

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

May 8, 2007

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session May 8, 2007 at 8:30 a.m. at the Courthouse in Austin, Minnesota.

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

**GENERAL:**

Discussion was held in regard to DHS efforts to improve payment accuracy in the Food Support Program and additional administrative burden being placed on Mower County as a result of high program participation.

Commissioner Cummings moved and Commissioner Tucker seconded to authorize the Chair to sign a letter to Commissioner Ludeman requesting partial relief from unfunded mandates related to the Food Support Program payment accuracy improvement project, with copies to State and Federal representatives. Motion carried.

Commissioner Tucker moved and Commissioner Tollefson seconded to authorize the Chair to sign a letter of appreciation to all County foster parents in recognition of the Governor's Proclamation that May is Foster Parent Recognition Month in Minnesota. 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 – Mayo Health System – renew contract for Home Health Services, effective October 1, 2006 to June 30, 2008.
- b.     Workforce Development, Inc. – approve amendment to change the total allowed for payments, effective January 1, 2007 to December 31, 2007.

Motion carried.

Commissioner Tucker 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.

**SOCIAL SERVICE ACTIONS:**

Commissioner Cummings moved and Commissioner Tucker seconded to approve the Social Service Actions. Motion carried.

**INCOME MAINTENANCE ACTIONS:**

Commissioner Tucker moved and Commissioner Cummings seconded to approve the Income Maintenance Actions. Motion carried.

Brian Thiele, Charlie Robinson and Doug Vandenoever of Prairie Visions made a presentation to the Board in regard to the Shooting Star Trail.

Motion by Commissioner Cummings, seconded by Commissioner Tucker to authorize filling a vacant deputy sheriff position. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to approve the minutes of April 24, 2007 and May 1, 2007. Motion carried.

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

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
338.11	ADAMS DRUG	150.00	ADAMS FUNERAL HOME
2485.50	ADAMS, RIZZI AND SWEEN	139.32	ADVANCE AUTO PARTS
3601.71	AMERICAN SOLUTIONS FOR BUSINES	135.41	AUSTIN FORD LINCOLN-MERCURY
447.66	AUSTIN NEWSPAPERS, INC	290.00	BAUDLER, BAUDLER, MAUS, BLAHNIK
238.98	BIG K 3578	1193.06	CARDINAL HEALTH
978.62	CDW GOVERNMENT, INC.	170.70	DASH MEDICAL GLOVES INC.
4081.99	DEVELOPMENT CORP OF AUSTIN	2460.39	DANIEL DONNELLY LAW FIRM
172.25	EMERGENCY AUTOMOTIVE TECHNOLOGY	412.03	FOX ELECTRIC COMPANY, INC
2640.00	FREEBORN COUNTY DAULT DETENTIO	115.97	GALLS INC.
167.80	MIGUEL GARATE	900.00	SALLY GARRY
279.61	HACH COMPANY	678.53	HANSON TIRE SERVICE, INC. AUST
494.98	HARTY MECHANICAL INC	167.88	HOLIDAY INN ST CLOUD
1243.21	J & K WINONA	411.08	JAKOBSON DRUG & HALLMARK SHOP
689.91	LASER PRODUCT TECHNOLOGIES INC	254.01	THE LIGHTING CONNECTION
140.00	ROSEMARY LINDERMAN	330.00	MAAO
696.90	MARTIN BROS	153.15	MEDIBADGE
11055.31	METRO SALES, INC.	177.24	MIDTOWN AUTO CLINIC
145.00	MINNESOTA COUNTY ATTORNEYS ASS	2728.00	MINNESOTA ELEVATOR, INC
100.00	MITCHELL COUNTY REGIONAL HEALT	2722.29	MN OFFICE OF ENTERPRISE TECHNO
11198.00	MOWER COUNTY SOIL & WATER CONS	1005.03	NORTH CENTRAL LABORATORIES
187.50	MARIA PENNA	394.00	RADIOLOGISTS OF NORTH IOWA PC
1732.46	RATWIK, ROSZAK & MALONEY, ATTY	460.00	RED WING SERVICE COMPANY, INC.
504.28	SCHILLING SUPPLY COMPANY	128.00	DR. SCHMITT
1075.65	SERVICEMASTER CLEAN	270.00	SHERIFF FREEBORN COUNTY
930.81	DON STREICHER GUNS	269.71	TIGERDIRECT
691.22	UNIFORMS UNLIMITED INC	922.76	VWR SCIENTIFIC
3725.00	WAGNER CONSTRUCTION CO	447.52	WELLS FARGO FINANCIAL LEASING
	24 PAYMENTS LESS THAN \$100	940.49	
GENERAL FUND		\$68,469.03	* TOTAL

