

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

January 23, 2007

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session January 23, 2007 at 8:30 a.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

**GENERAL:**

Report by Kathy Stutzman on Visitation Center planning process and application for implementation funds.

Staff gave an out of home placement report.

Discussion on joining with Fillmore, Houston and Winona Counties to share in the cost of a feasibility study regarding County –Based Purchasing. The total cost of the study would be \$30,000, to be split equally.

Commissioner Cummings moved and Commissioner Hillier seconded to share the cost of the feasibility study regarding County-Based Purchasing with Fillmore, Houston and Winona Counties. Motion carried.

Commissioner Hillier moved and Commissioner Tollefson seconded to approve a contract amendment with Cedar House, Inc., to purchase Children's Mental Health Targeted Case management and Child Welfare Targeted Case Management. Motion carried.

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

- a. Austin Medical Center – renew contract for Chemical Dependency Treatment Services, effective January 1, 2007 to December 31, 2007
- b. Wapiti Meadows CT&S – renew contract for Employment Services to Child Support, effective January 1, 2007 to December 31, 2007.
- c. Workforce Development, Inc. - renew contract for Employment Services to Child Support, effective January 1, 2007 to December 31, 2007.

Motion carried.

Commissioner Cummings moved and Commissioner Hillier seconded to approve funding for Assessment #16588543 to receive sheltered employment services from Cedar Valley Services with funding from mental health funds. Motion carried.

Commissioner Hillier moved and Commissioner Tollefson 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.

Commissioner Hillier moved and Commissioner Cummings seconded to authorize the Chair to sign a Memorandum of Understanding with the U.S. Department of Justice, Office of Violence Against Women, regarding a development grant for a visitation center. Motion carried.

**SOCIAL SERVICE ACTIONS:**

**Date: January 23, 2007**

**Res. #11-07**

**RESOLUTION**

On motion of Commissioner Cummings, seconded by Commissioner Tollefson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 23, 2006 at the Courthouse in Austin, Minnesota.

WHEREAS, the Director of Human 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, social service case plans, purchase of services abstract, payment authorizations, and payment records for the period January 1, 2006 through January 31, 2006 are hereby approved.

WHEREAS, the Director of Human 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 January 2006 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 Human Services for Mower County has been advised that all Social Service and Income Claims against Mower County submitted for payment in the

month of January 2006 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 Income Maintenance 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: Dave Tollefson aye, David Hillier aye, Ray Tucker aye, Richard P. Cummings aye, and Richard Lang aye.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**INCOME MAINTENANCE ACTIONS:**

**Date: January 23, 2007**

**Res. #12-07**

**RESOLUTION**

On motion of Commissioner Hillier, seconded by Commissioner Cummings, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 23, 2007, at the Courthouse in Austin, Minnesota.

WHEREAS, the Director of Human 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 Maxis State computer system for the period January 1, 2007 through January 31, 2007 are hereby approved.

BE IT FURTHER RESOLVED, That all assistance payments issued during the month of January 2007 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 in the Mower County Human Services Department, are hereby approved for payment.

BE IT FURTHER RESOLVED, That all personnel actions for the month of January 2007 for employees of the Department of Human Services as documented in the Department Payroll Reports and Personnel Action Reports, are hereby approved.

BE IT RESOLVED, That all refunds received during the month of January 2007 as listed on the Report of Refunds and Cancellation, are hereby acknowledged as received.

The Commissioners voted as follows: Dave Tollefson aye, David Hillier aye, Ray Tucker aye, Richard P. Cummings aye, and Richard Lang aye.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Cummings, seconded by Commissioner Tucker to approve the UCare Minnesota amendment to Exhibit B2 which updates the 2007 reimbursement rate for Care Coordination Services with Mower County Community Health services for the Minnesota Senior Health Options (MSHO) program. Motion carried.

Margene Gunderson, Director of Community Health Services updated the Board on Mower County Continuity of Operations Planning for Pandemic Flu.

Motion by Commissioner Tucker, seconded by Commissioner Cummings to approve a Cooperative Construction Agreement No. 90480 in regard to bridge rehabilitation construction on eleven bridges in Mower County. Motion carried.

