

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

February 6, 2018

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session February 6, 2018 at 1:02 p.m. at the Government Center in Austin, Minnesota.

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

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

Motion made by Commissioner Glynn, seconded by Commissioner Bennett, to approve the minutes of January 23, 2018. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn, 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	15,950.08	Midwest Clinical Psychologists	3,000.00
Advanced Correctional Healthcare Inc	13,921.24	Midwest Monitoring & Surveillance	4,272.50
Ami Imaging Systems Inc	30,800.00	Mille Lacs Academy	12,464.86
Austin Newspapers Inc	2,614.80	Minnesota Counties Computer Co	79,554.73
Baudoin Oil Company	18,587.23	Minnesota County Attorneys Association	4,768.00
Bruening Rock Products Inc	8,944.47	Minnesota Sheriffs Association	9,956.00
Cedar Valley Services, Inc	58,756.49	Nelson Auto Center	57,234.00
City Of Austin	6,524.16	Pomp's Tire Service, Inc	2,641.04
Erickson Engineering Co., Llc	8,100.00	Rinke-Noonan	2,400.00
Falk Construction Co./L.R.	22,318.79	Rural Minnesota Energy Board	2,500.00
Freeborn County Co-Operative Oil Co.	2,531.58	SEMVGET	7,210.00
Hansen Hauling & Excavating Inc	2,000.00	Thomson Reuters-West Payment Center	2,778.20
Kindred Family Focus	2,833.35	Uhl Company Inc	2,995.00
Mayo Clinic -Rochester	28,413.76	Ulland Brothers Inc.	13,400.00
Mayo Clinic Health System-Albert Lea &	19,932.19	Village Ranch Inc	21,622.06
Midstates Equipment & Supply	12,942.57	101 Payments less than 2000	48,956.21
		Final Total:	530,923.31

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Gabrielson, to amend the Housing Tax Abatement Policy on New Construction and corresponding modifications to the application to incorporate clarification on the value to be abated. The revised policy is on file in the office of the County Coordinator. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett, to amend the County Jail 2017 budget to move \$210,000 from Capital Outlay line item 01.251.6621 to line item 01.251.6265 for software update. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Glynn, to amend the County Jail 2018 budget for a jail interview and intoxicillizer room in the amount of \$12,750 from reserve contingency. Motion carried.

Angela Lipelt, Environmental Services Supervisor, informed the Board that there was a clerical error in Ordinance #05-17 approved on November 7, 2017. Parcel 08.011.0080 should have been listed as parcel #08.011.0020. Staff was directed to correct the clerical error without any formal Board action needed.

A Public Hearing was held in regard to CUP #860 of Donald C. & Sandra S. Livingston, landowners and petitioners, for one additional single-family dwelling per quarter-quarter section in Section 26, Austin Township.

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

No one spoke for or against CUP #860.

Date: February 6, 2018

Res. #12-18

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 6, 2018 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #860 of Donald C. & Sandra S. Livingston; Landowners, and Petitioners, and to be issued pursuant to the Mower County Zoning Regulations for:

One additional single-family dwelling per quarter-quarter section.

Location: on a 13.4 acre parcel, located in Section 26, Austin Township (T102N-R18W), and legally described as: Mower County, Minnesota on a parcel identified per tax records as 02.023.0011; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on December 26, 2017 and January 30, 2018, at 7:00 p.m. in the Mower County Government Center, Board Room before the Mower County Planning Commission, on said petition;

WHEREAS, Notice having been duly given, a public hearing was held on February 6, 2018 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 federal, state and local regulations regarding the proposed use; and
2. A Zoning Permit and ISTS Permit must be obtained prior to construction of the residence and/or any other structure; and
3. An ISTS shall be designed, installed and maintained according to MN Rules 7080 & Mower County's SSTS Ordinance; a 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. The area should be preserved and protected from compaction and/or construction or other damages; and
4. Petitioner must sign a "Rural and Agricultural Home Owners Assumption of Risk Assessment Form" and have it recorded at the Mower County Recorder's Office; and
5. 911 addressing is required to be obtained through the Mower County Highway Dept. before construction; and
6. If access is proposed directly onto CR 29 – an access permit must be granted by the Mower County Highway Department; and
7. Wetland Review required: Petitioner must contact the Mower County SWCD regarding the Wetland Conservation Act and provide the County a copy of one of the following:
 - a. A "No Loss Determination" (no wetlands on site).
 - b. A "Wetland Exemption" (the act does not apply).
 - c. A "Wetland Replacement Plan" approval.
8. A conditional use permit shall become void if the use is established, but then discontinued for a period of one (1) year. (Refer Section 14-36 Discontinuance); and
9. 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. For the purposes of this provision, construction shall include the installation of footings, slab, foundation, posts, walls or other portions of a building. Site preparation, land clearing or the installation of utilities shall not constitute construction; and
10. A violation of any condition set forth in a conditional use permit shall be a violation of this Ordinance and shall automatically terminate the permit (refer Section 14-35 Revocation); and
11. 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 Article II Section 14-18.4(a)(1)(a) Density Factors & 14.18.4(d)(1) Additional Single Family Dwellings may be allowed by conditional use

provided site locations shall be limited to areas which are wooded with healthy and mature trees and not currently used for agricultural.; and Article I Division 6 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 6th day of February, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Glynn, seconded by Commissioner Bennett, to set the project letting date to March 15, 2018 at 1:00 p.m. at the office of Public Works and awarded at a subsequent County Board of Commissioner's meeting for the following County projects:

- a. Bridge L4977 in Marshall Twp
- b. Bridge L5153 in Red Rock Twp
- c. Bridge L5036 in Nevada Twp

Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson, to set a letting date for seasonal bids to 1:00 p.m. on March 15, 2018 at the office of Public Works and awarded at a subsequent County Board of Commissioner's meeting for the following County projects: CP 50-18-06 gasoline and diesel fuel; CP 50-18-07 striping; CP 50-18-08 bituminous material and CP 50-18-09 weed spraying. Motion carried.

Wayne Madson, Veterans Service Officer, provided the Board with information pertaining to a Vietnam Veterans Wall Exhibit which will be displayed at the Mower County fairgrounds on May 16 – 20, 2018. The Board indicated a desire to assist financially in the event and County Attorney Kristen Nelsen indicated that the Board could assist, if it desired, up to \$3500 per statute related to Memorial Day expenses since this event is date and subject appropriate. Mr. Madson indicated that the Yellow Ribbon Committee has an option to include a fly-in appearance and display of a helicopter for which it currently does not have enough donated funds available to include in the exhibit. County financial participation in the exhibit would have to be direct with a vendor for Memorial Day related expenses.

Motion made by Commissioner Ankeny, seconded by Commissioner Gabrielson, to contract with the vendor for the display of a helicopter at the American Veterans Traveling Tribute Vietnam Wall for Memorial Day related expenses on May 16 – 20, 2018 in the amount of \$3,000. The Veteran Service Officer will provide the vendor and contact

information so arrangements can be made to include the helicopter in the exhibit. Motion carried.

The Building Committee updated the Board on the committee's progress related to 1) planning for a board room remodel especially related to technology and 2) the electrical upgrades at the fairgrounds.

Motion made by Commissioner Gabrielson, seconded by Commissioner Bennett, to adjourn the meeting at 2:06 p.m. Motion carried. The next meeting is scheduled for February 13, 2018 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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