

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

April 12, 2011

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session April 12, 2011 at 8:30 a.m. at the Government Center in Austin, Minnesota.

All members present, viz:     Tim Gabrielson, Chair  
  Mike Ankeny  
  Raymond Tucker  
  Jerry Reinartz  
  Tony Bennett  
  Craig Oscarson, County Coordinator

**GENERAL:**

Introduction of staff - Jodi Krueger – Child Support Supervisor

Overview of director's report.

Review Board approved reorganization plan from 2/22/11 and current request to fill Lead Worker position in the financial unit.

Commissioner Tucker moved and Commissioner Ankeny seconded to approve the needs determination application for Turtle Creek. Motion carried.

Commissioner Reinartz moved and Commissioner Bennett seconded to approve payment of invoices from May 2010 with a 25% penalty reduction. Motion carried.

Commissioner Ankeny moved and Commissioner Bennett seconded to approve assigning Julie to the Advisory group of the Steering Committee on Performance and Outcome Reforms. Motion carried.

Commissioner Bennett moved and Commissioner Reinartz seconded to authorize Human Services (representative payee) to open a dedicated account at Home Federal Savings for the deposit of a VA back payment. Motion carried.

Commissioner Ankeny moved and Commissioner Tucker 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 Tucker moved and Commissioner Ankeny seconded to approve the Social Service Actions. Motion carried.

**INCOME MAINTENANCE ACTIONS:**

Commissioner Ankeny moved and Commissioner Reinartz seconded to approve the Income Maintenance Actions. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Tucker to authorize the Human Resources Director to fill the full-time position of Financial Assistant Specialist in the Human Services department according to union contract and personnel policies and any subsequent position as long as the open position is not targeted for elimination or reduction based on the 2011 approved budget. Motion carried.

The Board discussed the transfer of the Ditch Program and the Ag Inspector (Weed Program) from Soil & Water Conservation District to County Highway Engineering. Representatives from Soil & Water Conservation District and the public provided public input concerning the Board's possible action.

Motion made by Commissioner Ankeny to transfer the Ditch Program AND and Ag Inspector (Weed Program) from Soil & Water Conservation District to county Highway Engineer effective June 1, 2011. Motion failed for lack of a second.

The Board recessed at 10:17 a.m. and reconvened at 10:33 a.m.

The Personnel Committee interviewed two applicants for the position of Cedar River Watershed District manager. The committee was split on a recommendation. Each committee member provided information to the full board concerning each of their individual recommendations for appointment. Members of the public also were able to comment on the qualifications of the applicants for the position.

Motion made by Commissioner Tucker, seconded by Commissioner Reinartz to appoint Michael Merten to the Cedar River Watershed District Board for a three-year term effective May 1, 2011 through April 30, 2014. The Commissioners voted as follows: Commissioner Bennett aye, Commissioner Reinartz aye, Commissioner Tucker aye, Commissioner Ankeny nay, and Commissioner Gabrielson aye. Motion carried 4-1.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to approve the temporary summer extension secretary position for up to 310 hours at \$10.70 per hour effective April 12, 2011. Motion carried.

**Date: April 12, 2011**

**Res. #26-11**

**RESOLUTION**

On motion of Commissioner Tucker, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held April 12, 2011 at the Government Center, Austin, Minnesota.

WHEREAS, the Laws of Minnesota Ch. 389, Art. 9, Conditional Use Deeds, amends Minnesota Statutes 2008, section 282.01, subd. 1, Tax-Forfeited Lands; Classification, Sale; and provides for a more structured process **in classifying tax-forfeited land as either conservation or non-conservation land.**

WHEREAS, this new process minimizes the possibility of disagreements in the classification of **tax**-forfeited property, between the town board or governing body of the municipality, in which the property is located, and the county board, by giving notice and soliciting input before the county determines a property's classification.

WHEREAS, Minnesota Statutes 282.01, subd. 1(f) allows the County Board to opt for the following process in classifying property, with the exception of stalemates:

1. The classification or reclassification of tax-forfeited land that has not been sold or released from the **state** trust may be made by the county board using information made available to it by any office or department of the federal, state, or local governments, or by any other person or agency possessing pertinent information at the time the classification is made.
2. If the **tax-forfeited** lands are located within the boundaries of an organized town or incorporated municipality, the town board of the town or the governing body of the municipality in which the lands are located must approve the county board's classification or reclassification and sale. If the governing body disapproves of the classification or reclassification and sale of tax-forfeited land, it must notify the county board **by mail, email or hand delivery** of its disapproval within 60 days of the date the request for approval. Inaction by the governing authority is acquiescence of the county board's classification of the property. If the town board or governing body disapproves of the classification or reclassification and sale, the county board must follow the procedures in paragraph (c) and (d) of Minnesota Statutes 282.01 Subdivision 1, with regard to the parcel, and must additionally cause to be published in a newspaper a notice of the date, time, location and purpose of the required meeting.
3. If a town board or a governing body of a municipality or a park and recreation board in a city of the first class desires to acquire any parcel lying in the town or municipality by procedures authorized in this section, it may file a written request **per Minnesota Statutes 282.01, subdivision 1a, paragraph (a).**

