

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

February 24, 2009

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session February 24, 2009 at 8:30 a.m. at the Courthouse in Austin, Minnesota.

Members present, viz: Dave Tollefson, Chair
 David Hillier
 Dick Lang
 Tim Gabrielson
 Craig Oscarson, County Coordinator

Member absent: Raymond Tucker

GENERAL:

Out of Home Placement Report.

Director's Report with information on the revenue recapture process, costs of county burials, regionalization of services, financial assistance cases and our Strategic Plan.

Commissioner Hillier 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 Hillier moved and Commissioner Lang seconded to authorize the Chair and the Director to sign the Letter of Intent to apply for funds under the "OVW FY 2009 Education, Training and Enhanced Services to End Violence Against and Abuse of Women with Disabilities." Motion carried.

Date: February 24, 2009

Res. #11-09

RESOLUTION

On motion of Commissioner Hillier, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 24, 2009 at the Courthouse, 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 February 1, 2009 through February 28, 2009 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 February 2009 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 February 2009 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, Tim Gabrielson aye, and Richard Lang aye. Passed and approved this 24th day of February, 2009.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: February 24, 2009

Res. #12-09

RESOLUTION

On motion of Commissioner Lang, seconded by Commissioner Hillier, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 24, 2009 at the Courthouse, 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 February 1, 2009 through February 28, 2009 are hereby approved.

BE IT FURTHER RESOLVED, That all assistance payments issued during the month of February 2009 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 February 2009 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 February 2009 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, Tim Gabrielson aye, and Richard Lang aye. Passed and approved this 24th day of February, 2009.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Hillier, seconded by Commissioner Gabrielson to approve a personal leave of absence for a public health nurse for a period of approximately three months. Work duties of the employee are to be temporarily re-assigned among other employees and/or a temporary, part-time, non-benefited person could possibly be hired. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Gabrielson to approve a medical leave of absence for an Office Support Specialist, Sr. effective February 16, 2009 to April 9, 2009. Motion carried.

The Finance Department set Wednesday, March 4, 2009, 6:00 p.m. in the Mower County Board Room for a Board work session to discuss budget options.

Motion made by Commissioner Gabrielson, seconded by Commissioner Hiller to support the rural fire department equipment FEMA grant with a ten percent match of the grant parcel for the county wide repeaters at a cap of \$33,000 from the contingency budget. Motion carried.

Motion made by Commissioner Lang, seconded by Commissioner Gabrielson to deny the Application for Abatement of penalty and interest of MEM Properties in regard to parcel identification number R27.006.0231 for taxes payable in 2005, 2006, 2007 and 2008. The basis for denial is consistency with current policy and practice. Motion carried.

The Chair, Commissioner Tollefson, made some temporary reassignments to committees. Effective February 24, 2009, Commissioner Hillier will serve on the Building Committee during Commissioner Tucker's absence and effective March 16, 2009, Commissioner Gabrielson will serve on the Building Committee during Commissioner Tollefson's absence. Effective February 24, 2009, Commissioner Gabrielson will serve on the Finance Committee during Commissioner Tucker's absence.

Angie Knish, Environmental Services Director, reported to the Board concerning the EAW of Ulland Bros. for a Rock Quarry in Frankford. Three comments were received and she reviewed the Findings of Facts. The staff recommends a negative declaration.

Date: February 24, 2009

Res. #13-09

RESOLUTION APPROVING A NEGATIVE DECLARATION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR ULLAND BROTHERS, INC, ROCK QUARRY - SECTION 9, FRANKFORD TOWNSHIP, MOWER COUNTY

On a motion of Commissioner Gabrielson seconded by Commissioner Hillier the following Resolution, Finding of Fact and Conclusions were adopted by the Mower County Board of Commissioners at a meeting held February 24, 2009 at the Courthouse, Austin, Minnesota.