**Date: January 23, 2007**

**Res. #13-07**

**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 23, 2007, at the Courthouse in Austin, Minnesota.

**WHEREAS**, Mower County has determined that Bridge 6658 in Section 2 of Austin 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.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: January 23, 2007**

**Res. #14-07**

**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 23, 2007, at the Courthouse in Austin, Minnesota.

**WHEREAS:** Transportation enhancement projects receive federal funding from the Surface Transportation Program (STP) of the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

**WHEREAS:** The Federal Highway Administration (FHWA) requires that states agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right of way or property ownership acquired without prior approval from the FHWA; and

**WHEREAS:** The Federal Highway Administration (FHWA) requires applicants to provide a minimum of 20% match of the estimated cost of proposed projects.

**WHEREAS:** The Minnesota Department of Transportation (Mn/DOT) has determined that for projects implemented with enhancement funds, these above requirements should be applied to the project sponsor; and

WHEREAS: Mower County is the project sponsor for the transportation enhancements project identified as *Roosevelt Bridge Restoration Project*.

BE IT RESOLVED THAT Mower County will act as sponsoring agency for a "Transportation Enhancements" project identified as *Roosevelt Bridge Restoration Project* and acknowledges herewith that it is willing to be the project sponsor; and accepts responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations, including a commitment to secure and guarantee the local share of a minimum of 20% of the costs of this project.

BE IT FURTHER RESOLVED THAT the project sponsor hereby agrees to assume full responsibility for the operation and maintenance of property and facilities related to the aforementioned enhancement project. The project sponsor also agrees to assume full responsibility for the preparation and submittal of necessary project plans, specifications and bid documents on or before April 15 of the project year

BE IT FURTHER RESOLVED THAT the primary contact shall be Michal J. Hanson, County Engineer and is hereby authorized to act as agent on behalf of this applicant.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Cummings, seconded by Commissioner Tucker to set a letting date of February 26, 2007 at 1:00 p.m. for seasonal bids. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Cummings to set a letting date of February 26, 2007 at 1:00 p.m. in regard to SAP 50-597-005 and SAP 50-607-033. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Tollefson to approve outside electrical upgrades at the Mower County Fairgrounds property with the portion of the cost of work that exceeds the budgeted amount for the electrical work to be paid from funds budgeted for a four seasons dining facility. The approval is for funds in an amount not to exceed \$66,280 including costs associated with Austin Utilities. Any cost over \$32,830 shall result in a reduction of the 4 Seasons project budget in the same amount Motion carried.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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Motion by Commissioner Cummings, seconded by Commissioner Tucker to approve amending the Sheriff's radio project to include two dispatch consoles instead of one and a half and to remove a wall to accommodate the consoles contingent upon approval and cost sharing at 50% by the City of Austin. Motion carried.

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

Motion by Commissioner Tucker, seconded by Commissioner Hillier to approve a tentative labor agreement between Mower County and Law Enforcement Labor Services Local #81 effective January 1, 2007 through December 31, 2009. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Hillier to approve a tentative labor agreement between Mower County and Law Enforcement Labor Services Local #74 effective January 1, 2007 through December 31, 2009. Motion carried.

The Chair appointed Commissioner Hillier to the Apex Austin Committee.

Motion by Commissioner Hillier, seconded by Commissioner Tucker to approve the minutes of December 26, 2006 and January 2, 2007. Motion carried.

