

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

March 23, 2010

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session March 23, 2010 at 8:30 a.m. at the Courthouse in Austin, Minnesota.

All members present, viz: Raymond Tucker, Chair
 David Hillier
 Dick Lang
 Tim Gabrielson
 Mike Ankeny
 Craig Oscarson, County Coordinator

GENERAL:

Overview of director's report.

Todd Lysne with update on Child Support caseloads.

Commissioner Hillier moved and Commissioner Lang seconded to accept a donation of \$744.33 from First United Methodist Church for the BRIDGE program. Motion carried.

Commissioner Gabrielson moved and Commissioner Ankeny seconded to authorize the Chair and the Director to sign the following Purchase of Service Agreements::

- a. MSOCS – renew contract for Home & Community Based Waiver Services, effective July 1, 2009 to June 30, 2011.
- b. Wapiti Meadows CT&S – approve contract for Home & Community Based Waiver Services, effective March 1, 2010 to June 30, 2011.

Motion carried.

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.

Date: March 23, 2010

Res. #23-10

RESOLUTION

On motion of Commissioner Hillier, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 23, 2010 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 March 1, 2010 through March 31, 2010 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 March 2010 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 March 2010 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: David Hillier aye, Ray Tucker aye, Tim Gabrielson aye, Mike Ankeny aye, and Richard Lang aye. Passed and approved this 23rd day of March, 2010.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: March 23, 2010

Res. #24-10

RESOLUTION

On motion of Commissioner Lang, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 23, 2010 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 March 1, 2010 through March 31, 2010 are hereby approved.

BE IT FURTHER RESOLVED, That all assistance payments issued during the month of March 2010 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 March 2010 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 March 2010 as listed on the Report of Refunds and Cancellation, are hereby acknowledged as received.

The Commissioners voted as follows: David Hillier aye, Ray Tucker aye, Tim Gabrielson aye, Mike Ankeny aye, and Richard Lang aye. Passed and approved this 23rd day of March, 2010.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

The Commissioners welcomed students for County Government Day from Pacelli High School and Austin High School.

Motion made by Commissioner Hillier, seconded by Commissioner Gabrielson to transfer approved hours between temporary positions reducing a financial worker from 40 hours per week to 30 hours per week and add the remaining 50 hours of approved time to a temporary financial assistance specialist. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Ankeny to increase the approved hours for a temporary social worker position from 20 hours per week up to 30 hours per week to meet the deadline demands. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Ankeny to approve the contract provisions as outlined in the tentative labor agreements between Mower County and Courthouse Division, Local 9 United Food and Commercial Workers International Union: AFL-CIO & CLC ("Local 9") effective January 1, 2010 through December 31, 2010. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Lang to approve contract provisions as outlined in the tentative labor agreements between Mower County and The American Federation of State, County and Municipal Employees, AFL-CIO, Minnesota Council No. 65 and The Mower County Human Services Chapter, Local No. 2566 ("AFSCME") effective January 1, 2010 through December 31, 2010. Motion carried.

The Commissioners welcomed students for County Government Day from Lyle High School.

Motion by Commissioner Hillier, seconded by Commissioner Ankeny to approve the contract provisions as outlined in the tentative labor agreement between Mower County and Law Enforcement Labor Services Local #81 effective January 1, 2010 through December 31, 2010. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Hillier to approve the contract provisions as outlined in the tentative labor agreement between Mower County and Law Enforcement Labor Services Local #74 effective January 1, 2010 through December 31, 2010. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Lang to authorize the Chair to sign Right Of Way Plats No. 24 and No. 25 for road construction projects on C.S.A.H. 23 and C.S.A.H. 45 respectively. Motion carried.

Mike Hanson, County Engineer, presented bid information received for the remaining seasonal bid items of week spraying and gasoline/diesel.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to award the bid for CP 50-10-02 (weed spraying) to the low bidder Gerald Robinson dba

Sunshine Enterprises with a low bid of \$30/mile and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and County Engineer.

Motion made by Commissioner Hillier, seconded by Commissioner Lang to award the bid for CP 50-10-03 (gasoline and diesel fuel) to the low bidder Baudoin Oil Co. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and County Engineer.