WHEREAS, Mower County ("County"), acting pursuant to Minnesota Rules 4410.1100, Subp. 6. prepared an Environmental Assessment Worksheet ("EAW") to determine if the Ulland Brothers, Inc. Rock Quarry, located in Section 9, Frankford Township (T103N-R14W) Mower County has the potential for significant environmental effects; and,

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

WHEREAS, The County distributed the EAW for review by governmental agencies and the public in accordance with the requirements of Minnesota Statutes Chapter 116D and Minnesota Rules Chapter 4410; and;

WHEREAS, the 30-day comment period ended on January 28, 2009; and

WHEREAS, the County acknowledges the comments received during the 30-day comment period from the Minnesota Department of Agriculture, The Minnesota Department of Transportation, and the Minnesota Pollution Control Agency; and

WHEREAS, the County has carefully reviewed the comments on the EAW, and has prepared specific responses to them in accordance with the requirements of Minnesota Rules 4410.1700; and

WHEREAS, the County finds that an Environmental Impact Statement ("EIS") for the Project is not necessary because (1) the Project does not fall within a mandatory EIS category as set forth in Minnesota Rules 4410.4400; and (2) the Project does not have the potential for significant environmental effects according to the criteria and procedures set forth at Minnesota Rules Part 4410.1700.

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board of Commissioners make a Negative Declaration finding the preparation of an EIS is **not** necessary, adopts the attached hereto Findings of Fact and Conclusions supporting the decision, and directs staff to distribute the resolution and Record of Decision within five days and publish a notice of decision in the EQB Monitor in accordance with Minnesota Rules Part 4410.1700, Subpart 5.

Passed and approved this 24th day of February, 2009.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Hillier, seconded by Commissioner Lang to approve the minutes of February 10, 2009. Motion carried.

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

GENERAL FUND

AMOUNT	VENDOR NAME
601.25	A.C.S. INC.
49.90	MICHAEL ADAMS

AMOUNT	VENDOR NAME
768.22	ADAMS DRUG
223.00	ALCOPRO

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

<p>202.50 MARIA ALMANZA 22.00 AUSTIN FIRE AND SAFETY 672.95 AUSTIN NEWSPAPERS, INC 449.00 BEST WESTERN KELLY INN PLYMOUTH 49.01 BP 1636.60 CDW GOVERNMENT, INC. 500.00 CHILDREN'S HOSPITALS & CLINICS 346.13 CITY OF SOUTH ST. PAUL 97.12 DALCO 94.65 DELTA HOSPITAL SUPPLY, INC. 62.82 DOUBLE K SPECIALTY, INC. 30.00 CITY ELKTON 100.00 ENFORCERS PUBLIC SAFETY SUPPLY 69.99 FIRESTONE TIRE & SERVICE CENTE 230.46 FLEET SERVICES 40.00 TIMOTHY GABRIELSON 103.74 GRAINGER 40.00 DUANE HANSON 287.25 HD SUPPLY FACILITIES MAINTENAN 294.44 HOLIDAY INN ST PAUL 447.88 J & K WINONA 40.00 MARGARET KIRCHNER 212.27 LANGUAGE LINE SERVICES 235.37 LEXISNEXIS MATTHEW BENDER 238.25 JAMES LOVEN 250.00 MAYER FUNERAL HOME 882.50 MELCHERT HUBERT SJODIN 583.02 MINNESOTA ELEVATOR, INC 1923.87 MN OFFICE OF ENTERPRISE TECHNO 23.33 NAPA AUTO PARTS 69.23 NORTHERN LIGHTS CASINO & HOTEL 46.30 HARLEN PECK 209.00 POWERPHONE, INC 31.94 RADIO SHACK CORPORATION 155.44 ROCHESTER MIDLAND CORPORATION 19.45 RUSKELL HARDWARE 111.76 SCHILLING SUPPLY COMPANY 235.00 SHENN COUNTY PROCESS SERVERS L 65.00 SHERIFF FREEBORN COUNTY 80.00 SHERIFF WINONA COUNTY 652.12 STAPLES CREDIT PLAN 99.80 HARRIET ULLAND 2650.72 WEST GROUP GENERAL FUND</p>	<p>275.01 AUSTIN DRUG, INC 7385.51 AUSTIN MEDICAL CENTER ATTN:CAS 84.50 JEFFREY AUSTIN 25.34 BIG K 3578 10.65 CARNEY AUTO, INC. 1894.33 CEDAR VALLEY SERVICES, INC 339.81 CITY OF AUSTIN 250.00 CLASEN-JORDAN MORTUARY 24972.25 DELL MARKETING L P 2806.87 DANIEL DONNELLY LAW FIRM 2991.22 DTI 46.10 EMERGENCY AUTOMOTIVE TECHNOLOG 637.94 ENVIRONMENTAL RESOURCE ASSOCIA 62.07 MJ FLAHERTY PAINTING 45.02 FOX ELECTRIC COMPANY, INC 780.00 SALLY GARRY 166.61 HANSON TIRE SERVICE INC. 252.43 HARTY MECHANICAL INC 279.85 HOLIDAY FORD, LINC, MERC 429.00 HOVERSTEN, JOHNSON, BECKMANN & H 1650.00 JONES, HAUGH & SMITH, INC. 232.06 KRIEGER PRINTING 2050.00 LARSONALLEN LLP 65.92 THE LIGHTING CONNECTION 300.00 MAAO 123.60 MEDTOX DIAGNOSTICS INC 2500.00 MINNESOTA COUNTIES INS TRUST 279.00 MITCHELL COUNTY REGIONAL HEALT 197.01 MR SAM COMMUNICATIONS 20.77 NORTH COUNTRY BUSINESS PRODUCT 135.00 NUTRITION MATTERS 6.16 PIONEER TELEPHONE 68.07 PRESCRIPTION CENTER 40.00 JAMES RISIUS 3941.65 RS EDEN INC 135.00 CAROLINA SALAZAR 90.00 SELLERS LOCK & KEY 80.25 SHERIFF CARLTON COUNTY 16.50 SHERIFF JONES COUNTY IA 15.53 SHOPKO 40.00 JANE THOME 60.00 USPCA REGION 12 \$72,014.31 * TOTAL</p>
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SOCIAL SERVICE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
48.75	A.C.S. INC.	903.00	CDW GOVERNMENT, INC.
193.31	CEDAR VALLEY SERVICES, INC	25.19	DALCO
18.68	MJ FLAHERTY PAINTING	83.61	FOX ELECTRIC COMPANY, INC
31.13	HD SUPPLY FACILITIES MAINTENAN		
	SOCIAL SERVICE FUND	\$1,253.29	* TOTAL

