

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

April 8, 2008

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session April 8, 2008 at 8:30 a.m. at the Courthouse in Austin, Minnesota.

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

Commissioner Tucker moved and Commissioner Lang seconded to accept a burial plot located in Section 7 at Oakwood Cemetery to be used for the burial of an indigent person. The plot was donated by a former Austin resident. Motion carried.

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

- a.       MN DHS, Sheriff & County Attorney – approve amendment to IV-D Cooperative Agreement, effective January 1, 2007 to December 31, 2008.
- Motion carried.

Commissioner Tollefson moved and Commissioner Lang 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 Tucker moved and Commissioner Hillier seconded to approve the Social Service Actions. Motion carried.

Commissioner Hillier moved and Commissioner Lang seconded to approve the Income Maintenance Actions. Motion carried.

Everett DeYoung, representing American Legion Post 91 read a proclamation commending Wayne Madson, Veterans Service Officer, for his service to veterans of Mower County.

Randy Lindemann and Mike Clark, KKE Architects, made a presentation in regard to the Schematic Design Phase for the Justice Center Project. Discussion took place on possible areas to reduce the cost estimates for the project.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to accept the Schematic Design for the Mower County Justice Center as presented on March 18, 2008 including cost estimates presented. Motion carried.

Motion by Commissioner Tollefson, seconded by Commissioner Lang to authorize KKE Architects to proceed with the Design Development Phase of the Mower County Justice Center project. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Hillier to award the bid on SAP 50-607-023, Bridge 50J99, to Freeborn Construction Inc. based on apparent low bid. A full detail of bids and bid abstract is on file in the offices of the County Auditor-Treasurer and the County Engineer. Motion carried.

**DATE: April 8, 2008**

**Res. #22-08**

**RESOLUTION**

On motion of Commissioner Tucker, seconded by Commissioner Lang, the following resolution was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held April 8, 2008 at the Courthouse, Austin, Minnesota.

**WHEREAS**, the Minnesota Department of Transportation wishes to cooperate closely with local units of government to coordinate the deliver of transportation services and maximize the efficient delivery of such services at all levels of government; and

**WHEREAS**, Mn/DOT and local governments are authorized by Minnesota Statutes sections 471.59, 174.02, and 161.20, to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

**WHEREAS**, the parties wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write "work orders" against a master contract would provide the greatest speed and flexibility in responding to identified needs.

**THEREFORE BE IT RESOLVED:**

1. That the County of Mower enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the County Board of Commissioners.
2. That the County Board Chair and the County Coordinator are authorized to execute such contract and any amendment thereto.
3. That the County Engineer is authorized to negotiate work order contracts pursuant to the or from the Master Contract, which work order contracts may provide for payment to or from Mn/Dot, and that the County Engineer may execute such work order contracts on behalf of the County without further approval by the County Board of Commissioners.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Lang, seconded by Commissioner Hillier to approve the school health services agreement between Austin Catholic Schools and Sacred Heart School and Mower County Public Health for the provision of school health services. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to approve the Health Disparities Grant agreement in the amount of \$2,316.00 between the Minnesota Department of Health and Mower County Community Health Services. Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Lang to approve the Participating Provider Agreement between Metropolitan Health Plan (MHP) and Mower County Community Health Services for public health services provided to their enrollees. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to approve the adjustment of the Mower County Public Health Nursing Service "Change Fund" balance from \$50.00 to \$100.00. Motion carried.

At this time a Public Hearing was continued in regard to CUP #734 of EnXco for construction, operation, maintenance and ownership of a new 161kV substation in Section 8 of Grand Meadow Township.

Daryl Franklin, Environment Services Director, reviewed the permit. Ian Krygowski, representing the Petitioner provided information on attempts to secure a different site and efforts to work with neighboring landowners.

There was no speaking favor of or against CUP #734.

**Date: April 8, 2008**

**Res. #23-08**

**RESOLUTION**

On motion of Commissioner Tucker, seconded by Commissioner Tollefson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held April 8, 2008 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, amendment of CUP #734 of EnXco, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

EnXco proposes to construct, operate, maintain and own a new 161kV substation in Section 8 of Grand Meadow Township.

Location: N ½ NW ¼ N & W of I-90 Exc. E 516 ft. W 983 ft. N 371 ft., Section 8, Grand Meadow Township

Notice having been duly given and a hearing held April 8, 2008, 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. Prior to construction, a Zoning Permit must be obtained.
2. Owner 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.
3. Secure and submit MPCA (NPDES) General Stormwater Permit for Construction Activities.
4. Comply with all State and Federal rules and regulations.
5. Contact the Mower County Engineer to secure and install a "911" rural address and sign for the substation. Petitioner is responsible for all costs associated.
6. This 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.
7. Lighting on the site must be downcast.
8. The petitioner must install a vegetative barrier on the north side of the property on a 4-foot earthen berm and on the west side of the property between the substation and the county road subject to approval of the County Engineer.
9. The Petitioner is required to provide the County with a copy letter between Petitioner and Mark & Vickie Hessenius stating that the Hessenius' are in agreement with the petition.

