

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

April 13, 2010

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session April 13, 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:

Introduction of new employee.

 Beth Nelson – Office Support

Bridge presentation by Dale Mullenbach & Scott Baudler.

Social Service caseload & telecommuter update with Brent Gunderson.

Overview of director's report.

 Commissioner Hillier moved and Commissioner Lang seconded to authorize the chair to sign the Crest Initiative Cooperative Agreement, effective January 1, 2010 to December 31, 2010. Motion Carried.

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

- a. MSOCS (Turtle Creek Industries) – renew contract for Scanning Services, effective July 1, 2010 to December 31, 2011.
- b. Mower County Attorney – renew contract for Fraud Prosecution Services, effective January 1, 2010 to December 31, 2010.

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.

SOCIAL SERVICE ACTIONS:

 Commissioner Gabrielson moved and Commissioner Lang seconded to approve the Social Service Actions. Motion Carried.

INCOME MAINTENANCE ACTIONS:

Commissioner Lang moved and Commissioner Ankeny seconded to approve the Income Maintenance Actions. Motion Carried.

Motion made by Commissioner Hillier, seconded by Commissioner Gabrielson to approve contract provisions as outlined in the tentative labor agreements between Mower County and the International Union, United Automobile, Aerospace And Agricultural Implement Workers Of America ("UAW") effective May 1, 2010 through April 30, 2011 subject to receipt of written verification of the union's ratification of the agreement. Motion carried.

Motion by Commissioner Ankeny, seconded by Commissioner Lang to approve final payments as follows:

Ulland Brothers	\$ 72.40	CP 50-09-01
Rochester Sand & Gravel	139.92	CP 50-09-03
L. R. Falk Construction	709.27	CP 50-09-04

Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Lang to approve the Limited Interoperability Participation Plan agreement for the ARMER grant. Said grant is to purchase portable radios and associated equipment in the amount of \$62,881.60 with the local share set at \$11,217.85. Motion carried.

A Public Hearing was held in regard to CUP #754 of Lynch Real Estate Corporation (Thomas and Cindy Vavra) to operate an agriculturally oriented business, specifically a livestock buying station on a 2.74 acre parcel located in Lansing Township.

Angie Knish, Environment Services Director, reviewed the permit and Planning Commission recommendations.

The Petitioner with attorney Paul Sween were present and spoke in favor of CUP #754. Three persons present spoke against CUP #754 and a signed petition with 55 signatures indicated they were "opposed to hogs".

Motion made by Commissioner Gabrielson to table CUP #754 to April 27, 2010 at 10:30 a.m. to allow for a site visit prior to Board action. The motion failed for a lack of a second.

Motion made by Commissioner Lang to deny CUP #754. The motion failed for a lack of a second.

Date: April 13, 2010

Res. #26-10

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 April 13, 2010 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #754 of Lynch Real Estate, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

To operate an agriculturally oriented business, specifically a livestock buying station

Location: 2.74 acres, NW ¼, SW ¼ Section 3, Lansing Township T103N-R18W, Mower County, MN

Notice having been duly given and a hearing held April 13, 2010, on said petition.

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board has reviewed, 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. Applicant shall follow all state and federal regulations regarding the proposed use; and
2. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition; and
3. The Owner/Applicant shall work cooperatively with Mower County to mitigate any issues brought to the attention of the County that are found to be legitimate and valid that may create a nuisance or health threat to adjoining landowners from the proposed use; and
4. The Owner/ Applicant shall provide adequate area onsite to park, back, turn-around or etc. so as to not create a nuisance or hazard to the traveling public. The trucks can not be parked or backed onto the premises from the road or its right-of-way; and
5. This Conditional Use Permit shall lapse, and shall be no longer valid upon two-years of non-use; and
6. This Conditional Use Permit shall lapse and shall be no longer valid if the proposed use is not established within one year of being granted by the Board of Commissioners; and
7. The Owner/Applicant shall abide by all road and bridge weight restrictions or postings that apply to roads used as an ingress/egress to the property; and
8. The Owner/Applicant shall be liable for any road damages as a result of this operation as stated under MN Statute 169.88, cited above; and
9. Any vermin, flies, or other pests shall be controlled by feasible methods; and

10. 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; and
11. Protection of existing private tile: The applicant/owner shall take protective measures and/or work with Lansing Tile Group to protect the existing tile from damage due to the proposed use.