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

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
275.84	SALLY ANDERSON	110.69	ASSEMBLED PRODUCTS CORPORATION
162.08	TRUCK AUSTIN AUTO	2510.86	AUSTIN MEDICAL CENTER ATTN:CAS
128.26	AUSTIN NEWSPAPERS, INC	183.92	AUSTIN VETERINARY CLINIC
225.00	TRAINING BCA	235.72	BIG K 3578
2020.28	CEDAR VALLEY SERVICES, INC	17752.52	CITY OF AUSTIN
395.00	CLASEN-JORDAN MORTUARY	2831.57	DANIEL DONNELLY LAW FIRM
316.43	EMERGENCY AUTOMOTIVE TECHNOLOGY	1856.25	EVANS PRINTING AND PUBLISHING,
317.85	FISHER SCIENTIFIC COMPANY	809.62	FLEET SERVICES
3621.37	FOLDTEX	3447.41	FOX ELECTRIC COMPANY, INC
182.71	FREEBORN-MOWER COOPERATIVE SER	173.22	GALLS INC.
540.00	SALLY GARRY	2884.77	GOLD CROSS AMBULANCE SERVICE M
585.28	JOHN GRASS	432.73	HANSON TIRE SERVICE, INC. AUST
830.05	HARTY MECHANICAL INC	132.00	CAMPOS HERRERA
166.40	GEORGETTE HINKEL	574.25	HOLIDAY CARS, INC.
742.53	J & K WINONA	452.33	JAKOBSON DRUG & HALLMARK SHOP
14950.00	JONES, HAUGH & SMITH, INC.	162.00	RAQUEL KAHLE
3589.32	KEY GOVERNMENT FINANCE, INC.	216.32	MEGHAN LAMP
622.41	LANGUAGE LINE SERVICES	100.06	LASER PRODUCT TECHNOLOGIES INC
926.24	LEXISNEXIS MATTHEW BENDER	111.83	THE LIGHTING CONNECTION
471.37	MARTIN BROS	30432.38	MASYS CORPORATION
957.56	MEDGAARDEN'S SOUTHWEST SALES,	226.60	MEDTOX LABORATORIES INC
493.71	MEDTRONIC EMERGENCY RESPONSE S	1245.30	MELCHERT HUBERT SJODIN
1022.62	METRO SALES, INC.	106.76	MIDTOWN AUTO CLINIC
93560.93	MINNESOTA COUNTIES COMPUTER CO	2508.00	MINNESOTA COUNTY ATTORNEYS ASS
117.40	MINNESOTA ELEVATOR, INC	112.36	MOLINE AWARDS
249.60	DOUG MYERS	188.16	TROY NELSON
200.00	GARY NYQUIST	105.00	OLMSTED COUNTY ADULT DENTENTIO
791.25	PLUNKETT & ASSOCIATES INC	175.74	PRESTO-X-COMPANY INC
525.44	QWEST DENVER	1509.15	RADISSON PLAZA HOTEL ROCHESTER

**COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA**

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3330.00 RS EDEN INC	5000.00 S. E. M. N. T. F
124.80 DR SCHIECK	302.89 SCHILLING SUPPLY COMPANY
158.40 DR SCHINDLER	24180.00 SHERIFF MITCHELL COUNTY
138.19 SHOPKO PHARMACY	174.82 SMYTH COMPANIES INC
176.43 STAPLES CREDIT PLAN	275.20 GAIL SUBRA
160.00 KATIE SUBRA	226.56 BILL SWEETSER
4933.50 UNIV OF MINN EXTENSION	572.80 DAN VERMILYEA
1475.38 VWR SCIENTIFIC	350.72 WELLS FARGO FINANCIAL LEASING
7327.57 WEST GROUP	133.97 WHITEWATER WIRELESS, INC ROCHESTER
37 PAYMENTS LESS THAN \$100	1,764.71
GENERAL FUND	\$251,380.39 * TOTAL

SOCIAL SERVICE FUND	
AMOUNT	VENDOR NAME
119.19	FOX ELECTRIC COMPANY, INC
0 PAYMENTS LESS THAN \$100	.00
SOCIAL SERVICE FUND	\$119.19 * TOTAL

ROAD & BRIDGE FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
939.33	ABOVE ALL CLEANING, INC	439.98	EARL ANDERSEN, INC.
332.24	CCP INDUSTRIES INC	2230.00	CHOSEN VALLEY TESTING, INC
197.90	CINTAS FIRST AID & SAFETY	347.49	DAVE'S PLUMBING & HEATING
545.28	DEXTER LP, INC	4152.50	ERICKSON ENGINEERING
1800.50	CHARLES FAWVER	153.95	THOMAS FOX
1750.00	STEVEN GLEASON	497.93	HIGH FOREST BOBCAT SERVICE
280.97	J & K WINONA	3510.00	JONES, HAUGH & SMITH, INC.
240.09	KESTNER ELECTRIC, INC.	178.83	LEEF BROS., INC.
560.78	LITTLE FALLS MACHINE, INC.	3686.12	M-R SIGN COMPANY, INC.
207.62	MATCO TOOLS	3289.00	MIDWEST DOOR INC
171.96	MISSISSIPPI WELDERS SUPPLY CO.	314.78	NAPA AUTO PARTS
125.44	ON SITE SANITATION	2711.06	PAULSON ROCK PRODUCTS
365.19	PROLINE DIST., INC	1077.09	PROSOURCE TECHNOLOGIES, INC
173.40	QWEST DENVER	1750.00	JERRY REINARTZ
790.17	ROCHESTER PETROLEUM EQUIPMENT	270.47	SPRAY CONTROL SYSTEMS, INC.
597.48	STATE OF MINNESOTA,	103.03	DAVE SYVERSON FORD
200.00	JEFF ZWIENER	355.19	
9 PAYMENTS LESS THAN \$100		\$34,345.77	* TOTAL
ROAD & BRIDGE FUND			