Motion by Commissioner Gabrielson, seconded by Commissioner Hillier to approve final payment to Hansen Hauling & Excavating, Inc. in the amount of \$9,629.07 for CP 50-08-12. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Ankeny to adopt the following policy for ISTS assessment loan payoffs:

SEWER / ISTS ASSESSMENT
LOAN PAYOFF
POLICY

According to MN Statute 275.28, property taxes roll on January 1st each year with amounts listed for the entire year as due and payable. As such, any prepayment of special assessments would mean that interest would be due for the entire year. The County Board authorizes the finance function to approve a pro-rated interest amount per month outstanding for county special assessment payoffs.

Motion carried.

The Commissioners welcomed students for County Government Day from LeRoy/Ostrander High School.

The Board reviewed and discussed information concerning female inmates and the possibility of boarding and/or opening a third pod in the justice center for housing female inmates.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to prepare to open a third pod in the Justice Center upon its completed construction and to commence with hiring the necessary staff for the third jail pod. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to raise the Huber Law fee from \$15.00 per day to \$20.00 per day with staff to recommend the earliest possible effective date. Motion carried. (Staff determined the effective date to be March 28, 2010.)

Kristen Nelsen, County Attorney, provided information to the Board concerning a county prescription drug disposal initiative. The initiative is the result of the rising abuse of prescription drugs and the result of changes from the MPCA in the disposal of controlled substances. The sheriff's department is organizing the initiative and is looking at providing a

secure location for the drop off of prescription drugs and contracting with a company for the sorting and disposal of prescription drugs. Controlled substances needed to be transported to a disposal facility. The County Attorney's office would like to donate some of the forfeiture money for start-up costs of the program.

Motion made by Commissioner Hillier, seconded by Commissioner Ankeny to amend the 2010 County Attorney budget for a donation of \$1000.00 for start-up costs for the Prescription Drug Disposal Initiative from forfeiture funds. Motion carried.

On the agenda the County Board scheduled a public input session at 11:00 a.m. for the public to comment on the appointment legislation for the office of County Recorder. No one appeared to comment.

The Building Committee suggested that a letter be sent to the Austin Park and Recreation Board with a proposal for the removal of trees around the new justice center due to the excessive unsightly and unwelcomed mess to sidewalks and buildings from crow droppings. The proposal would include funds for the planting of new trees elsewhere in Austin.

Motion made by Commissioner Gabrielson, seconded by Commissioner Lang to authorize a letter to be sent to Austin Park and Recreation Board with a proposal to remove trees from City property near the new Justice Center. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Lang to enter into a contract with Shred It for the shredding of county documents. Motion carried.

Date: March 23, 2010

Res. #25-10

RESOLUTION

Granting Wine/Strong Beer On-Sale And Sunday Wine License

On motion of Commissioner Lang, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 23, 2010 at the Courthouse, Austin, Minnesota.

WHEREAS, the person hereinafter named has previously applied for and granted a license to sell wine not exceeding 14 % alcohol by volume at retail only for the consumption on the premises subject to the laws of the State of Minnesota and the ordinances of Mower County for the period 7/01/09 to 6/30/2010.

WHEREAS, after due investigation, it appears said applicant for said license for sale of strong beer on-sale has been approved by the State of Minnesota's Alcohol and Gambling Agency. However, the Mower County Auditor-Treasurer checked no to a *STRONG BEER AUTHORIZATION* after the County Board approved only a wine license, as requested by the applicant on June 6, 2009.

WHEREAS, Randy Queensland owner/operator has provided an affidavit that 60% of his sales are in food products.

NOW, THEREFORE, BE IT RESOLVED that the Mower County Board of Mower County, Minnesota does hereby authorize an on-sale strong beer/wine license for the remainder of the license period at no additional charge. The license will apply to the following location and shall expire on June 30, 2010. Said revision of license shall be subject to the review and approval of the State Liquor Control Commission.

