

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

July 10, 2007

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session July 10, 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:**

Review of legislative changes regarding human services.

Commissioner Tucker moved and Commissioner Tollefson seconded to revise the Mower County foster parent respite day policy by increasing the number of authorized respite days based on length of service of the foster parent and the difficulty of care of the child, and to authorize reimbursement of an additional 28 days for the Heimer foster home in accordance with the new policy. Motion carried.

Preliminary projections for the operation of a county-based purchasing entity composed of Mower, Winona, Houston and Fillmore Counties.

DHS response to recent letters of concern regarding the Fraud Program and the Food Support Program.

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

**INCOME MAINTENANCE ACTIONS:**

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

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

---

Motion by Commissioner Tollefson, seconded by Commissioner Cummings to approve the minutes of June 26, 2007 and June 26, 2007 Board of Equalization. Motion carried.

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

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
424.84	ADAMS DRUG	195.20	MICHAEL ADAMS
307.20	ALBERT LEA TRIBUNE	100.00	AMERICAN LEGION OF LEROY POST
100.00	AMERICAN LEGION POST #140	200.00	AMERICAN LEGION POST 146 ADAMS
100.00	AMERICAN LEGION POST 146 AUXIL	100.00	AMERICAN LEGION POST 161 AUXIL
420.60	ARROWWOOD RESORT & CONFERENCE	120.00	AUSTIN GED TEST CENTER
1007.40	AUSTIN MEDICAL CENTER ATTN:CAS	344.40	AUSTIN NEWSPAPERS, INC
305.00	BAUDLER, BAUDLER, MAUS, BLAHNIK	297.60	MYLES BENDTSEN
347.86	BIG K 3578	1115.13	BOB BARKER COMPANY INC.
230.72	KARLA BOE	832.48	BREEZY POINT RESORT
307.25	BUDGET OIL CO	1370.51	CARDINAL HEALTH
265.98	CATCO PARTS AND SERVICE	897.15	CDW GOVERNMENT, INC.
147.00	CITY CAR WASH	164.79	CULLIGAN WATER TREATMENT AUSTI
168.35	DEL LAWSON, INC.	136.00	DIAMOND RIDGE PRINTING
5212.75	DANIEL DONNELLY LAW FIRM	180.24	DOUBLE K SPECIALTY, INC.
1163.76	EMERGENCY AUTOMOTIVE TECHNOLOGY	901.78	FLEET SERVICES
209.45	FOX ELECTRIC COMPANY, INC	14537.84	FREEBORN COUNTY ADULT DETENTIO
810.00	SALLY GARRY	120.00	DUANE HANSON
2351.88	HARTY MECHANICAL INC	610.76	IKON OFFICE SOLUTIONS
21878.95	INDEPENDENT EMERGENCY SERVICES	163.41	J & K WINONA
351.99	JAKOBSON DRUG & HALLMARK SHOP	1990.00	EVAN LARSON
224.37	LASER PRODUCT TECHNOLOGIES INC	100.00	LYLE AMERICAN LEGION AUXILIARY
734.02	MARTIN BROS	343.50	MELCHERT HUBERT SJODIN
311.97	MIDTOWN AUTO CLINIC	3226.25	MINNESOTA COUNTIES COMPUTER CO
200.00	GARY NYQUIST	272.00	GARY OFSTEDAHL
128.00	OSAGE DENTAL ARTS	3700.08	PARAGON PRINTING & MAILING INC
228.00	HARLEN PECK	5875.00	POLICE CENTRAL INC
236.00	POST BULLETIN COMPANY	176.55	PRESTO-X-COMPANY INC
156.81	QUARTERMASTER	148.00	SONYA RICE
200.00	RICHARDSON LAW OFFICE	548.00	JAMES RISIUS
3260.35	SCHILLING SUPPLY COMPANY	1075.65	SERVICEMASTER CLEAN
23400.00	SHERIFF MITCHELL COUNTY	149.88	SHOPKO STORE #141
2900.00	DAVID SPINLER CONSTRUCTION, INC	134.04	STANBIO LABORATORY
295.44	STAPLES CREDIT PLAN	730.00	CJIS STATE OF MINN
1340.00	DAVID STROBEL	255.47	THIRD JUDICIAL DISTRICT PUBLIC
163.20	JANE THOME	415.73	TRIPLE J DISPOSAL, INC.
1086.54	UNIFORMS UNLIMITED INC	106.19	PAMELA VAUGHN
323.14	VETERINARY MEDICAL HOSPITAL	199.20	WAPITI MEADOWS COMMUNITY TECHN
839.22	WATSON FURNITURE GROUP	510.47	WELLS FARGO FINANCIAL LEASING
305.00	WORLEIN FUNERAL HOME		
	33 PAYMENTS LESS THAN \$100	1,496.47	
GENERAL FUND		\$116,282.81	* TOTAL

