

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

April 5, 2011

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session April 5, 2011 at 1:00 p.m. at the Government Center in Austin, Minnesota.

Members present, viz: Mike Ankeny, Vice Chair
 Raymond Tucker
 Jerry Reinartz
 Tony Bennett
 Craig Oscarson, County Coordinator
Member absent: Tim Gabrielson, Chair

Debra Schmitt and Duane Stanley, Probation Officers, were recognized as Employees of the Month.

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to approve the minutes of March 22, 2011. Motion carried.

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

Henricksen PSG	\$ 32,295.75
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Motion carried.

A Public Hearing was held in regard to CUP #773 of Michael Schubert, SMS Promotions, to modify conditions 1, 2, 6 & 7 and to add a concession stand for existing CUP #661 for the operation a go-cart track approved February 3, 2004.

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

The Petitioner was present and spoke on his own behalf. No other persons spoke for or against CUP #773.

Date: April 5, 2011

Res. #25-11

RESOLUTION

On motion of Commissioner Reinartz, seconded by Commissioner Bennett, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held April 5, 2011 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #773 of Michael Schubert, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

To modify conditions 1, 2, 6 & 7 and to add an 8' x 10' concession stand for existing CUP #661 for the operation a go-cart track approved February 3, 2004.

Location: Located on a 6.7 & 5.0 parcel, located in Section 16, Red Rock Township (T103N-R17W), and legally described as: SMS Promotions: 16.016.0032 N800ft W634.7ft E735ft S1/2 NE1/4 Exc N500ft E434.7ft and Michael & Cynthia Schubert: 16.016.0031 N500ft W434.7ft E535ft SE1/4 NE1/4 5.0 ac., Mower County, Minnesota on a parcel identified per tax records as 16.016.0032

Notice having been duly given, a public hearing was held on March 29, 2011 before the Mower County Planning Commission at 7:00 p.m. at the Mower County Government Center in the Commissioner's board room, on said petition.

Notice having been duly given, a public hearing was held on April 5, 2011 before the Mower County Board of Commissioners, 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, which is hereby adopted by reference and kept on file in the office of Environmental Services; and

BE IT FURTHER RESOLVED, that said petition is hereby approved, as recommended by the Mower County Planning Commission with conditions as follows:

1. Hours of operation shall be limited to one day/week on a Friday, Saturday, Sunday, or Holiday and shall be no later than 11:00 p.m.
 - a. Operator shall be granted one "special event" on an annual basis (Jan 1 – Dec 31) at his discretion to include up to one (1) 3-day event; Friday, Saturday, Sunday.
 - b. Any Sunday event cannot start prior to noon and must cease before 8:00 p.m.
 - c. (possible addition) Spectators and participants shall vacate the property within 1 hour of event ceasing. IE: event ceases 11:00 pm; site must be cleared by midnight. (The premise of this condition is to prevent other activities from occurring at this site after the go-cart event.)
2. Petitioner/Owner shall comply with MPCA noise regulations. Upon request of the County Board, the petitioner/owner may have to prove compliance with MPCA noise regulations at his/her expense.
3. There will be a setback limitation for the go-cart track of a minimum of thirty feet (30') from the north and west property lines.

4. The size/length of the go-cart track will be limited to 1/10th of a mile.
5. The owner must contact the Mower County SWCD regarding the Wetland Conservation Act and provide the County with a copy of one of the following:
 - a) A "No Loss Determination"
 - b) A "Wetland Exemption"
 - c) A "Wetland Replacement Plan" approval
6. A zoning permit and ISTS permit must be obtained prior to construction.
7. In the event that lights are constructed/installed, they shall be erected so as to limit the impact on neighbors and Hwy 56.
8. Access to/from the track area must remain open and not obstructed or blocked should emergency personnel ever be needed or required to respond to the scene.

This permit is in accordance with 14-28 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 5th day of April, 2011.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Vice-Chairperson

By: _____
Clerk/Coordinator

Motion by Commissioner Bennett, seconded by Commissioner Reinartz to approve out-of-state travel for a Correctional Services probation officer to attend a National Technical Assistance conference for Safe and Drug Free Schools. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Reinartz to approve the Multi-Agency Law Enforcement Joint Powers Agreement for Minnesota Internet Crimes Against Children Task Force effective through May 31, 2011. Motion carried.