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

Passed and approved this 8<sup>th</sup> day of April, 2008. Commissioner Cummings abstained from voting.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

At this time a Public Hearing was continued in regard to CUP #735 of EnXco for construction, operation, maintenance and ownership of a new 161kV transmission line to be constructed from the new substation in Section 8 of Grand Meadow Township northerly to the Pleasant Valley substation in the NE ¼ of Section 19, Pleasant Valley Township.

Daryl Franklin, Environment Services Director, reviewed the permit. Ian Krygowski, representing the Petitioner provided information on acquisition of easements.

There was no speaking favor of or against CUP #735.

**Date: April 8, 2008**

**Res. #24-08**

**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 April 8, 2008 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, amendment of CUP #735 of EnXco, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

Construct, operate, maintain and own a new 161kV transmission line to be constructed from the new substation in Section 8 of Grand Meadow Township northerly to the Pleasant Valley substation in the NE ¼ of Section 19, Pleasant Valley Township.

Location: Portions of Pleasant Valley and Grand Meadow Township  
Notice having been duly given and a hearing held April 8, 2008, 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. Prior to construction, the petitioner must submit copies of transmission line easements to Mower County Environmental Services.
2. Any wind turbine that feeds into the substation or transmission line shall be located outside the established Mower County microwave beam pathways established for public safety.
3. Owner 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.
4. Secure and submit MPCA (NPDES) General Stormwater Permit for Construction Activities.
5. Comply with all State and Federal rules and regulations.
6. This 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 14-51 (q) of the Mower County Zoning Ordinance.

Passed and approved this 8<sup>th</sup> day of April, 2008. Commissioner Cummings abstained from voting.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to accept the withdrawal of CUP #737 of EnXco. Motion carried.

Commissioner Lang left the meeting at 12:00 p.m.

Susan Hurm, Austin Coalition for Environmental Sustainability, made a presentation and request for Mower County to become a Cool County. No action was taken on this request.

Motion by Commissioner Hillier, seconded by Commissioner Tollefson to authorize the Human Resource Director to fill a vacancy for full-time Office Support Specialist Sr. in the Auditor-Treasurer's office. Motion carried.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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Motion by Commissioner Hillier, seconded by Commissioner Tucker to recess to County Ditch Board at 12:32 p.m. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to reconvene the Special Session at 12:40 p.m. Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Tucker to donate a rubber tired roller ("packer") to Lyle Township. Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Tollefson to approve the minutes of March 18, 2008, March 25, 2008 and April 1, 2008. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Hillier to approve the following bi-monthly bills for payment:

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
504.59	ADAMS DRUG	271.12	AMERICINN AUSTIN
7042.02	AUSTIN NEWSPAPERS, INC	213.25	AUTO VALUE AUSTIN
380.00	BUDGET OIL CO	217.00	CITY CAR WASH INC
2384.71	DALCO	3297.00	DANIEL DONNELLY LAW FIRM
152.21	DOUBLE K SPECIALTY, INC.	51284.00	ELK RIVER FORD, INC
170.00	ESPELAND VAN SERVICE INC	1183.62	GOLD CROSS AMBULANCE SERVICE M
401.07	GRAINGER	142.97	GRAPHIC PRODUCTS INC
1610.46	HARTY MECHANICAL INC	124.51	HOLIDAY FORD
662.48	IKON OFFICE SOLUTIONS	182.51	J & K WINONA
7350.00	LEONARD KOEHNEN & ASSOCIATES,	1040.00	EVAN LARSON
290.70	LASER PRODUCT TECHNOLOGIES INC	206.79	LEXISNEXIS MATTHEW BENDER
650.00	DR LINDERMAN	175.00	MANTRONICS MAILING MACHINES
12459.00	MAPLE LODGE	483.51	MARTIN BROS
5160.00	MAXIMUS	240.00	MINNEAPOLIS FINANCE DEPARTMENT
101.25	MINNESOTA COUNTIES COMPUTER CO	1051.25	MITCHELL COUNTY REGIONAL HEALT
234.63	MOREM AGRI-LAWN	104.50	GARY OFSTEDAHL
2944.25	PARAGON PRINTING & MAILING INC	3470.00	PLUNKETT & ASSOCIATES INC
162.45	POSITIVE PROMOTIONS, INC.	150.00	PYRAMID CONCEPTS INC.
4049.79	RATWIK, ROSZAK & MALONEY, ATTY	349.99	RICHARDSON LAW OFFICE
4200.00	ROCKHURST UNIV. CONT. EDUCATIO	170.39	RUSKELL HARDWARE
914.97	SCHILLING SUPPLY COMPANY	1075.65	SERVICEMASTER CLEAN
130.00	SHERIFF FREEBORN COUNTY	25668.00	SHERIFF MITCHELL COUNTY
303.77	SHERWIN WILLIAMS COMPANY	183.18	SMYTH COMPANIES INC
206.29	STAPLES CREDIT PLAN	630.00	CJIS STATE OF MINN
823.74	STEELE COUNTY PLANNING & ZONIN	203.46	TRI-ANIM HEALTH SERVICES INC.
380.20	TRIPLE J DISPOSAL, INC.	781.34	U.S. DEPT. OF JUSTICE
1049.52	UNIFORMS UNLIMITED INC	163.72	VETERINARY MEDICAL HOSPITAL
1054.02	VWR SCIENTIFIC	143.77	WELLS FARGO FINANCIAL LEASING
	28 PAYMENTS LESS THAN \$100	1,293.22	
GENERAL FUND		\$150,271.87	* TOTAL