SOCIAL SERVICE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
	3 PAYMENTS LESS THAN \$100	224.31	
SOCIAL SERVICE FUND		\$224.31	* TOTAL

ROAD & BRIDGE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
58122.24	AAA STRIPING SERVICE COMPANY	939.33	ABOVE ALL CLEANING, INC
225.00	ASSOCIATION OF MINN COUNTIES	336.86	AUSTIN BUILDERS SUPPLY, INC

**COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA**

---

133.80 AUSTIN NEWSPAPERS, INC	175.00 DAVE BIERNE
1564.00 BUSTAD DOZING AND EXCAVATING	2875.00 WALLACE BUSTAD
166.57 C S S	380.42 CATCO PARTS AND SERVICE
127.62 CINTAS FIRST AID & SAFETY	13567.50 DAMEL CORPORATION
645.26 EMERGENCY AUTOMOTIVE TECHNOLOGY	2879.87 HANSON TIRE SERVICE INC.
140.47 INTERSTATE BATTERY SYSTEMS OF	156.24 J & K WINONA
606.82 JAMAR TECHNOLOGIES, INC.	303.51 NICK LANE
117.17 LEEF BROS., INC.	349.00 MOWER COUNTY TREASURER
3701.02 PETROBLEND CORP.	120.42 REED BUSINESS INFORMATION
909.83 RONCO ENGINEERING SALES, INC.	3165.00 MR. SAM COMMUNICATIONS
133.34 SCHILLING SUPPLY COMPANY	128.80 SKB ENVIROMENTAL
497.05 TERMINAL SUPPLY CO.	249.16 UNITED BLDG CENTERS
7183.05 ZIEGLER, INC	432.19 3D SPECIALTIES, INC.
7 PAYMENTS LESS THAN \$100	364.81
ROAD & BRIDGE FUND	\$100,696.35 * TOTAL
SOLID WASTE/RECYCLING FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
128.56 AUSTIN BUILDERS SUPPLY, INC	100.00 EVANS PRINTING AND PUBLISHING,
964.30 MINNESOTA SUPPLY COMPANY	2742.00 MOWER COUNTY SHOPPER
110.30 M.J. O'CONNOR, INC.	614.39 WASTE MANAGEMENT OF SO MINNESO
1 PAYMENTS LESS THAN \$100	32.10
SOLID WASTE/RECYCLING FUND	\$4,691.65 * TOTAL
FAMILY CONNECTIONS COLLABORATIVE	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
240.00 AUSTIN MEDICAL CENTER ATTN:CAS	
0 PAYMENTS LESS THAN \$100	.00
FAMILY CONNECTIONS COLLABORATIVE	\$240.00 * TOTAL
**** FINAL TOTAL.....	\$222,135.12 ****

Motion carried.

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

Whitewater Wireless (Parcel 1, Radio Subsystem)	\$3,958.58
LarsonAllen LLP	\$21,000.00

Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to approve the joint powers agreement with Minnesota Counties Computer Cooperative (MCCC) and to reappoint Richard Peterson as alternate and Valerie Kruger as alternate and to authorize the Chair to sign the joint powers agreement. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Cummings to approve the following Solid Waste Collection Service Permits effective July 1, 2007 through June 30, 2008:

Sunshine Sanitation  
 Stewart Sanitation  
 Triple J Disposal  
 Waste Management  
 Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Tucker to approve the following Solid Waste Management Facility Permits effective July 1, 2007 through June 30, 2008:

David Hillier (Composting)  
Triple J (Transfer)  
Waste Management (Transfer)  
Veit Company (Landfill)  
SKB Environmental (Landfill)  
Motion carried.

Motion by Commissioner Tollefson, seconded by Commissioner Tucker to amend the 2007 Auditor-Treasurer budget in the amount of \$250.00 from 01-101-5503 to 01-042-6243 for employee training and \$484.00 from Reserve Contingency for equipment repair. Motion carried.

The Board received notification of jail inspection results from the Minnesota Department of Corrections, which resulted in the Mower County Jail being reduced to a ninety day facility and a reduction in beds to 35 effective August 1, 2007.

Motion by Commissioner Cummings, seconded by Commissioner Tollefson to authorized the Sheriff to request an extension from the Minnesota Department of Corrections for an extension in the effective date of the reduction to a ninety day facility. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Tucker to approve the Family Planning Special Projects grant agreement and to authorize the Chair to sign said agreement. The effective date of the agreement is July 1, 2007. Motion carried.