SOCIAL SERVICE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
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COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

7580.84 DEVELOPMENT CORP OF AUSTIN				
0 PAYMENTS LESS THAN \$100			.00	
SOCIAL SERVICE FUND			\$7,580.84	* TOTAL
MOWER COUNTY TRANSIT-PUBLIC TRANSP.				
AMOUNT	VENDOR NAME		AMOUNT	VENDOR NAME
510.00	ALLEN PAULSON			
0 PAYMENTS LESS THAN \$100			.00	
MOWER COUNTY TRANSIT-PUBLIC TRANSP.			\$510.00	* TOTAL
ROAD & BRIDGE FUND				
AMOUNT	VENDOR NAME		AMOUNT	VENDOR NAME
939.33	ABOVE ALL CLEANING, INC		1095.00	AMERICAN RED CROSS AUSTIN
1971.36	EARL ANDERSEN, INC.		172.00	AUSTIN MEDICAL CENTER ATTN:CAS
186.37	AUSTIN POWER AND EQUIPMENT		316.03	AUTO VALUE AUSTIN
129.76	CATCO PARTS AND SERVICE		265.95	CINTAS FIRST AID & SAFETY
429.09	COMMISSIONER OF TRANSPORTATION		670.00	DAMEL CORPORATION
115.21	FORESTRY SUPPLIERS, INC.		319.37	H & L MESABI
273.83	HANSON TIRE OF AUSTIN INC		299.05	INTERSTATE BATTERY SYSTEMS OF
6382.50	IOWA PRISON INDUSTRIES		30879.68	J-CRAFT
354.95	K & K FABRICATION, INC		178.42	LEEF BROS., INC.
2478.11	M-R SIGN COMPANY, INC.		179.60	MID CON SYSTEMS, INC.
265.66	MISSISSIPPI WELDERS SUPPLY CO.		401.00	MOWER COUNTY SHOPPER
195.98	SHOPKO		242.98	WOODRUFF COMPANY
666.52	ZACK'S, INC.		1202.49	ZARNOTH BRUSH WORKS, INC.
10 PAYMENTS LESS THAN \$100			438.39	
ROAD & BRIDGE FUND			\$51,048.63	* TOTAL
SOLID WASTE/RECYCLING FUND				
AMOUNT	VENDOR NAME		AMOUNT	VENDOR NAME
375.00	WALLACE BUSTAD		611.00	NEDLAND INDUSTRIES INC.
3 PAYMENTS LESS THAN \$100			135.86	
SOLID WASTE/RECYCLING FUND			\$1,121.86	* TOTAL
DITCH FUND				
AMOUNT	VENDOR NAME		AMOUNT	VENDOR NAME
2170.00	BOLTON & MENK INC.		3125.65	MOWER COUNTY SOIL & WATER CONS
0 PAYMENTS LESS THAN \$100			.00	
DITCH FUND			\$5,295.65	* TOTAL
FAMILY CONNECTIONS COLABORATIVE				
AMOUNT	VENDOR NAME		AMOUNT	VENDOR NAME
50000.00	AUSTIN SCHOOL DIST 492			
0 PAYMENTS LESS THAN \$100			.00	
FAMILY CONNECTIONS COLABORATIVE			\$50,000.00	* TOTAL
****	FINAL TOTAL.....		\$184,026.01	****

Motion carried.