SOLID WASTE/RECYCLING FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
349.00	AUSTIN NEWSPAPERS, INC	23714.57	CEDAR VALLEY SERVICES, INC
977.00	GREENMAN TECHNOLOGIES OF MINN.	5468.40	IVERSON HAULING
316.50	MINNESOTA SUPPLY COMPANY	1300.00	SEMREX
1018.48	WASTE MANAGEMENT OF SO MINNESOTA	102.34	ZEE MEDICAL SERVICE
4 PAYMENTS LESS THAN \$100		125.62	
SOLID WASTE/RECYCLING FUND		\$33,371.91	* TOTAL

BUILDING FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
899.83	LYLE LUMBER	.00	
0 PAYMENTS LESS THAN \$100		\$899.83	* TOTAL
BUILDING FUND			

DITCH FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
1000.00	BOE BROTHERS TILING, INC	.00	
0 PAYMENTS LESS THAN \$100		\$1,000.00	* TOTAL
DITCH FUND			

FAMILY CONNECTIONS			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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130.00 LAURA RAMIREZ  
0 PAYMENTS LESS THAN \$100 .00  
FAMILY CONNECTIONS \$130.00 \* TOTAL

TAX COLLECTIONS FUND  
AMOUNT VENDOR NAME AMOUNT VENDOR NAME  
1 PAYMENTS LESS THAN \$100 34.85  
TAX COLLECTIONS FUND \$34.85 \* TOTAL  
\*\*\*\* FINAL TOTAL..... \$321,281.94

Motion carried.

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

SEMCAC	\$1,500.00
Faegre & Benson, LLP	882.04

Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Tucker to approve a Memorandum of Understanding with the University of Minnesota for Extension Services effective January 1, 2007 through December 31, 2007. Motion carried.

The Board was notified of an Appeal in the matter of the setting of the budget and salaries for the Office of the County Auditor-Treasurer of Mower County.

Motion by Commissioner Cummings, seconded by Commissioner Tucker to hire Scott Anderson as legal counsel in regard to the Notice of Appeal in the matter of the setting of the budget and salaries for the Office of the County Auditor-Treasurer. Motion carried.

**Date: January 23, 2007**

**Res. #15-07**

**RESOLUTION**

On motion of Commissioner Cummings, seconded by Commissioner Tollefson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 23, 2007, at the Courthouse in Austin, Minnesota.

**WHEREAS**, U.S. Code of Federal Regulations, Title 42, Part 435.1008 states that federal financial participation (FFP) is not available in expenditures for services provided to individuals who are inmates of public institutions, and

**WHEREAS**, States being unable to assume the federal share of providing medical services to FFP eligible persons being held in county jails and detention facilities, tend to terminate or sometimes suspend eligibility, and

**WHEREAS**, this immediate cessation of benefits occurs prior to the issuance of formal charges or conviction, and

**WHEREAS**, counties must provide medical services to all persons incarcerated in local jails and detention facilities, and

**WHEREAS**, as the result of this regulation to immediately cease FFP for medical benefits, all costs of medical care must be borne solely by counties.

**NOW THEREFORE BE IT RESOLVED** that the Mower County Board of Commissioners requests and strongly urges Congress to amend necessary federal statutes to allow federal financial participation for medical benefits to incarcerated individuals until convicted and sentenced to secure detention.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Tucker, seconded by Commissioner Hillier to deny the request for Abatement of Penalties and Interest of Lisa Moringo for taxes payable in 2006 in regard to property identification number 27-006-0080. Motion carried.

The Chair appointed Commissioner Ray Tucker to the Rural Minnesota Energy Board for 2007.

Discussion took place in regard to concerns with BWSR changing the boundaries of the proposed Cedar River Watershed District without prior notification to landowners not previously included in the proposed watershed district. The Board directed the County Coordinator to call BWSR to relay their concerns.

Motion by Commissioner Tucker, seconded by Commissioner Hillier to adjourn the meeting at 11:47 a.m. until February 6, 2007 at 1:00 p.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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