Deer Creek Speedway LLC
25262 US Hwy 63
Spring Valley MN 55975

Passed and approved this 23rd day of March, 2010.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

The Commissioners welcomed students for County Government Day from Southland High School.

The Board discussed the additional radio costs associated with the 14th Street water tower in Austin maintenance project. The discussed estimated additional expenses would be a shared (50/50) cost with the City of Austin subject to an agreement with the City of Austin for the following items:

14 th Street work and materials	\$ 83,461.63
Reconnect Expenses	1,367.01
Wireless Link re-deployment	21,628.27

Motion made by Commissioner Gabrielson, seconded by Commissioner Lang to pay up to fifty percent (50%) of the shared radio costs with the City of Austin due to the 14th Street water tower maintenance project out of reserves at an estimated County cost of \$50,000 to \$70,000. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Ankeny to approve the minutes of March 9, 2010. Motion carried.

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

GENERAL FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

1228.85 ADAMS DRUG	919.41 AMERICAN SOLUTIONS FOR BUSINES
358.10 AMSTERDAM PRINTING AND LITHO	4039.22 AUSTIN MEDICAL CENTER ATTN:CAS
708.27 AUSTIN NEWSPAPERS, INC	472.42 BEAR GRAPHICS, INC
1596.70 CEDAR VALLEY SERVICES, INC	659.28 COUNTRY INN & SUITES OF RED WI
129.22 CULLIGAN OF AUSTIN	155.77 DALCO
119.80 DASH MEDICAL GLOVES INC.	225.00 DILIGENT SERVICE NETWORK
2197.55 DANIEL DONNELLY LAW FIRM	4724.00 DTI
65620.08 ELK RIVER FORD, INC	115.80 FASTENAL COMPANY
475.55 FIRESTONE TIRE & SERVICE CENTE	110.50 GLOBAL PROTECTION CORP
893.77 HARTY MECHANICAL INC	341.91 HASLER MAILING SYSTEMS
156.95 HD SUPPLY FACILITIES MAINTENAN	383.00 HILL,LARSON,WALTH & BENDA,P.A
1266.49 IKON OFFICE SOLUTIONS	721.90 INJOY PRODUCTIONS
116.11 INNOVATIVE OFFICE SOLUTIONS,LL	432.50 L & M BOILER SYSTEMS, INC.
675.00 DR LINDERMAN	431.05 LYNN PEAVEY CO
713.80 MARTIN BROS	1724.30 MAYO CLINIC
1200.00 MAYO CLINIC MRL	185.40 MEDTOX LABORATORIES INC
240.00 MINNEAPOLIS FINANCE DEPARTMENT	210.00 MINNESOTA ASSOC COUNTY ADMIN.
136.64 MINNESOTA ELEVATOR, INC	161.09 MINNESOTA SHERIFF ASSOCIATION
4735.75 MITCHELL COUNTY REGIONAL HEALT	1980.00 MN CIT OFFICERS ASSOC
2102.55 MN OFFICE OF ENTERPRISE TECHNO	206.60 MOREM AGRI-LAWN
108.84 NAPA AUTO PARTS	235.00 NCRAAO
977.90 NORTH ATLANTIC EXTRADITION SER	1575.00 ONSITE SEWAGE TREATMENT PROGRA
665.35 PHYSIO-CONTROL INC	842.75 POST BULLETIN COMPANY
538.00 POWERPHONE, INC	114.99 PRODUCE FOR BETTER HEALTH FOUN
2944.00 RS EDEN INC	445.22 SCHILLING SUPPLY COMPANY
244.00 SE MN ORAL & MAXILLOFACIAL SUR	24490.24 SHERIFF MITCHELL COUNTY
853.24 STAPLES CREDIT PLAN	811.33 STEELE COUNTY DETENTION CENTER
807.13 STREICHER'S	1007.00 KATHY STUTZMAN
728.25 UNIFORMS UNLIMITED INC	338.33 WASTE MANAGEMENT OF SO MINNESO
351.95 WELLS FARGO FINANCIAL LEASING	2654.61 WEST GROUP
29 PAYMENTS LESS THAN \$100	1,247.53
GENERAL FUND	\$144,850.99 * TOTAL
SOCIAL SERVICE FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
1 PAYMENTS LESS THAN \$100	40.36
SOCIAL SERVICE FUND	\$40.36 * TOTAL
ROAD & BRIDGE FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
810.97 EARL ANDERSEN, INC.	120.00 ATSSA
607.50 AUTO VALUE AUSTIN	18511.23 BROCK WHITE CO LLC
505.96 CATCO PARTS AND SERVICE	331.50 CEDAR VALLEY SERVICES, INC
905.39 CONTINENTAL RESEARCH CORP.	650.12 DEXTER LP, INC
304.89 DIAMOND MOWERS, INC.	5350.00 LARRY DIGGINS
2150.00 ROBERT EARL	137.50 DOANE EDGE
1335.65 ETTERMAN ENTERPRISES	110.00 DOUGLAS FARRELL
580.69 FRONTIER PRECISION, INC	150.65 G & K SERVICES
192.50 KENNETH HALLIDAY	1079.63 HANSON TIRE OF AUSTIN INC
607.70 INTERSTATE MOTOR TRUCKS, INC.	23754.00 JONES,HAUGH & SMITH, INC.
150.69 M-R SIGN COMPANY, INC.	7250.00 BRUCE MARQUARDT
22835.14 MIDWEST CONTRACTING, LLC	129.22 MISSISSIPPI WELDERS SUPPLY CO.
110.00 CARL MULLENBACH	4300.00 NORTHWEST INVESTMENTS OF LACRO
4302.00 JUDITH ORNING	887.50 PERSINGER'S EQUIPMENT, INC.
1775.00 JUDITH PIKE	1647.30 POMP'S TIRE SERVICE, INC
166.00 POSTMASTER	306.40 PROLINE DIST., INC
408.36 REED BUSINESS INFORMATION	563.29 RHOMAR INDUSTRIES, INC.
6000.00 ROBINSON APPRAISAL & ASSOCIATE	533.59 RONCO ENGINEERING SALES, INC.
120.23 RUBBER-INC	220.00 JAMES STILES
472.44 DAVE SYVERSON FREIGHTLINER	4250.00 NICHOLAS WANGEN
165.00 WRAD'S RAGS & AWARDS	
15 PAYMENTS LESS THAN \$100	898.66
ROAD & BRIDGE FUND	\$115,686.70 * TOTAL
SOLID WASTE/RECYCLING FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