WHEREAS, in the case of a stalemate between the county board and the town board or governing body of the municipality, the county board will use the process described in paragraph (b) and (c) of Minnesota Statutes 282.01, subd. 1:

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners of the County of Mower, State of Minnesota, elects to use the method described in paragraph (g), (h), and (i) of the amended Minnesota Statutes 282.01, subd. 1, in classifying or reclassifying the forfeited property, per the Laws of Minnesota chapter 389, Art. 9, subd. 1.

ALSO, THEREFORE, BE IT RESOLVED, the County Board of Commissioners of the County of Mower, State of Minnesota, adopts this Resolution and policy, retroactive to May 27, 2010, as signed by the Governor of the State of Minnesota.

Passed and approved this 12<sup>th</sup> day of April, 2011.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Chairperson

By: \_\_\_\_\_  
Clerk/Coordinator

Motion made by Commissioner Tucker, seconded by Commissioner Reinartz to deny the request of Tony Ambriz to repurchase tax forfeited property parcel 26.001.1120 in LeRoy, MN due to the fact that the Board did not determine that the repurchase would correct any undue hardship or injustice resulting from the forfeiture, or did not determine that the repurchase would promote the use of the lands that would best serve the public interest. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Reinartz to approve the on-off sale 3.2% beer license for Beaver Trail subject to review and approval of the County Sheriff. Motion carried.

Gene Novak had questions for the Board concerning the future of Human Services, the old jail and vacant offices in the government center. He is against building a new building. There is too much vacant space in the government center. Mr. Novak was informed that the building committee will review all options and is waiting on the state Human Service Redesign matter that may impact county facility needs.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to set the project letting date to May 9, 2011 at 1:00 p.m. at the office of the County Highway Department and awarded at the County Board of Commissioner's meeting for County CSAH 2 road project. Motion carried.

The Board adjusted the May County Board meeting schedule. The Board will meet in May on May 3 at 1:00 p.m. and on May 17 at 8:30 a.m.

Mike Hanson reported that Prairie Star Wind Farm has made a request to move a large crane across County Road 8 that is currently under seasonal weight restrictions.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to authorize Mike Hanson, County Engineer, to sign the agreement with Prairie Star Wind Farm to move a crane across seasonal weight restricted County Road 8. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny to approve the minutes of April 5, 2011. Motion carried.

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

GENERAL FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
8917.74	ADVANCED CORRECTIONAL HEALTHCA	1350.00	ASSOCIATION OF MINN COUNTIES
59.00	AUSTIN MEDICAL CENTER ATTN:CAS	69.25	DARYL BOEHM
51.30	BOUND TREE MEDICAL LLC	147.00	BUDGET OIL CO
1199.89	CEDAR VALLEY SERVICES, INC	167.75	CHANNING L BETE CO, INC
257.70	CITY CAR WASH INC	115.22	CULLIGAN OF AUSTIN
24.55	D & G ACE HARDWARE	401.59	EMERGENCY AUTOMOTIVE TECHNOLOG
44.00	RICHARD EPLEY	1537.48	EVANS PRINTING AND PUBLISHING,
67.50	JUAN FELIX	604.44	GRAINGER
214.03	IKON FINANCIAL SERVICES	875.54	IKON OFFICE SOLUTIONS
57.73	INNOVATIVE OFFICE SOLUTIONS,LL	205.81	LASER PRODUCT TECHNOLOGIES
17.34	LEXISNEXIS MATTHEW BENDER	55.66	SHARI MASON
500.00	M.B. MCGEE,P.A.	50.80	LAURA MEANY
475.00	MED COMPASS	34.00	MILWAUKEE COUNTY SHERIFF DEPT
5770.29	MINNESOTA COUNTIES COMPUTER CO	200.00	MINNESOTA COUNTY RECORDERS ASS
141.87	MINNESOTA ELEVATOR, INC	26.00	MINNESOTA SHREDDING LLC
460.00	MINNESOTA STATE AUDITOR	2540.33	PARAGON PRINTING & MAILING INC
156.86	PLUNKETT'S PEST CONTROL	2751.25	POST BULLETIN COMPANY
30.00	LAURA RAMIREZ	10.26	RUSKELL HARDWARE
132.00	SCHILLING SUPPLY COMPANY	68.00	SELLERS LOCK & KEY
228.98	SMYTH COMPANIES INC	860.00	MNJIS STATE OF MINN
3060.00	STEELE COUNTY DETENTION CENTER	2963.88	TURNKEY CORRECTIONS
228.00	VERIFIED CREDENTIALS INC	49.00	DAN VERMILYEA
277.76	WASTE MANAGEMENT OF SO MINNESO		