Motion by Commissioner Bennett, seconded by Commissioner Reinartz to approve out-of-state travel for a Sheriff Department Sergeant to attend an Interview and Interrogation Class. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Reinartz to approve application for a diversion program grant extension in the County Attorney's office. Motion carried.

Motion by Commissioner Bennett, seconded by Commissioner Tucker to reappoint Michal Hanson as the County Engineer for a four year term effective May 1, 2011. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Tucker to table the request to fill the position of Financial Assistance Specialist in Human Services. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Reinartz to authorize the Human Resources Director to fill a .75 FTE position of Dispatcher/Communications Clerk in the Sheriff's department according to union contract and personnel policies. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to authorize the Human Resources Director to hire temporary, non-benefited summer highway help at a rate of \$10.00 per hour within 2011 budget parameters. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to deny the request of Linda Unverzagt to expand her Phased Retirement Option to include additional hours to work in other departments. Motion carried.

Arlen Schamber provided an update to the County Board for the 2010 projects and accomplishments and 2011 goals of the Turtle Creek Watershed District.

Mark Casey, Minnesota Counties Intergovernmental Trust Loss Control Consultant, provided an Annual Report to the County Board regarding risk and loss control.

Mike Hanson, County Engineer, presented bid information received for project three county bridge projects.

Motion made by Commissioner Tucker, seconded by Commissioner Reinartz to award the bid for SAP 50-599-121 to the low bidder Minnowa Construction, Inc. with a low bid of \$137,140 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 Bennett, seconded by Commissioner Reinartz to award the bid for SAP 50-599-122 to the low bidder Swenke Co., Inc. with a low bid of \$51,028.80 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 Tucker, seconded by Commissioner Reinartz to award the bid for SAP 50-599-123 to the low bidder Minnowa Construction, Inc. with a low

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

bid of \$91,933 and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and County Engineer.

The Board recessed at 2:45 p.m. and reconvened at 2:57 p.m.

Margene Gunderson, Director of Community Health Services, in conjunction with Public Health Week, provided the County Board with information concerning Mower County's ranking among other Minnesota Counties from the "County Health Rankings Mobilizing Action Toward Community Health" report.

Tom Miller appeared before the board with a request for tax abatement of penalty, interest and re-valuation for taxes payable in 2009 and 2010 for parcel 08.004.0010. A discussion followed. The County Assessor's recommendation was to deny the request. When the County Assessor denies such requests, the requests to do go to the County Board for review and approval. No action was taken by the County Board.

