

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,

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	AMOUNT	VENDOR NAME
601.25	A.C.S. INC.	768.22	ADAMS DRUG
49.90	MICHAEL ADAMS	223.00	ALCOPRO

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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