ROAD & BRIDGE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
74.55	ABSOLUTE PEST ELIMINATION	2101.73	EARL ANDERSEN, INC.
106.22	ASPEN EQUIPMENT COMPANY	409.63	AUTO VALUE AUSTIN
20900.09	BROCK WHITE CO LLC	397.64	CCP INDUSTRIES INC
91.43	CINTAS FIRST AID & SAFETY	529.60	DEXTER LP, INC
291.96	ETTERMAN ENTERPRISES	112.95	G & K SERVICES
99.90	HANSON TIRE OF AUSTIN INC	351.38	HARTY MECHANICAL, INC.
84.86	HOLIDAY CARS, INC.	90.78	HOLIDAY FORD, LINC, MERC
7053.73	JONES, HAUGH & SMITH, INC.	747.98	LITTLE FALLS MACHINE, INC.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

141.82 MACQUEEN EQUIPMENT, INC.	60.00-MINNESOTA COUNTIES INS TRUST
230.00 MISSISSIPPI WELDERS SUPPLY CO.	55.00 MOLINE AWARDS ST STERLING
159.60 NAPA AUTO PARTS	4524.16 PETROBLEND CORP.
58.09 RONCO ENGINEERING SALES, INC.	75.60 STAPLES CREDIT PLAN
990.84 DAVE SYVERSON FREIGHTLINER	409.79 TERMINAL SUPPLY CO.
390.00 UNIVERSITY OF MINNESOTA CONT E	551.27 ZIEGLER, INC
ROAD & BRIDGE FUND	\$40,970.60 * TOTAL
SOLID WASTE/RECYCLING FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
53.55 CEDAR VALLEY SERVICES, INC	5378.61 IVERSON HAULING
90.00 M.J. O'CONNOR, INC.	
SOLID WASTE/RECYCLING FUND	\$5,522.16 * TOTAL
BUILDING FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
152.52 REED BUSINESS INFORMATION	
BUILDING FUND	\$152.52 * TOTAL
DITCH FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
1685.00 RINKE-NOONAN	
DITCH FUND	\$1,685.00 * TOTAL
****	FINAL TOTAL..... \$121,597.88 ****

Motion made by Commissioner Hillier, seconded by Commissioner Lang to approve the following additional Commissioners' warrants for payment:

City of Austin	\$ 3,022.92
Knutson Construction	48,591.21
Austin Medical Center	1,339.00
Minnesota Supply	37,326.50
Whitewater Wireless (hold for final verification)	332,304.58

Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Lang to amend the agreement between Mower County and the Mower County Trail Management Committee for the snow groomer lease amending the expiration date to March 31, 2014. All other lease provisions will remain the same. Motion carried.

