

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

February 3, 2015

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session February 3, 2015 at 1:03 p.m. at the Government Center in Austin, Minnesota.

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

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson to approve the agenda adding consideration of the Sentence To Service Contract; requesting the chair to sign the LELS #81 contract; consideration of two revised job descriptions and recommendation for the Health & Human Services Director appointment. Motion carried.

Employee of Month – Nomination made by Sue Wagner for co-workers Beverly Atzl, Megan DeVos, and Ramona Sack, Social Workers, were recognized as the February 2015 Employees of the Month.

Date: February 3, 2015

Res. #13-15

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 3, 2015 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-599-133 completed under contract number 21402 by Landwehr Construction, Inc., has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 128,596.09
Final Amount: \$ 120,350.11 [93.59%]
Final Payment: \$ 6,017.51

Passed and approved this 3rd day of February, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: February 3, 2015

Res. #14-15

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 3, 2015 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-599-134 completed under contract number 21403 by Landwehr Construction, Inc., has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 71,544.79
Final Amount: \$ 65,344.53 [91.33%]
Final Payment: \$ 3,267.23

Passed and approved this 3rd day of February, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: February 3, 2015

Res. #15-15

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 3, 2015 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-599-135 completed under contract number 21404 by Landwehr Construction, Inc., has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 208,899.88
Final Amount: \$ 209,419.00 [100.25%]
Final Payment: \$ 10,470.95

Passed and approved this 3rd day of February, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: February 3, 2015

Res. #16-15

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 3, 2015 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-599-136 completed under contract number 21405 by Landwehr Construction, Inc., has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 242,201.31
Final Amount: \$ 249,779.05 [103.13%]
Final Payment: \$ 12,488.95

Passed and approved this 3rd day of February, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: February 3, 2015

Res. #17-15

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 3, 2015 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-599-137 completed under contract number 21406 by Landwehr Construction, Inc., has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 114,222.65
Final Amount: \$ 110,056.52 [96.35%]
Final Payment: \$ 5,502.83

Passed and approved this 3rd day of February, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: February 3, 2015

Res. #18-15

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 3, 2015 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-599-138 completed under contract number 21407 by Landwehr Construction, Inc., has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 125,410.82
Final Amount: \$ 116,999.58 [93.29%]
Final Payment: \$ 5,849.98

Passed and approved this 3rd day of February, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

A Public Hearing was held in regard to CUP #815 of Chuck Beisner on behalf SSC/Verizon Wireless to erect a 188 foot self-supporting lattice cellular tower with an equipment shelter within a 100' x 100' leased parcel in Section 26, Red Rock Township.

Michal Hanson, Public Works Director, reviewed the permit and Planning Commission recommendations.

The Petitioner was not present. No one spoke for or against CUP #815.

Date: February 3, 2015

Res. #19-15

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 February 3, 2015 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #815 of Chuck Beisner on behalf of SSC/Verizon Wireless, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

To erect a 188 foot self-supporting lattice cellular tower with an equipment shelter within a 100' x 100' leased parcel

Location: On a 10.79 acre parcel in Section 26, Red Rock Township; PIN 16.026.0035 (legal description on file in Environmental Services)

Notice having been duly given, a public hearing was held on January 27, 2015 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 February 3, 2015 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 local (including Red Rock Township's Ordinance), state and federal regulations regarding the proposed use, which may include, but not be limited to an MPCA Stormwater Permit, FCC and FAA permits and/or licenses; and
2. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition; and
3. The owner/Applicant shall erect and maintain an 8-foot chain link fence around the tower, main equipment and buildings; 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. The Owner/Applicant shall not use any portion of the tower or property for any advertising signs (other than warning or equipment information signage); and
7. All abandoned or unused tower(s) and associated above-ground structures or facilities shall be removed within 12 months of the cessation of operation at this site unless a time extension is approved by the Mower County Board of Commissioners. In the event that a tower and associated structures or facility appurtenances are not removed within 12 months of cessation of operation, the structures and appurtenances may be