This permit is in accordance with Section 14-18.4 of the Mower County Zoning Ordinance.

Passed and approved this 13th day of April, 2010. The Commissioners voted as follows: Commissioner Gabrielson aye, Commissioner Lang nay, Commissioner Ankeny aye, Commissioner Hillier aye, and Commissioner Tucker aye. Motion carried 4-1.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

The Board recessed at 11:20 a.m. and reconvened at 11:36 a.m.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to approve the minutes of April 6, 2010. Motion carried.

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

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
71.60	A+ PRINTING	1122.15	ADAMS DRUG
1350.00	ASSOCIATION OF MN COUNTIES	39.61	AUSTIN BUILDERS SUPPLY, INC
22.00	AUSTIN FIRE AND SAFETY	18041.90	AUSTIN MEDICAL CENTER ATTN:CAS
547.65	BOB BARKER COMPANY INC.	57.50	BUDGET OIL CO
136.11	RICHARD BURCH	2713.09	CARDINAL HEALTH
222.00	CARE EXPRESS PRODUCTS INC	20.29	BRYTNIE CAROLAN
348.26	CDW GOVERNMENT, INC.	1799.28	CEDAR VALLEY SERVICES, INC
34.06	CHARTER COMMUNICATIONS	291.50	CITY CAR WASH INC
339.81	CITY OF AUSTIN	257.12	COUNTRY INN WOODBURY
17.50	CREDIT BUREAU	33.88	CUSTOM COMMUNICATIONS INC
508.09	DALCO	3651.12	DELL MARKETING L P
20.25	DELTA CLEANERS	750.00	KENNETH DENNIS, PH.D
10.00	DEX MEDIA EAST	410.00	DILIGENT SERVICE NETWORK
1941.29	DANIEL DONNELLY LAW FIRM	252.51	EMERGENCY AUTOMOTIVE TECHNOLOG
227.25	EVANS PRINTING AND PUBLISHING,	408.27	FARM & HOME PUBLISHERS
50.00	FBI-NAA, NORTHWEST CHAPTER	1344.77	FEATHERLITE GRAPHICS INC
6.45	FEDERAL EXPRESS	150.00	JUAN FELIX
117.00	FIRSTLAB INC.	26.19	KAREN FRANK
34.82	GRAINGER	355.26	DOUG GROH