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

Double Radius, Inc.	\$ 19,985.62
New Dimension Home Electronics	250.00
Wagner Construction Company	1760.00

Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Tollefson to approve pay application #1 in the amount of 26,620.35 for Parcel #1 in regard to the Mower County Radio Project. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Tollefson to set a public hearing for June 5, 2007 at 1:30 p.m. in regard to the Environmental Assessment Worksheet (EAW) for Seven Springs III subdivision. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to approve payment to the Baudler Trust Account in the amount of \$261,000 for the buyout of flood property owned by Ronald M. and Alicia J. Smith. Motion carried.

**Date: May 8, 2007**

**Res. #41-07**

**RESOLUTION**

On motion of Commissioner Cummings, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held May 8, 2007, at the Courthouse in Austin, Minnesota.

**BE IT RESOLVED** that Mower County enter into an Agreement with the Minnesota Department of Transportation for the Distribution of Federal Transit Administration Section 5309 Capital Investment Program Bus & Related Facilities Funds; and

**BE IT ALSO RESOLVED** that said Agreement is known as Mn/DOT Grant #87009 for FTA project MN-03-0095, commonly known as the AMCAT Transportation Facility Grant; and

**BE IT ALSO RESOLVED** that Mower County agrees to provide twenty (20) percent of the total capital cost of the project from local funds; and

**BE IT ALSO RESOLVED** that authorization to execute the aforementioned Agreement and any amendments thereto is hereby given to the County Coordinator; and

**BE IT ALSO RESOLVED** that the County Coordinator is hereby authorized to execute requests for reimbursement to the Minnesota Department of Transportation.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Cummings, seconded by Commissioner Tucker to approve the request for out-of-state travel for an Assistant County Attorney for a training seminar

titled "Prosecutor Boot Camp" provided by the National District Attorney Association.  
Motion carried.

At this time, a Public Hearing was held in regard to CUP #721 of Renewable Energy Systems Americas, Inc. to construct a meteorological tower on the property.

Representatives of Renewable Energy Systems Americas, Inc. were present and spoke in regard to proposed conditions to address concerns about visibility of the tower from aircraft.

One person spoke in appreciation of the efforts made to address visibility concerns. One Sergeant Township official spoke in favor of CUP #721. There was no further speaking for or against CUP #721.

Motion by Commissioner Cummings, seconded by Commissioner Tollefson to amend the motion of May 1, 2007 in regard to CUP #721 by striking Condition 6 requiring red lights and buoys on the guy wires and to replace with a new conditions requiring painting the top of half of the tower in alternating red and white sections, placing plastic sleeves on guy wires and equipping the tower with a night time flashing red light. Motion carried.

**Date: May 8, 2007**

**Res. #42-07**

**RESOLUTION**

On motion of Commissioner Cummings, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held May 8, 2007 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #721 of Renewable Energy Systems Americas, Inc., Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

To construct a meteorological tower on the property.

Location: All that part of the Old Chicago & Northwestern Railroad right-of-way across the NW ¼ and E of Railroad right-of-way, Section 32, Sargeant Township, T104N R16W, Mower County, Minnesota.

Notice having been duly given and a hearing held May 1, 2007 and continued to May 8, 2007, 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.
4. Petitioner 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. The permit is based upon representation given by the applicant during the hearing process and any misrepresentation presented in this process may be grounds for revoking the permit.
6. To provide visibility to aircraft the Petitioner shall be required to paint the top half of the tower alternating red and white in ten foot segments, fit each outside guy wire with a 20 foot long red and white plastic sleeve centered at 164 feet, and equip the top of the tower with a night-time flashing red light.

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

Passed and approved as amended this 8<sup>th</sup> day of May, 2007.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to extend the time limit on Condition #5 of CUP #642 of Kim and Deborah Wilson for twelve months. The extension is effective until May 8, 2008 or the permit shall become void if no construction has begun or the use has not been established. Motion carried.

Leonard Koehnen, PE, Consulting Engineer provided an update to the Board on the Mower County Radio Project.

Motion by Commissioner Tucker, seconded by Commissioner Cummings to adjourn the meeting at 11:10 a.m. to the County Ditch Board at 11:30 a.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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