

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

July 11, 2017

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session July 11, 2017 at 1:09 p.m. at the Government Center in Austin, Minnesota.

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

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz to approve the agenda. Motion carried.

HUMAN SERVICES BOARD:

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn to approve payment to vendors for Human Services Accounts Payable. Motion carried.

Motion by Commissioner Glynn, seconded by Commissioner Bennett to approve the Purchase of Service Agreement (“Whatever it Takes Grant”) between County of Olmsted and Mower County Health and Human Services. Motion carried.

Lisa Kocer, Director, introduced new supervisors (Julie Holgate and Crystal Peterson) and a new social worker (Kristen Wolfs).

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to authorize the Chair and the Director to sign the following Purchase of Service Agreements:

Group Residential Housing Services

- 204 House (Quality Community Services) - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Adams Home Health Agency – renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018. :
- Austin Manor (Thrive Behavioral Network II, LLC) - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018. :
- Cardinal of Minnesota, Ltd. - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018. :
- Cedars of Austin - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.

- Cenneidigh, Inc. - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Glendalough of Austin - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Hanson, Diane - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Lang's Board & Lodge - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Lutheran Social Services - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Minnesota State Operated Community Services (MSOCS) - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Meadow Manor - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Our House - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Primrose - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- REM Woodvale - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Reflections (Quality Community Services) - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- St. Mark's Lutheran Home - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Sargent, Stephanie & Stacy - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.
- Whispering Pines Ranch - renew agreement for Group Residential Housing Services, effective July 1, 2017 to June 30, 2018.

Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Glynn to approve the Social Service Actions. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny to adjourn the Human Services Board meeting at 1:23 p.m. Motion carried.

COUNTY BOARD

The Special Session of the Board was reconvened at 1:33 p.m. for regular business items.

A Public Hearing was held in regard to CUP #853 of Mathew and Nicole Cizik, land owners and petitioners, for the construction of an accessory building (48'x64' – 12' sidewall) for personal use located in Section 22, Austin Township.

Angie Lipelt, 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 #853.

Date: July 11, 2017

Res. #50-17

RESOLUTION

On motion of Commissioner Reinartz, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held July 11, 2017 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #853 of Mathew Jon Cizik and Nicole Ann Cizik, Landowners, and Petitioners, who have petitioned the Mower County Board of Commissioners pursuant to the Mower County Zoning Regulations to allow for the site to be used for the construction of an accessory building which will be 3,072 SQ FT (48' X 64' - 12' sidewall) for personal use; and

WHEREAS, The proposed use is to be located on a 3.0 acre parcel, located in Section 22, Austin Township (T102N-R18W), and legally described as: RIVERWOOD ESTATES II Lot 011 Block 001, Mower County, Minnesota on a parcel identified per tax records as 02.071.0110; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on June 27, 2017, at 7:00 p.m. in the Mower County Government Center, Board Room before the Mower County Planning Commission, on said petition; and

WHEREAS, Notice having been duly given, a public hearing was held on July 11, 2017 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 and federal regulations regarding the proposed use; and
2. An ISTS s secondary site shall be located for future placement and placed on a map and kept on file in the CUP file and homeowner's records before laying out the permanent location of the shed. The area should be preserved and protected from compaction and/or construction or other damages. The purpose of identifying the secondary septic site location is because septic systems are soils defendant and the intent is to make sure the shed will not be placed on the sole location available for a replacement septic system location. Soils must be reviewed by a licensed septic contractor qualified for soils review; and
3. This Conditional Use Permit shall lapse, and shall be no longer valid upon two-years of non-use; and

4. 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
5. Being permitted as an accessory use for neighboring property, use of this structure is permitted for storage only and shall not be used for human habitation. Unless the structure is appropriately re-permitted for the use of human habitation.

