

**SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS**

November 6, 2012

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session November 6, 2012 at 1:00 p.m. at the Government Center in Austin, Minnesota.

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

Commissioner Bennett on behalf of the Personnel Committee reported that due to a recent employment separation there is a full-time Support Enforcement Aide position vacant in the Child Support unit.

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to authorize the Human Resources Director to fill the full-time Support Enforcement Aide vacancy according to union contract and personnel polies and fill any subsequent vacancies created through the internal posting process. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson to allow the part-time employee in the Child Support unit to work up to an additional 20 hours per week subject to approval by the Child Support Supervisor and subject to a maximum of 40 hours per week until the vacant Support Enforcement Aide position is filled. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to accept the Phased Retirement request of Ruth Schmidt for work hours up to 620 total hours in 2013 on an as needed basis. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to accept the request from Ruth Lumley, the current Long-Term Care Lead Worker, to step down from the position and assume a Public Health Nurse position when her current position is filled but no later than January 1, 2013 and authorize the Human Resources Director to fill the Long-Term Care Lead Worker vacancy and any subsequent vacancies created from the internal posting process. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to authorize the Human Resources Director to fill a full-time Public Health position to work for the Minnesota Maternal Infant and Early Childhood Home Visiting Grant position as soon as

grant funding becomes available to Mower County and any subsequent vacancies that result from an internal posting process. Motion carried.

Commissioner Bennett reported that the Personnel Committee has reviewed the proposed changes to Personnel Policy B230, Security Guidelines. The revisions delete areas of the policy that are no longer applicable with changes in technology; provide measures to protect equipment and data; and give employees/supervisors a clear guideline of acceptable use. Based on the scope of the policy, it is also proposed that the policy be renamed to "Information Technology Policy".

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to amend Personnel Policy B230 Security Guidelines by deleting all current language and replacing it with the following new language for Personnel Policy B230 now entitled Information Technology Policy as follows:

**SECTION B230**  
**Information Technology policy**

Mower County employees are provided with information technology resources to allow them to be more efficient and productive as well as to provide them with access to information necessary to carry out their responsibilities as an employee of the County. Employees are expected and required to use these resources in a manner consistent with their position and work responsibilities with Mower County. The purpose of the Information Technology policy is twofold: to protect equipment and data and to define acceptable use of County equipment. Violations of this policy, and/or inappropriate use of the County's information technology systems, may lead to revocation of system privileges and/or disciplinary action, up to and including termination of employment.

**Scope.** The Information Technology policy extends to all employees, volunteers, contractors, or any other users of the County information technology systems. For the purposes of this policy, Information Technology consists of all electronic equipment (including telephones and electronic office equipment), hardware, and software owned or leased by Mower County that retains, transmits, copies, modifies, analyzes, or processes information in any form.

The scope of this policy would also extend to remote access of Mower County information technology systems from a personal or non-County computer or the use of any other entity's resources to conduct work business.

**Privacy.** Users of Mower County Information Technology resources should have no expectation of privacy. Mower County is the owner of the Information Technology resources provided to employees and other systems users and thus reserves the right to search, review, audit, intercept or access any use of these resources at its discretion. Data that is created, developed, composed, sent, or received through these systems is the property of Mower County. Employees' use of the Internet (personal and work-related) on County systems or through County networks is also subject to logging, monitoring, intercepting, and forwarding without prior notice, as deemed appropriate by the Coordinator or his/her designee(s). The use of a confidential password to access any County information system does not imply that this data is a property right of the employee. All data, including data deleted by the system user, is archived and retained by the IT department and may be retrievable for future access.

Any data created, stored, may be releasable outside of Mower County in compliance with Minnesota Government Data Practices Act, other Federal or State laws, or within the course of litigation. Employees, who receive a request for the release of data pursuant to Minnesota Government Data Practices, federal/state law, or litigation, should not disclose data without prior supervisory authorization unless the release of data is within the scope of the employee's job position.