25345.99 CEDAR VALLEY SERVICES, INC	349.25 KRUEGER TRANSPORTATION
150.00 MINNESOTA DEPARTMENT OF HEALTH	165.45 M.J. O'CONNOR, INC.
1138.88 WASTE MANAGEMENT OF SO MINNESO	146.73 YOUNG'S WELDING, INC.
0 PAYMENTS LESS THAN \$100	.00
SOLID WASTE/RECYCLING FUND	\$27,296.30 * TOTAL
BUILDING FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
13771.00 FOX ELECTRIC COMPANY, INC	364.52 LOWE'S HEATING AND AIR CONDITI
0 PAYMENTS LESS THAN \$100	.00
BUILDING FUND	\$14,135.52 * TOTAL
DITCH FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
1000.00 MINNESOTA COUNTIES INS TRUST	.00
0 PAYMENTS LESS THAN \$100	
DITCH FUND	\$1,000.00 * TOTAL
****	****
FINAL TOTAL.....	\$303,009.87 ****

Motion carried.

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

Elk River Ford	\$ 65,620.08
Hill & Larson	383.00

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Hillier to authorize County Attorney Clinefelter to attend the Blandin Community Leadership program without using personal time to attend the conference. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Hillier to authorize a "soft freeze" for non-union employees with a 0% COLA increase and wage steps retroactive to January 1, 2010. Motion carried.

It was noted that several petitions have been received in reference to "Safe Wind Turbine Setbacks."

The County Board received a retirement notice for Canine Tazer effective March 23, 2010.

Motion by Commissioner Hillier, seconded by Commissioner Gabrielson to adjourn the meeting at 12:50 p.m. until April 6, 2010 at 1:00 p.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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