This permit is issued in accordance with Article II Section 14-12 Accessory Building, item (b) (4) Accessory Buildings shall not exceed 14 feet in height for the sidewall (peak is not included) and be no greater than 2500 sq feet or 5% of the lot coverage for all accessory buildings.; and Article I Division 6 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 11th day of July, 2017.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

The request of Brad Stout (tabled at the June 27, 2017 meeting) to lease and/or purchase a tax forfeited property (Long Trucking) was further discussed and a legal opinion was received from the County Attorney. Mr. Stout is not the property owner of the tax forfeited parcel and is not eligible to purchase the property.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to allow Mr. Stout and his truck washing business currently located on tax forfeited parcel #34.905.0020 up to 120 days to vacate the property and require Mr. Stout to obtain insurance immediately listing Mower County as an additional insured at \$1 million liability and \$90,000 property while the business remains on the property. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn to approve the minutes of June 27, 2017. Motion carried.

Motion made by Commissioner Glynn, 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 | 5,741.51 | Mathy Construction Company | 2,319.46 |
| Advanced Correctional Healthcare Inc | 13,551.40 | Mn Supply | 6,765.00 |
| Austin Utilities | 2,555.99 | Office Of Mn It Services | 2,277.40 |
| Baudoin Oil Company | 12,277.97 | Olmsted County Community Services | 21,460.00 |
| Cedar Valley Services, Inc | 2,202.16 | Prairie Lakes Youth Programs | 12,948.00 |
| City Of Austin | 20,448.39 | Rochester Sand And Gravel, Inc | 73,851.43 |
| Donnelly Law Firm/Daniel | 8,879.96 | Tri-City Paving Inc | 24,243.24 |
| Hansen Hauling & Excavating Inc | 11,390.00 | Ziegler, Inc | 7,209.63 |
| Intradyn | 2,090.00 | 84 Payments less than 2000 | 28,661.32 |
| | | Final Total: | 258,872.86 |

Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny, to approve the detour/road closures of CSAH 111, CSAH 19 and CSAH 104 in Rose Creek for the parade that was held on July 8, 2017. Motion carried.

The Board by consensus authorizes the Public Works Director to prepare a policy that will allow the public works department to approve the requests for detour/road closures rather than having them come before the full board. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to approve the 3.2 On Sale liquor license effective July 1, 2017 through June 30, 2018; the Wine with strong beer liquor license effective July 1, 2017 through June 30, 2018; and the Bottle Club Consumption & Display liquor license effective April 1, 2017 through March 31, 2018 for Deer Creek Speedway, LLC. Motion carried.

The Board recessed at 1:55 p.m. and reconvened at 2:01 p.m.

The Board continued its discussion, tabled from the June 27, 2017 meeting, regarding additional transportation funding from the State of Minnesota and any impact on the approved local option sales tax related to Resolution #44-16. The public was allowed to comment on the possible Board actions to 1) approve or reject increasing the wheelage tax from \$10 to \$20; 2) approve/reject action to implement an aggregate tax; and 3) Approve to continue with the 1-1-18 implementation date for the Local Option Sales Tax or set date a date for a public hearing to eliminate the Local Options Sales Tax. The Board discussed and commented on all options.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn, to affirm the 2016 Board action and continue with the implementation of ½% local sales tax option on 1-1-18. Commissioner Bennett aye, Commissioner Reinartz aye, Commissioner Glynn aye, Commissioner Ankeny aye, Commissioner Gabrielson aye. Motion carried unanimously.

Motion made by Commissioner Bennett, seconded by Commissioner Glynn, to reject the option to implement an aggregate tax to help fund county road and bridge projects. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Reinartz to reject the option to increase the wheelage tax from \$10 to \$20 to help fund county road and bridge projects. Motion carried.

Kevin Balfanz, Minnesota Counties Intergovernmental Trust (MCIT) Director of Field Services, presented the annual member report to the County Board. Mower County claims data as well as MCIT available services and training options were highlighted.

Chris Meyer, University of MN, presented to the Board a request to approve a joint powers agreement with Saint Paul Port Authority for PACE (Properly Assessed Clean Energy Program) for a solar system at the Yunker family farm in Marshall Township. The

Commissioners received a packet of information that highlighted the PACE program as well as in a power point presented by Ms. Meyer. A discussion followed.

Motion made by Commissioner Bennett, seconded by Commissioner Ankeny, to table the request for a joint powers agreement with Saint Paul Port Authority for PACE (Properly Assessed Clean Energy Program) for a solar system at the Yunker family farm in Marshall Township to a future meeting. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn, to adjourn the meeting at 3:25 p.m. Motion carried. The next meeting is scheduled for July 25, 2017 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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