**Security.** All employees should practice reasonable security measures while utilizing County electronic systems or during periods when a county system is left unattended. Appropriate security measures may include, but are not limited to:

- Password accessibility - Passwords shall not be shared across multiple users, or across multiple computer systems, unless expressly approved by the Department Director. Passwords should not be written down and stored in a place easily accessible to others (i.e. taped on the side of a computer or under a desk) or programmed into any computer system or key for automatic login, recall, display or other use. In the event of a suspected disclosure of a password, that password should be immediately changed.
- Users should be alert about their computer or terminal status and take care that unauthorized individuals cannot read or modify data through a valid system login or session. Low-tech solutions can include anti-glare screen guards that prevent "shoulder surfing" and proper monitor placement.
- When a user prints sensitive, proprietary or otherwise controlled information, that user should retrieve the printed material in a timely manner to ensure that it is not available for unauthorized use.
- Users should logout of computer terminals or systems if they are going to leave the computer terminal or system unattended. Automatic logouts or password-protected screen savers should be enabled wherever practical.

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- Users should use caution when leaving equipment unattended because it is generally small and portable. County computer equipment should never be left in an unlocked vehicle or unattended at any off-site facility (airport, restaurant, etc.).
- Users should notify the system administrator immediately if they suspect or confirm that their computer system has been infected with a virus. Only properly trained individuals should attempt to destroy or remove a virus.

If an employee has knowledge or suspicion of a compromise or attempted compromise of Mower County information systems, or access controls, he or she is expected to report that knowledge or suspicion immediately upon becoming aware of the potential security problem to their supervisor or to a system administrator. Good faith reports of this nature will be considered confidential communications akin to "whistleblower" reports, and will not result in retaliation against the reporter.

*Use.* Mower County systems should be used solely by Mower County employees or other authorized users to perform work-related business. Limited personal use may occur during an employee's rest or meal break time as long as the use does not impair an employee's workplace performance and does not constitute misuse, as described below. Electronic system misuse includes, but is not limited to, the following:

- Accessing, downloading, posting, creating, storing, sending, or communicating offensive or sexually explicit materials or materials that violate the county's respectful workplace and/or harassment policies
- Sending, storing, posting, or communicating confidential information or private government data to unauthorized parties
- Using or attempting to gain access to another user's computer, e-mail, or voicemail system, data file, or the Internet without prior authorization
- Allowing unauthorized parties to use county electronic systems
- Storing personal files on a County system local hard drive.
- Using County equipment or technology for personal business interests, for-profit ventures, political activities or other uses inconsistent with County activities.
- Spending work time on the agency computer, Internet, or e-mail systems for personal use; although limited personal use during nonworking hours (i.e. break time) in a way that does not impact productivity may be acceptable as long as it adheres to the tenants of acceptable use. After completing personal business, users should immediately close out of (not minimize) screens accessed for personal use so not to impair the speed or functionality of the County network.
- Use of agency computer, Internet, or e-mail systems to access chat rooms, blogs, personal websites, social networking or social media websites, instant messaging services, or to conduct job searches
- Downloading unapproved software (free or purchased), hardware, games, screen savers, toolbars, clipart, music and movie clips, other equipment, software or downloads are prohibited. Requests for new or different equipment or software should be made to your supervisor or directly to the technology department.
- Playing computer games during working hours
- Using e-mail or other electronic communication to hide the identity of the sender or to represent the sender as someone or something that he/she is not
- Using county telephones/fax machines for personal long-distance and toll calls
- Using county telephones for excessive personal use during work time

Generally, employees should not connect personal peripheral tools or equipment to County owned systems (such as digital cameras, PDAs, disks, cell phones, mp3 players or flash drives) unless use is consistent with County business and/or authorized by the IT department.

*Social Media and Instant Messaging.* The County does not provide employees with resources or tools to communicate by instant messaging or through social media sites (i.e. Facebook, Twitter). Employees are not allowed to download or install any instant messaging or social media software on County equipment and are not allowed to use instant messaging or social media sites as a means for personal communication via County networks or equipment unless it is for a work-related purpose and prior approval is granted by a supervisor.

Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson to accept Paul Hylle's, Heavy Equipment Operator in Public Works, resignation effective November 30, 2012. Motion carried.

Commissioner Reinartz reported on behalf of the Building Committee that a preliminary environmental assessment report on the grandstand indicates some asbestos issues and the final schematic for the Health & Human Services & LEC remodel project is nearing completion.

