed settlement for the K-Mart tax petition cases for assessment years 2002 – 2006 (File #C5-050562R). Motion carried.

The Board recessed at 2:47 p.m. and reconvened at 3:03 p.m.

On behalf of the Personnel Committee, Commissioner Hillier reviewed the employment history, job qualifications and performance of the County Attorney and the personnel committee's salary recommendation for the County Attorney.

Date: January 2, 2007

Res. #05-07

RESOLUTION

On motion of Commissioner Hillier, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 2, 2007 at the Courthouse, Austin, Minnesota.

BE IT RESOLVED THAT; the annual salary for elected official of County Attorney for Mower County, be set as follows for 2007:

County Attorney
as of 1/1/07\$77,742.00

Passed and approved this 2nd day of January, 2007.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

On behalf of the Personnel Committee, Commissioner Hillier reviewed the employment history, job qualifications and performance of the County Sheriff and the personnel committee's salary recommendation for the County Sheriff.

Date: January 2, 2007

Res. #06-07

RESOLUTION

On motion of Commissioner Hillier, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 2, 2007 at the Courthouse, Austin, Minnesota.

BE IT RESOLVED THAT; the annual salary for elected official of County Sheriff for Mower County, be set as follows for 2007:

County Sheriff
as of 1/01/07\$79,982.86
as of 1/06/07.....82,605.12

Passed and approved this 2nd day of January, 2007.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

On behalf of the Personnel Committee, Commissioner Hillier reviewed the employment history, job qualifications and performance of the County Recorder and the personnel committee's salary recommendation for the County Recorder.

Date: January 2, 2007

Res. #07-07

RESOLUTION

On motion of Commissioner Hillier, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 2, 2007 at the Courthouse, Austin, Minnesota.

BE IT RESOLVED THAT; the annual salary for elected official of County Recorder for Mower County, be set as follows for 2007:

County Recorder
as of 1/01/07.....\$64,133.47

Passed and approved this 2nd day of January, 2007.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

On behalf of the Personnel Committee, Commissioner Hillier reviewed the employment history, job qualifications and performance of the 2006 County Treasurer and the personnel committee's salary recommendation for the newly elected County Auditor-Treasurer.

Date: January 2, 2007

Res. #08-07

RESOLUTION

On motion of Commissioner Hillier, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 2, 2007 at the Courthouse, Austin, Minnesota.

BE IT RESOLVED THAT; the annual salary for elected official of County Auditor/Treasurer for Mower County, be set as follows for 2007:

County Auditor-Treasurer
as of 1/1/07.....\$60,078.51

Passed and approved this 2nd day of January, 2007.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

The County Coordinator requested that the 2006 personnel committee continue in their capacity for the sole purpose of union negotiations that have commenced. The Chair approved the request and added this to the 2007 Committee appointments.

Motion by Commissioner Tollefson, seconded by Commissioner Hillier to adjourn the meeting at 3:20 p.m. until January 9, 2007 at 8:30 a.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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