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

<p>75.00 RUTH GUTIERREZ 90.00 HARTY MECHANICAL INC 67.00 BARBARA HOVDE 788.42 IKON OFFICE SOLUTIONS 1379.65 JACKEL CONSTRUCTION 40.00 KYLE KLAEHN 280.00 EVAN LARSON 1500.00 DR LINDERMAN 67.35 LYNN PEAVEY CO 21.95 MARCH OF DIMES - GEORGIA 1118.74 MARTIN BROS 236.90 MEDTOX LABORATORIES INC 5705.45 MINNESOTA COUNTIES COMPUTER CO 200.00 MINNESOTA COUNTY RECORDERS ASS 95.00 MINNESOTA SHERIFF ASSOCIATION 965.00 MN OFFICE OF ENTERPRISE TECHN 395.00 NORTHEAST WISCONSIN TECHNICAL 36.00 NUTRITION MATTERS 2632.07 PARAGON PRINTING & MAILING INC 86.30 HARLEN PECK 250.00 PLUNKETT & ASSOCIATES INC 160.00 PORTER LANGUAGE SERVICE 3022.00 POST BULLETIN COMPANY 146.23 PUBLIC SAFETY CENTER INC. 32.06 RENT'N'SAVE 120.00 JAMES RISIUS 60.00 APRIL RODRIGUEZ 28.32 RUSKELL HARDWARE 339.78 SCHILLING SUPPLY COMPANY 30.98 SCHWAAB, INC 65.00 SHERIFF FREEBORN COUNTY 75.00 SHERIFF STEELE COUNTY 50.55 SHOPKO PHARMACY 3155.00 PAUL SPYHALSKI 1277.92 STAPLES CREDIT PLAN 20040.00 STEELE COUNTY DETENTION CENTER 433.23 GREG STOREY 236.98 TINY'S BODY SHOP 39.77 UPS 59.57 VIKING GLASS & LOCK, INC 338.33 WASTE MANAGEMENT OF SO MINNESO 341.50 WEST GROUP</p> <p>GENERAL FUND SOCIAL SERVICE FUND AMOUNT VENDOR NAME 225.00 ASSOCIATION OF MN COUNTIES 62.92 CUSTOM COMMUNICATIONS INC 3001.02 PARAGON PRINTING & MAILING INC 40.36 WASTE MANAGEMENT OF SO MINNESO</p> <p>SOCIAL SERVICE FUND ROAD & BRIDGE FUND AMOUNT VENDOR NAME 249.97 ABM EQUIPMENT & SUPPLY, LLC. 74.81 ABSOLUTE PEST ELIMINATION 210.66 AUSTIN BUILDERS SUPPLY, INC 116.00 AUSTIN MEDICAL CENTER ATTN:CAS 292.41 C S S 202.24 CCP INDUSTRIES INC 200.61 CINTAS FIRST AID & SAFETY 161.47 ETTERMAN ENTERPRISES 5084.10 L.R. FALK CONSTRUCTION CO. 12.89 FERRELLGAS 38.42 FOX ELECTRIC COMPANY, INC</p>	<p>120.00 DUANE HANSON 2368.76 HOLIDAY FORD, LINC, MERC 4.66 HYVEE ACCOUNTS RECEIVABLE 226.49 INNOVATIVE OFFICE SOLUTIONS,LL 133.05 JOURNEYWORKS PUBLISHING 102.16 KEN KROUPA 1474.00 LASER PRODUCT TECHNOLOGIES 178.59 JENNIFER LLOYD 2200.00 MANATRON INC 159.98 MARSHALL MEDICAL SYSTEMS & EQU 500.00 MAYER FUNERAL HOME 154.50 MIDTOWN TOWING 992.00 MINNESOTA COUNTIES INFORMATION 136.64 MINNESOTA ELEVATOR, INC 1032.45 MITCHELL COUNTY REGIONAL HEALT 930.00 MOWER COUNTY SHOPPER 300.00 STEVEN NORTON 340.00 OSAGE DENTAL ARTS 240.00 PBBS EQUIPMENT CORPORATION 50.00 PLEAA NEW BRIGHTON 156.86 PLUNKETT'S PEST CONTROL 10000.00 POSITRON PUBLIC SAFETY SYSTEMS 408.40 PRESCRIPTION CENTER 16224.99 REGENTS OF THE UNIVERSITY OF M 174.00 RICHARDSON LAW OFFICE 300.00 RISK & NEEDS ASSESSMENTS 79.05 RS EDEN INC 285.00 CAROLINA SALAZAR 145.00 DR. SCHMITT 1122.19 SERVICEMASTER CLEAN 27553.48 SHERIFF MITCHELL COUNTY 65.00 SHERIFF TREMPLEALEAU COUNTY 27.92 MARLYS SORLIE 33.72 STAPLES BUSINESS ADVANTAGE 840.00 MNJIS STATE OF MINN 126.86 STERLING MAIN STREET 112.40 JANE THOME 1012.20 UNIFORMS UNLIMITED INC 842.00 VANGUARD APPRAISALS, INC 67.76 VIKING OVERHEAD DOOR 496.23 WELLS FARGO FINANCIAL LEASING 335.00 WORLEIN FUNERAL HOME \$245,861.97 * TOTAL</p> <p>AMOUNT VENDOR NAME 121.57 CEDAR VALLEY SERVICES, INC 89.90 DELL MARKETING L P 30.98 STAPLES CREDIT PLAN</p> <p>\$3,571.75 * TOTAL</p> <p>AMOUNT VENDOR NAME 1036.90 ABOVE ALL CLEANING, INC 101.72 AUSTIN AWNING COMPANY 643.50 AUSTIN FIRE AND SAFETY 183.09 AUTO VALUE AUSTIN 747.71 CATCO PARTS AND SERVICE 334.26 CDW GOVERNMENT, INC. 329.18 DEXTER LP, INC 130.21 FALCON RME 88.07 FASTENAL COMPANY 69.99 FIRESTONE TIRE & SERVICE CENTE 378.96 G & K SERVICES</p>
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COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