A Public Hearing was held in regard to CUP #786 of Josephine Ibling Trust / Michael & Kathrine Harte to allow for a vacation rental property in Section 3, Red Rock Township.

Angie Knish, Environmental Services, reviewed the permit and Planning Commission recommendations. The Planning Commission recommended approval with 7 conditions.

The Petitioner was present and spoke on his own behalf. No one else spoke for or against CUP #786.

**Date: November 6, 2012**

**Res. #74-12**

**RESOLUTION**

On motion of Commissioner Bennett, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 6, 2012 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #786, by Josephine Ibling Trust, c/o Kathrine Harte, Landowners and c/o Michael Harte, Iblings Family Farm, LLC, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

A vacation rental property

Location: On a 1.65 parcel, located in Section 3, Red Rock Township (T103N-R17W), and legally described as: A Commencing at the Southwest corner of said Section 3, thence North 12 rods, thence East 22 rods, thence South 12 rods, thence West 22 to the place of beginning, Section 3, T103N R17West, Mower County, Minnesota, Mower County, Minnesota on a parcel identified per tax records as 16.003.0080

Notice having been duly given, a public hearing was held on October 30, 2012 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 November 6, 2012 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. Applicant shall follow all state, federal and local regulations regarding the proposed use including MR Rules Chapter 4625, (as may be amended), by the Department of Health; and

2. Should the septic system be determined to be an imminent health threat; use of the premises as vacation rental property must cease until a system is issued a Certificate of Compliance.
3. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition; and
4. 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 to adjoining landowners from the proposed use, and
5. 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. Vehicles cannot be parked or backed onto the premises from the road or its right-of-way; and
6. This Conditional Use Permit shall lapse, and shall be no longer valid upon one-year of non-use; and
7. 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.

This permit is in accordance with 14-49 (Agricultural District) and 14-28 of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 6<sup>th</sup> day of November, 2012.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Angie Knish reported that two bids had been received in response to the Request For Proposals pertaining to the remaining septic system inventories needed in the County and to complete the grant. The County had received a \$99,995 grant with a \$25,000 local match to complete the project. One bidder was low on part of the project and the other bidder was on the 2<sup>nd</sup> half of the project.

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to accept the low bids of Norm Craig at \$40 per site inspection and Bruce Bucknell at \$44 per site inspection and proceed with the project having the sites divided equally between the two bidders. Motion carried.

Members of the Soil and Water Conservation District (SWCD) Board of Supervisors appeared before the Board to appeal the Finance Committee's recommendation to freeze the 2013 budget appropriation at the 2012 level. Supervisors reviewed their 2011 projects and the positive and important impact of the projects on flood and erosion control in Mower County. The SWCD had initially requested a \$30,000 increase over the 2012 appropriation and have worked on the budget but are still requesting a \$20,000 increase over the 2012 appropriation of \$133,505. The Finance Committee will review the appeal.

Mike Hanson, Public Works Engineer, reported that the environmental assessment inspection has been completed on the grandstand but that the report is still forthcoming.

Steve King, the United Way campaign coordinator for Mower County, reported to the Board that the 2012/2013 fund drive was underway and requested that the Board award one-day off of PTO for one donating employee like it had approved last year.

Motion made by Commissioner Tucker, seconded by Commissioner Gabrielson to approve an award of one day of PTO (8 hours) to one employee who has made a donation to the United Way. Motion carried.

Recess at 2:12 p.m. reconvene at 2:29 p.m.

Motion made by Commissioner Gabrielson, seconded by Commissioner Bennett to approve the minutes of October 23, 2012. Motion carried.