- removed by the Mower County Board of Commissioners and the costs of removal assessed against the property; and
8. Shoreland Overlay requires review of the existing septic system whenever a permit or variance of any type is required for any improvement on, or use of, the property. A licensed septic inspector shall perform a compliance inspection and shall provide the results of that inspection in accordance with Mower County Septic Ordinance. Should the system be found to be non-compliant; an approved septic system permit must be obtained prior to or simultaneously with a permit for construction of the cellular tower. The septic system shall be required to be installed in accordance with the time-frame defined by either State Rule or Mower County; and
 9. Based upon information provided by the applicant the site will be leased property; please note that if the property is subdivided and ownership transferred for any reason in the future; the site design as submitted along with this application will not meet the minimum requirements lot size and/or appropriate access of the County Ordinance. No variance will be considered in the future for these defects. Subdivision and platting may be required; and
 10. Structures shall meet the setbacks as required by ordinance; and
 11. A conditional use permit shall become void two (2) years from the date of approval by the County Board if no construction has begun or the use has not been established; and
 12. This Conditional Use Permit shall lapse, and shall be no longer valid upon one-year of non-use for a use that had been previously established; and
 13. The Owner/Applicant shall be liable for any road damages as a result of this operation as stated under MN Statute 169.88; and
 14. 911 Addressing and/or additional driveway access must be obtained from the Mower County Highway Department and may include fees; and
 15. 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 issued in accordance with Section 14-49 (Agricultural District) and 14-28 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 3rd day of February, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Commissioner Glynn on behalf of the Personnel Committee reported that the Human Resources Director presented a request to the Committee to revise the County Holiday Pay policy to be comparable to union holiday pay. Our current policy does not allow for non-union hourly employees to receive overtime or comp time if they are required to work on a paid holiday. The proposed policy would compensate at double time in the form of Overtime pay or Comp time pay when it is necessary for work to be performed on a Holiday.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett to amend Personnel Policy D170 Holiday Pay effective January 1, 2015 for all non-union hourly employees to be compensated at double or comp time when it is necessary to work on a County paid Holiday by modifying the language in the policy as follows:

1. Delete the Policy Statement

~~It is the policy of Mower County that Employees be duly compensated for their time while working on the job for Mower County.~~

and replace it with the following language:

It is the intent of Mower County to provide holiday pay for employees as well as to recognize non-exempt employees that are required to work on a holiday.

2. Delete the first sentence in paragraph 4 under Procedure:

~~To appropriately compensate all the employees of Mower County in a fair and equitable manner it is the policy of Mower County that any employee who is working as a temporary employee or being considered a volunteer or intern will not be compensated for any holiday that may fall during their time with Mower County. and~~

3. Delete the last paragraph under Procedure

~~If any of these holidays conflict with holiday schedules for employees you supervise then you, with approval from Department Head and appropriate documentation, can work the same schedule as those employees and substitute another day for this holiday. The total days may not exceed the number of days allotted in this section.~~

and add the following language:

It is at the discretion of the Department Head to permit an employee to work the Holiday in exchange for taking off another day within the same week at their regular rate of pay. If a non-exempt employee is required to work on a paid Holiday they will be compensated at double their hourly rate of pay in the form of overtime pay or comp time pay. Required work on a Holiday must be approved by the Department Head, with a notation on the employee's timesheet, in order to receive double pay. It is the expectation of the county that work performed on a Holiday had to take place that day and was of a significant nature. The Human Resources Director is responsible to address any concerns regarding the use of this policy.

Motion carried.

Commissioner Glynn reported to the Board that the Interim Health and Human Services Director has neared the end of the 6 month duration as an interim director. During this timeframe, both Ms. Kocer and the Board were to use this time to determine if this was a position well suited for Ms. Kocer. Ms. Kocer expressed her interest in the Health and Human Services Director along with recommendations for alterations to both the Director's job description and the Community Health Services Manager position. Her recommendation is to maintain the two positions in their current grade. She is recommending the role of CHS

Administrator follow her to the job duties of the Director. Ms. Kocer is recommending a more balanced approach from both positions in providing support to Public Health and Human Services. She recommends changing the title of Community Health Services Manager to Assistant Health and Human Services Director. This position's primary focus will be on grants, contracts and assisting the director in department development. Ms. Kocer recommends updating the Health and Human Services Department Organizational chart to reflect the title changes and the change to the "chain of command" shown in the updated organizational chart.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett to accept the recommended changes and 1) revise the Health & Human Services Director job description 2) revise the Community Health Services Manager job description and rename the position Assistant Health & Human Services Director; and 3) Update the Health & Human Services Organization chart the 2015 Approved Staffing Levels to reflect the job description changes. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett to appoint Lisa Kocer as the Health & Human Services Director at Grade 18, Step 7 on the 2015 wage scale effective February 7, 2015. Motion carried.