Date: February 24, 2009

Res. #14-09

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Lang, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 24, 2009 at the Courthouse, Austin, Minnesota.

WHEREAS, the economic downturn and the proposed governor's budget will cause fiscal strain on budgets to Minnesota counties; and

WHEREAS, Counties will need to consider all options and opportunities in order to meet the needs of their constituents; and

WHEREAS, MS 373.052 requires county offices to be open Monday through Friday for county business; and

WHEREAS, a modification to allow a 4-day business work week option is a tool that may provide budget efficiencies; and

WHEREAS, counties can be creative with a 4-day work week to implement non-traditional business hours that will result in no reduction of customer service;

THEREFORE, BE IT RESOLVED, that the Mower County Board of Commissioners request the Association of Minnesota Counties to introduce legislation to allow for counties to implement a 4-day work week as a local county option; and

BE IT ALSO RESOLVED, that copies of this resolution be forwarded to local legislators and the governor requesting support of said legislation.

Passed and approved this 24th day of February, 2009.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: February 24, 2009

Res. #15-09

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Hillier, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 24, 2009 at the Courthouse, Austin, Minnesota.

WHEREAS, Mower County will be constructing a Justice Center facility to meet the needs of the Jail, County Attorney, Corrections and the Courts; and

WHEREAS, the Jail portion of the facility is eligible for reimbursement of sales tax on applicable materials; and

WHEREAS, the majority of the remainder of the project is constructed for the benefit of the Court system which is a State of Minnesota operation ; and

WHEREAS, a sales and use tax exemption for the Court related portion of the facility provides for reasonable, justifiable and significant property tax relief to the tax payers of Mower County; and

WHEREAS, SF #357 has been introduced in the 86th Legislative Session to provide similar property tax relief to the citizens of Washington County for their court facility project;

THEREFORE, BE IT RESOLVED, that the Mower County Board of Commissioners requests introduction and passage of comparable legislation; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to legislators from Mower County and further requests their assistance in the proposed legislation.

Passed and approved this 24th day of February, 2009.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: February 24, 2009

Res. #16-09

**RESOLUTION
AUTHORIZING PARTICIPATION IN THE PUBLIC SAFETY
INTEROPERABILITY COMMUNICATIONS GRANT**

On motion of Commissioner Hillier, seconded by Commissioner Lang, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 24, 2009 at the Courthouse, Austin, Minnesota.

WHEREAS, Mower County will enter into an Agreement with the State of Minnesota, SE MN Regional Radio Board, and Olmsted County, fiscal agent for the SEMN RRB for the 2007 HSEM Public Safety Interoperability Communications (PSIC) Grant, effective 07/01/2008 thru 09/30/2010, in which each County or City within the SE MN Regional Radio Board is required to pay matching funds of \$10,804.44 for equipment.

WHEREAS, no equipment can be purchased for a specific County or City of the SE MN Regional Radio Board until their match has been received by the fiscal agent, Olmsted County.

BE IT RESOLVED that Mower County enter into an Agreement with the State of Minnesota, SE MN Regional Radio Board, and Olmsted County, fiscal agent for the SE MN Regional Radio Board for the 2007 HSEM Public Safety Interoperability Communications Grant.

Passed and approved this 24th day of February, 2009.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Hillier, seconded by Commissioner Lang to authorize the mileage and per diem expense requests of the members on the Family Connection committee that were received beyond the appropriate submission time parameters. The committee members have been instructed in the appropriate time parameters for expense reimbursement requests. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Gabrielson to approve the Shooting Star State Trail Cooperative Agreement--Preliminary Design Only between Mower County and the Minnesota Department of Natural Resources for the bike trail from Adams to Rose Creek. Motion carried.

County Government Day was set for March 24, 2009.

Rick Morrison, Soil & Water Conservation District, presented the 2008 Annual Drainage Ditch Report to the Board.

Motion by Commissioner Gabrielson, seconded by Commissioner Hillier to adjourn the meeting at 10:45 a.m. until March 3, 2009 at 1:00 p.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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