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

GENERAL FUND			
VENDOR NAME	AMOUNT	MACO	1,440.00
ALBERT LEA TRIBUNE	174.75	VENDOR NAME	AMOUNT
AMERICAN INSTITUTIONAL SUPPLY	245.50	MINNEAPOLIS FINANCE DEPARTMENT	204.00
ABIGAIL ANDERSEN-HAMBERG	60.00	MINNESOTA COUNTIES INFORMATION	1,286.25
ASSOCIATION OF TRAINING OFFICE	425.00	MINNESOTA SHREDDING LLC	8.00
AUSTIN AWNING COMPANY	79.43	MN DEPT OF LABOR & INDUSTRY FI	80.00
AUSTIN MEDICAL CENTER ATTN:CAS	1,131.00	MOLINE AWARDS AT STERLING	14.96
AUSTIN NEWSPAPERS, INC	270.00	MOORE MEDICAL LLC	28.20
AUSTIN PARK AND RECREATION	5,745.55	NAPA AUTO PARTS	3.09
BOB BARKER COMPANY INC.	385.84	NUTRITION MATTERS	359.00
CARDINAL HEALTH	2,132.02	HEIDI OLSON	86.37
BRYTNIE CAROLAN	16.90	PAL MEDICAL SYSTEMS	215.50
CITY OF AUSTIN	339.81	HARLEN PECK	46.30
CLERK OF CIRCUIT COURT	41.00	PHYSIO-CONTROL INC	662.25
CUSTOM COMMUNICATIONS INC	33.88	PLUNKETT & ASSOCIATES INC	130.00
DALCO	954.94	POST BULLETIN COMPANY	1,796.99
DASH MEDICAL GLOVES INC.	179.70	RATWIK, ROSZAK & MALONEY, ATTY	19,769.21
DILIGENT SERVICE NETWORK	70.00	REGENTS OF THE UNIVERSITY OF	16,224.99
DANIEL DONNELLY LAW FIRM	761.55	RICHARDSON LAW OFFICE	166.00
ELK RIVER FORD, INC	65,653.92	JAMES RISIUS	80.00
EMERGENCY AUTOMOTIVE TECHNOLOG	532.14	RS EDEN INC	1,489.45
JUAN FELIX	60.00	RUSKELL HARDWARE	112.05
FIRSTLAB INC.	39.00	S&W HEALTHCARE CORPORATION	228.00
RUTH GUTIERREZ	90.00	CAROLINA SALAZAR	60.00
DUANE HANSON	40.00	SCHILLING SUPPLY COMPANY	826.78
KAREN HARDY	112.95	DR. SCHMITT	147.00
BARBARA HOVDE	67.00	SCHOOL DISTRICT #492	1,139.94
IKON FINANCIAL SERVICES	213.03	SCHWAAB, INC	36.10
IKON OFFICE SOLUTIONS	393.87	SERVICEMASTER CLEAN	1,179.90
INNOVATIVE OFFICE SOLUTIONS,LL	637.50	SMYTH COMPANIES INC	246.88
JONES AND MAGNUS	1,197.21	SOUTH CENTRAL COLLEGE	1,536.00
KRIEGER PRINTING	139.15	STAPLES CREDIT PLAN	49.14
EVAN LARSON	1,771.74	MNJIS STATE OF MINN	120.00
LASER PRODUCT TECHNOLOGIES	58.89	GREG STOREY	476.12
LEROY COMMUNITY POOL	7,676.50	JANE THOME	112.40
LEROY-OSTRANDER PUBLIC SCHOOL	12,488.00	UNIFORMS UNLIMITED INC	857.67
LIFELINE TRAINING	179.00	PAUL WAHLSTROM	47.03
M-R SIGN COMPANY, INC.	142.38	SALLY WAHLSTROM	120.44
TREAS/FINANCIAL MACATFO, AUDIT	35.00	WASTE MANAGEMENT LAMPTRACKER	69.95

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

WELLS FARGO FINANCIAL LEASING	144.28	WHITEWATER WIRELESS, INC ROCHES	154.97
GENERAL FUND		\$156,329.36	* TOTAL
SOCIAL SERVICE FUND			
VENDOR NAME	AMOUNT		
CUSTOM COMMUNICATIONS INC	62.92		
RUSKELL HARDWARE	8.03		
SOCIAL SERVICE FUND	\$70.95	* TOTAL	
SOLID WASTE/RECYCLING FUND			
VENDOR NAME	AMOUNT	VENDOR NAME	AMOUNT
AUSTIN BUILDERS SUPPLY, INC	35.95	KRUEGER TRANSPORTATION	745.00
CEDAR VALLEY SERVICES, INC	25.38	LAB SAFETY SUPPLY, INC	265.15
CENTRAL STATES WIRE PROD	1,906.65	WELLS FARGO FINANCIAL LEASING	16.03
FOX ELECTRIC COMPANY, INC	122.58		
SOLID WASTE/RECYCLING FUND		\$3,116.74	* TOTAL
****	FINAL TOTAL.....	\$159,517.05	****

Motion carried.

One citizen appeared before the board questioning an issue with the MPCA and sewer system. The County Attorney and Environmental Services Director will assist the individual by reviewing the papers he has received.

The County Coordinator indicated that joint jail issues between counties are arising due to declining populations in other county jails. There is a request that Mower County have a representative serve on a committee being initiated by Goodhue County to review possible cooperation between jails. The chair will need to consider such an appointment.

Motion by Commissioner Reinartz, seconded by Commissioner Bennett to adjourn the meeting at 3:39 p.m. until April 12, 2011 at 8:30 a.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
V ice-Chairperson

Attest:

By: _____
Clerk/Coordinator

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