Commissioner Reinartz on behalf of the Finance Committee reported to the Board that the county has set aside funds for water quality projects that can have a positive impact on water quality and/or a flood event. Vision 2020 and the Cedar River Watershed District have requested use of these funds for a water quality project or projects for sediment basins in the Dobbins Creek Subwatershed. Justin Hanson has identified two projects located near the headwaters of Dobbins Creek that fit the criteria. The projects would be managed by the Cedar River Watershed District. The request is for the county to provide cost share funds for both projects. The Finance Committee has met with Justin Hanson, SWCD, and Laura Helle of Vision 2020 and recommends financial participation in the proposed project.

Motion made by Commissioner Reinartz, seconded by Commissioner Bennett to approve financial participation in two sediment basin projects in the Dobbins Creek Subwatershed with the county share limited to \$5,000 per project subject to an equal match of financial participation by the Cedar River Watershed District. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz to approve the January 27, 2015 minutes. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Bennett to approve the following Commissioner warrants for payment:

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
180 Degrees Inc	4,743.64	Midstates Equipment & Supply	15,594.90
3M	213.00	Midwest Monitoring & Surveillance	666.25
Alliant Energy	622.56	Minn Co Engineers Assn	270.00
Associated Bag Company	494.06	Minnesota Human Services	1,838.00
Austin Utilities	5,768.52	Minnesota State Auditor	800.00
Auto Value Austin	312.78	Mj O'connor Inc	995.00
Baudoin Oil Company	3,646.18	Mn Dept Of Natural Resources	115.00
Blue Earth County Environmental Services	175.00	Napa Auto Parts	1,430.63
Calibre Press, Inc	357.00	Nartec Inc	366.46

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Canadian Pacific Railway Company	8,861.46	Olympic Fire Protection Corp	222.36
Cdw Government Inc	1,064.06	Pakor Inc	249.61
Charter Communications	159.82	Petroblend Corp.	2,250.46
Community Utility Co.	649.44	Pomp's Tire Service, Inc	234.00
Dept Of Human Services Maps	298.56	Pro Line Inc	144.50
Dexter Lp, Inc	582.74	Proline Dist Inc	403.94
Diamond Ridge Printing	136.00	Ronco Engineering Sales, Inc.	2,244.25
Erickson Engineering Co., Llc	7,186.50	Runnings	187.52
Etterman Enterprises	352.75	Sandvik/Steve	129.13
Faegre & Benson Llp	172.50	Schilling Supply Company	350.11
G & K Services Inc	563.33	School District 492	2,328.00
Galls Llc	557.83	Schwaab, Inc	288.70
Greystone Educational Materials	577.90	Severson Oil Co	25,632.97
Hanson Tire Of Austin Inc	1,004.00	Sgts Inc	16,141.50
Harty Mechanical Inc	135.00	Southeast Mn Water Resources Board	4,500.00
Innovative Office Solutions,Llc	330.38	Stroup & Lewison Distributing Inc	933.35
Larson Law Office/Evan	240.00	Syverson Freightliner/Dave	676.31
Laser Product Technologies	681.70	Towmaster Truck Equipment	1,558.44
Macpza Treasurer	125.00	Ulland Brothers Inc.	13,916.64
Manpower	564.48	Uniforms Unlimited Inc	580.36
Matco Tools	187.21	Winter Equipment Company, Inc	398.36
Metro Sales Inc	976.87	23 Payments less than 100	1,375.00
Mid States Organized Crime	150.00		
		Final Total:	138,712.02

Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to approve the Assessment Agreement with Austin Township for the 2015 assessment year. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to approve the STS Contract Agreement effective July 1, 2015 through June 30, 2017 and authorize the Chair and Correctional Services Director to sign the contract. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn to authorize the Chair to sign the Collective Bargaining Agreement with LELS #81 for the contract effective July 1, 2014 through June 30, 2017. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to adjourn the meeting at 2:15 p.m. Motion carried. The next meeting is scheduled for February 10, 2015 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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