Motion by Commissioner Gabrielson, seconded by Commissioner Reinartz to approve the Commissioner warrants for payment subject to the review and approval of the Board and signature of the Chair when the file is available. Motion carried. The following warrants were reviewed and approved by the Commissioners and signed by the Chair:

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
196.11	ALLIANT ENERGY	260.30	AMERICAN MAT & SPECIALTY
208.39	AMERICAN TRAFFIC SAFETY MATERI	12632.16	ANOKA CO JUVENILE CENTER
107.33	ARROW PRINTING	266.60	AUSTIN BUILDERS SUPPLY, INC
36658.14	AUSTIN UTILITIES	272.37	AUTO VALUE AUSTIN
2728.95	BAUDOIN OIL COMPANY	374.60	BROWNELLS INC
2989.83	BUSTAD DOZING AND EXCAVATING I	7189.15	CARGILL INCORPORATED
459.65	CCP INDUSTRIES INC	223.47	CINTAS FAS LOCKBOX 636525
633.10	DALCO	180.00	DARCAN
360.00	ERICKSON ENGINEERING CO., LLC	984.21	ETTERMAN ENTERPRISES
191.19	EVANS PRINTING AND PUBLISHING,	239.70	FIRSTLAB INC.
471.86	FOX ELECTRIC COMPANY, INC	6327.48	FREEBORN COUNTY CO-OPERATIVE O
213.94	GALLS LLC	129.15	GRAINGER
298.84	HART BROTHERS WEAPONRY	245.26	HARTY MECHANICAL INC
227.78	HIGH FOREST BOBCAT SERVICE LLC	275.40	HOLIDAY FORD, LINC, MERC
134.00	BARBARA HOVDE	411.74	IFACS
483.45	INNOVATIVE OFFICE SOLUTIONS,LL	147.18	INTAB INC.
8563.15	JONES,HAUGH & SMITH, INC.	750.00	KOCH, INC.
421.90	KRUEGER TRANSPORTATION	182.49	LASER PRODUCT TECHNOLOGIES
2601.00	LHB INC	948.70	M-R SIGN COMPANY, INC.
1312.78	MANPOWER	257.31	MANTRONICS MAILING MACHINES
1600.00	MARK OWENS RESIDENTIAL DESIGN	12870.00	MCF - STW
6941.53	MIDSTATES EQUIPMENT & SUPPLY	957.16	NAPA AUTO PARTS
1846.39	M.J. O'CONNOR, INC.	250.00	PARENTING RESOURCE CENTER
1262.94	MARSHA PAWLUK	300.05	PETROBLEND CORP.

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118.57 POST BULLETIN COMPANY LLC	1673.89 ROCHESTER SAND AND GRAVEL, INC
489.19 RONCO ENGINEERING SALES, INC.	3291.33 RS EDEN INC
129.84 RUBBER-INC	805.00 S & S WATERWORKS
950.10 SCHAEFFER MFG CO.	926.89 SCHILLING SUPPLY COMPANY
396.00 DR. SCHMITT	961.19 SEMA EQUIPMENT, INC
243.20 STEVE'S EQUIP & DIESEL SERVICE	544.67 SWANSTON EQUIPMENT CORPORATION
2527.55 DAVE SYVERSON FREIGHTLINER	226.66 TERMINAL SUPPLY CO.
471.93 THERMO KING SALES & SERVICE, I	235.21 TOWMASTER TRUCK EQUIPMENT
118.10 UHL COMPANY INC	1633.26 ULLAND BROTHERS INC.
298.70 ULVEN'S ACE HARDWARE	770.55 UNIFORMS UNLIMITED INC
375.00 UNIVERSITY OF MINNESOTA	318.59 WASTE MANAGEMENT OF WI-MN
3988.31 ZIEGLER, INC	422.50 ZUMBRO VALLEY MENTAL HEALTH CE
161.07 1800RADIATOR	373.67 3M
20 PAYMENTS LESS THAN \$100	1,055.79
****	FINAL TOTAL..... \$141,093.49 ****

Motion made by Commissioner Tucker seconded by Commissioner Bennett to approve the Grant Contract No. 3-14912 with the State of MN for NG 911 high speed voice and data network in the amount of \$10,000 for all costs effective May 1, 2012 through June 30, 2013. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Tucker to authorize the chair to sign the Community Rating System application. Motion carried.

Motion made by Commissioner Tucker, seconded by Commissioner Gabrielson to declare 2 3-drawer fire proof file cabinets as surplus property and donate them to Udolpho Township. Motion carried.

Motion by Commissioner Gabrielson, seconded by Commissioner Bennett to adjourn the meeting at 2:47 p.m. Motion carried. The next meeting is scheduled for November 13, 2012 at 8:30 a.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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