\$37,454.80 \* TOTAL

GENERAL FUND

SOCIAL SERVICE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
449.92	COMPUTER SECURITY PRODUCTS INC	39.00	MINNESOTA SHREDDING LLC
2745.50	PARAGON PRINTING & MAILING INC	1188.12	SCHILLING SUPPLY COMPANY
38.41	WASTE MANAGEMENT OF SO MINNESO		

\$4,460.95 \* TOTAL

SOCIAL SERVICE FUND

ROAD & BRIDGE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
459.56	A.E.S., INC.	1036.90	ABOVE ALL CLEANING, INC
74.81	ABSOLUTE PEST ELIMINATION	120.00	ATSSA
102.97	AUSTIN BUILDERS SUPPLY, INC	582.00	AUSTIN FIRE AND SAFETY
47.17	AUTO VALUE AUSTIN	131.16	BRHB, INC
73.98	BROCK WHITE CO LLC	686.75	C S S
389.22	CANADIAN PACIFIC RAILWAY COMPA	286.75	CATCO PARTS AND SERVICE
292.83	CINTAS FAS LOCKBOX 636525	860.40	CUMMINS NPOWER, LLC
9.17	D & G ACE HARDWARE	184.75	EMERGENCY AUTOMOTIVE TECHNOLOG
801.59	ETTERMAN ENTERPRISES	12.83	FERRELLGAS
337.62	G & K SERVICES	55.60	GRAINGER
1284.67	HANSON TIRE SERVICE INC.	642.50	HIGH FOREST BOBCAT SERVICE LLC
102.72	INNOVATIVE OFFICE SOLUTIONS,LL	1900.00	JONES,HAUGH & SMITH, INC.
47.95	NICK LANE	349.15	LASER PRODUCT TECHNOLOGIES
283.34	MENARDS - ROCHESTER SOUTH	1899.38	MIDSTATES EQUIPMENT & SUPPLY
660.28	MISSISSIPPI WELDERS SUPPLY CO.	371.33	NAPA AUTO PARTS
650.00	OSMUNDSON BROTHERS INC	120.77	PARAGON PRINTING & MAILING INC
1379.73	PETROBLEND CORP.	63.32	POST BULLETIN COMPANY

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

859.30 PROLINE DIST., INC	195.80 RAMADA PLAZA SUITES FARGO
927.16 RONCO ENGINEERING SALES, INC.	10.67 RUSKELL HARDWARE
118.76 SHERWIN WILLIAMS COMPANY	600.00 SOFTREE TECHNICAL SYSTEMS INC
90.00 STATE OF MINNESOTA LABOR & IND	670.75 DAVE SYVERSON FREIGHTLINER
15.48 TRIMBLE'S CYCLE CENTER, INC	512.79 UNITED LABORATORIES
55.00 WELLNESS 1ST CHIROPRACTIC	35.42 WOODRUFF COMPANY
170.32 YOUNG'S WELDING, INC.	1595.59 ZACK'S, INC.
657.28 ZARNOTH BRUSH WORKS, INC.	432.71 ZIEGLER, INC
ROAD & BRIDGE FUND	\$23,248.23 * TOTAL
SOLID WASTE/RECYCLING FUND	
AMOUNT VENDOR NAME	AMOUNT VENDOR NAME
88.86 AUSTIN BUILDERS SUPPLY, INC	595.00 FOX ELECTRIC COMPANY, INC
364.65 GRAINGER	6259.07 IVERSON HAULING
145.70 MINNESOTA SUPPLY COMPANY	38.70 PLUNKETT'S PEST CONTROL
SOLID WASTE/RECYCLING FUND	\$7,491.98 * TOTAL
**** FINAL TOTAL.....	\$72,655.96 ****

Motion carried.

Motion by Commissioner Ankeny, seconded by Commissioner Reinartz to approve out-of-state travel with reimbursable travel expenses for a prosecutor in the county attorney's office to attend the Minnesota Coalition Against Sexual Assault. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Ankeny to amend the 2011 County Attorney's budget to use tax forfeiture money to purchase a new printer. Motion carried.

Motion by Commissioner Ankeny, seconded by Commissioner Bennett to adjourn the meeting at 11:21 a.m. until April 26, 2011 at 8:30 a.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: \_\_\_\_\_  
Chairperson

Attest:

By: \_\_\_\_\_  
Clerk/Coordinator

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