SOCIAL SERVICE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
	2 PAYMENTS LESS THAN \$100	89.03	
SOCIAL SERVICE FUND		\$89.03	* TOTAL

MOWER COUNTY TRANSIT-PUBLIC TRANSP.

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
191.59	J & K WINONA		
	1 PAYMENTS LESS THAN \$100	86.11	
MOWER COUNTY TRANSIT-PUBLIC TRANSP.		\$277.70	* TOTAL

**COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA**

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ROAD & BRIDGE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
130.65	AUSTIN NEWSPAPERS, INC	200.00	WILLIAM BODENSTEINER
662.00	C S S	1457.81	CONTINENTAL RESEARCH CORP.
603.86	DEXTER LP, INC	12942.50	ERICKSON ENGINEERING
456.98	ETTERMAN ENTERPRISES	5514.10	FOX ELECTRIC COMPANY, INC
164.78	HANCO CORPORATION	1209.66	HANSON TIRE SERVICE INC.
200.22	HIGHWAY TECHNOLOGIES, INC	146.86	INTERSTATE BATTERY SYSTEMS OF
244.68	LAWSON PRODUCTS, INC	106.20	MID CON SYSTEMS, INC.
170.00	M.J. O'CONNOR, INC.	102.91	PARAGON PRINTING & MAILING INC
319.82	PROLINE DIST., INC	125.24	SHERWIN WILLIAMS COMPANY
103.73	STAPLES CREDIT PLAN	1284.35	DAVE SYVERSON FREIGHTLINER
	6 PAYMENTS LESS THAN \$100	340.77	
ROAD & BRIDGE FUND		\$26,487.12	* TOTAL

SOLID WASTE/RECYCLING FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
375.00	WALLACE BUSTAD	1437.93	MINNESOTA SUPPLY COMPANY
	3 PAYMENTS LESS THAN \$100	113.49	
SOLID WASTE/RECYCLING FUND		\$1,926.42	* TOTAL

DITCH FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
5480.00	MOWER COUNTY SOIL & WATER CONS		
	0 PAYMENTS LESS THAN \$100	.00	
DITCH FUND		\$5,480.00	* TOTAL

FAMILY CONNECTIONS COLLABORATIVE

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
180.00	AUSTIN MEDICAL CENTER ATTN:CAS		
	0 PAYMENTS LESS THAN \$100	.00	
FAMILY CONNECTIONS COLLABORATIVE		\$180.00	* TOTAL
****	FINAL TOTAL.....	\$184,712.14	****

Motion carried.

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

Mower County SWCD	\$11,198.00
KKE Architects	139,474.04
Richard and Janet Huffman	500.00

Motion carried.

Motion by Commissioner Tollefson, seconded by Commissioner Tucker to accept a donation in the amount of \$1,803.50 from the American Legion Post 91 for the Veterans Van fund. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Hillier to reappoint the following individuals to the Cedar River Watershed District Board of Managers, effective May 5, 2008 for the term indicated:

- Dan Regner, 3 year term
- Jim Gebhardt, 2 year term
- Harlan Peck, 1 year term
- Al Layman, 1 year term

Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Tucker to authorize the Chair to sign a letter of support for the Cedar River Watershed District's application for a Pilot program to study and implement water quality and flood reduction projects. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to award the bid for employee life insurance coverage to Minnesota Life and authorize the Human Resource Director to sign the Employer Application for Coverage. Full details of bids is on file in the County Auditor-Treasurer's Office Motion carried.

The Chair appointed Commissioner Hillier to the SE Minnesota Radio Advisory Joint Powers Board.

Motion by Commissioner Tucker, seconded by Commissioner Tollefson to adjourn the meeting at 1:05 p.m. until April 22, 2008 at 1:05 p.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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