<p>10339.58 HANSON TIRE SERVICE INC. 30.38 HOLIDAY FORD, LINC, MERC 1700.00 JONES, HAUGH & SMITH, INC. 189.99 NICK LANE 211.70 LITTLE FALLS MACHINE, INC. 1424.11 M-R SIGN COMPANY, INC. 646.65 MISSISSIPPI WELDERS SUPPLY CO. 66.26 MOWER COUNTY SOIL & WATER CONS 650.00 OSMUNDSON BROTHERS INC 3704.98 PETROBLEND CORP. 1051.52 POWERPLAN 416.16 PROLINE DIST., INC 197.92 RAMADA PLAZA SUITES FARGO 56.75 RUBBER-INC 176.45 SEMA EQUIPMENT, INC 1073.69 TERMINAL SUPPLY CO. 5815.48 UNIQUE PAVING MATERIALS CORP. 2.16 WOODRUFF COMPANY 404.10 ZIEGLER, INC ROAD & BRIDGE FUND SOLID WASTE/RECYCLING FUND AMOUNT VENDOR NAME 27.24 CEDAR VALLEY SERVICES, INC 352.00 KRUEGER TRANSPORTATION 38.70 PLUNKETT'S PEST CONTROL 16.03 WELLS FARGO FINANCIAL LEASING SOLID WASTE/RECYCLING FUND SEWER IMPROVEMENT LOANS/ I.S.T.S AMOUNT VENDOR NAME 7606.00 MINN DEPT OF AGRICULTURE SEWER IMPROVEMENT LOANS/ I.S.T.S BUILDING FUND AMOUNT VENDOR NAME 9629.07 HANSEN HAULING & EXCAVATING BUILDING FUND ****</p>	<p>23.47 HIAWATHA VALLEY FARM STORE, IN 5.07 HYVEE ACCOUNTS RECEIVABLE 422.52 J.J. KELLER & ASSOCIATES INC. 742.57 LAWSON PRODUCTS, INC 119.31 LOCATORS & SUPPLIES, INC 1107.97 MANTEK 37.00 MOLINE AWARDS AT STERLING 1230.90 NAPA AUTO PARTS 13.69 PARAGON PRINTING & MAILING INC 55.36 POWERLINE INDUSTRIES, INC 314.43 PRINSCO, INC. 89.50 R & M STEEL 1090.73 RONCO ENGINEERING SALES, INC. 231.30 MR. SAM COMMUNICATIONS 505.46 STAPLES CREDIT PLAN 124.94 TOWMASTER TRUCK EQUIPMENT 250.59 USEMS 263.59 ZEP SALES & SERVICE 1328.24 3D SPECIALTIES, INC. \$46,801.69 * TOTAL</p> <p> AMOUNT VENDOR NAME 5787.59 IVERSON HAULING 145.70 MINNESOTA SUPPLY COMPANY 634.97 WASTE MANAGEMENT OF SO MINNESO \$7,002.23 * TOTAL</p> <p> AMOUNT VENDOR NAME \$7,606.00 * TOTAL</p> <p> AMOUNT VENDOR NAME \$9,629.07 * TOTAL \$320,472.71 ****</p>
<p>***** FINAL TOTAL*****</p>	

Motion carried.

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

Joseph Company	\$ 57,475	Chief Industries, Inc.	\$ 111,280
IPC, Inc.	7,859	Minnesota Elevator	35,318
R & S Casework, Inc.	245,270	Viking Automatic Sprinkler Co.	59,190
Bauernfeind Goedel	1,900	Harty Mechanical	392,089
W. L. Hall Company	8,090	Himec Mechanical	133,875
Twin City Acoustics, Inc.	59,549	Schammel Electric, Inc.	391,232
Pompeii Painting, Inc.	28,500	Knutson Construction	141,748

The approved payment to R & S Casework, Inc. will be held waiting for information from the vendor. Motion carried.

Motion made by Commissioner Lang, seconded by Commissioner Ankeny to approve the 2010 Natural Resources Block Grant agreement for SSTS funding in the amount of \$9,931 and authorize the chair to sign the agreement. Motion carried.

Motion made by Commissioner Hillier, seconded by Commissioner Gabrielson to approve the solid waste facility permit application of Best Disposal, of Blooming Prairie, MN for the period July 1, 2009 through June 30, 2010. Motion carried.

County Coordinator Craig Oscarson updated the board on the status of the bill to appoint the County Recorder. The bill has not been voted on by the Senate to date. It appears that the legislation will not be passed in time to conduct the necessary public hearings before the filing deadline for the position.

Motion by Commissioner Ankeny, seconded by Commissioner Gabrielson to adjourn the meeting at 11:53 a.m. until April 27, 2010 at 8:30 a.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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