Margene Gunderson, Director of Community Health Services presented a draft Mower County Service Continuation plan to the Board for information and review. The plan will be reviewed by a joint Personnel and Finance Committee.

At this time a Public Hearing was held in regard to CUP #724 of Community Wind Development Group, Petitioner, and James and Jane Hartson, Owner, to install a meteorological tower on the property.

Daryl Franklin, Environmental Services Director, reviewed the permit and Planning Commission recommendations. Daryl noted that the proposed conditions were the same as on the most recent previously approved CUP for a meteorological tower and provided the Board with a summary of conditions for all previously approved CUPs for meteorological towers.

James Hartson spoke in favor of CUP #724 and requested that conditions requiring painting and lighting for increased visibility be modified or eliminated. No one spoke against CUP #724.

**Date: July 10, 2007**

**Res. #55-07**

**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 July 10, 2007 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #724 of Community Wind Development Group, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

Installing a meteorological tower on the property.

Location: SW ¼ SE ¼ , Section 24, Waltham Township, T104N R17W, Mower County, Minnesota.

Notice having been duly given and a hearing held July 10, 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 10 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 this 10<sup>th</sup> day of July, 2007.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

A Public Hearing was held in regard to the request of Adrianus Struyk for change of one non-conforming use to another for the property known as the Sheriff's Youth Ranch to have a multi-use facility at the property, including the following: Assisted Living, Child Daycare, Independent Living, Adult Daycare, Hall/Gymnasium Rental, and Horse Boarding on the property.

Daryl Franklin, Environmental Services Director, reviewed the request and Planning Commission recommendations. The Petitioner spoke in favor of the change of use. No one spoke against it.

**Date: July 10, 2007**

**Res. #56-07**

**RESOLUTION**

On motion of Commissioner Tollefson, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held July 10, 2007 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, Request of Change of Use of Adrianus Struyk, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

Change of one non-conforming use to another to have a multi-use facility at the property, including assisted living, child daycare, independent living, adult daycare, hall/gymnasium rental, and horse boarding.

Location: S 1820 ft. E ½ SE ¼ S & E of River Exc. E 948.7 ft. N 332 ft.,  
Section 10, Austin Township, T102N R18W, Mower County,  
Minnesota.

Notice having been duly given and a hearing held July 10, 2007, on said petition.

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

1. All buildings must be in compliance with the provisions of the State Fire Code and any other regulations of applicable State licensing agencies.

2. Have a compliance inspection completed on all ISTS that serve the facility and submit results to the County;
3. Secure all applicable licenses from the Minnesota Department of Human Services and submit documents showing compliance with these;
4. 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.

This permit is in accordance with Section 14-16(d) of the Mower County Zoning Ordinance.

Passed and approved this 10<sup>th</sup> day of July, 2007.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Cummings, seconded by Commissioner Tucker to award the bid on SAP 50-602-027, paving on portions of CSAH #2 to Rochester Sand and Gravel based on apparent low bid. A full abstract of bids is on file in the office of the County Engineer and County Auditor-Treasurer. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Tollefson to adjourn the meeting at 11:40 a.m. until July 24, 2007 at 8:30 a.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

**INDEX**

- 2**  
2007 Auditor-Treasurer budget  
    amend for equipment and training, 166
- A**  
adjourn, 169  
award bid on SAP 50-602-027  
    Rochester Sand and Gravel, 169
- B**  
bi-monthly bills, 164
- D**  
destruction of designated Agency files, 163
- E**  
extension from the Minnesota Department of Corrections  
    effective date of jail reduction, 166
- F**  
Family Planning Special Projects grant, 166
- I**  
Income Maintenance Actions, 164
- M**  
Minnesota Counties Computer Cooperative (MCCC)
- approve joint powers and appoint delegates, 165  
    minutes  
    6/26/07 and 6/26/07 board of equalization, 164  
    miscellaneous bills for immediate payment, 165  
    Mower County foster parent respite day policy  
        revise number of days, 163  
    Mower County Jail  
        notice of reduction in days and beds, 166  
    Mower County Service Continuation plan  
        draft, 166
- P**  
Public Hearing  
    change of use  
        Struyk, 168  
    CUP #724  
    Community Wind Development Group, 166
- R**  
Res. #55-07  
    CUP #724  
    Community Wind Development Group, 167  
Res. #56-07  
    Change of Use  
    Struyk, 168
- S**  
Social Service Actions, 163  
Solid Waste Collection Service Permits, 165  
Solid Waste Management Facility Permits, 166