

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

June 7, 2005

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session June 7, 2005 at 1:00 p.m. at the Courthouse in Austin, Minnesota.

All members present, viz:     Raymond Tucker, Chair  
  David Hillier  
  Dick Lang  
  Garry Ellingson  
  Richard Cummings  
  Craig Oscarson, County Coordinator

Kelly Mehus, Office Support Specialist Sr., was recognized as Employee of the Month.

Motion by Commissioner Hillier, seconded by Commissioner Ellingson to fill the vacant Jailer position. Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Cummings to fill the vacant Victim/Witness position in the County Attorney's Office. Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Cummings to amend Section D240 of the Mower County Personnel Policies as follows:

Delete the following language:

Picture  
Employee Number

Add the following language (bold):

**Pictures will be optional at the discretion of the Department Head. However, the entire department must be uniform in that everyone has a picture on their badge or no one does. Other** optional information can be placed on badges with approval from your department head.

Replacement:

Employees who lose their badges will be required to pay ~~\$2.00~~ for a **the cost of a** replacement.

Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Ellingson to amend Section D110 Vacation Policy, Section D115 Paid Time Off (PTO) and D120 Donation of Hours to add language to the effect that employees can donate excess earned vacation

and PTO hours to the medical leave bank if they notify payroll in writing prior to their vacation and PTO bank exceeding the maximum allowed per policy. Motion carried.

Motion by Commissioner Hillier, seconded by Commissioner Lang to amend Section B240, Telecommuting Policies and Procedures of the Mower County Personnel Policies by addition "supervisor or authorized employee" to Section E. Motion carried.

At this time a Public Hearing was held in regard to CUP # 680 of Al McAlister, Petitioner, and Timothy Bustad, Owner, to construct an additional home on property that is not currently used for agricultural purposes or suitable for economical agricultural use.

Daryl Franklin, Environmental Services Director, reviewed the application and Planning Commission recommendations.

Al McAlister, Petitioner spoke in favor of the permit. No one spoke against CUP #680.

**Date: June 7, 2005**

**Res. #43-05**

**RESOLUTION**

On motion of Commissioner Hillier, seconded by Commissioner Ellingson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 7, 2005 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, Petition No. CUP #680 of Al McAlister, Petitioner, and Timothy Bustad, Owner, and to be issued pursuant to the Mower County Zoning Regulations for:

Construction of an additional home on property that is not currently used for agricultural purposes or suitable for economical agricultural use.

Location: N ½ NW ¼ NE ¼ & SW ¼ NW ¼ NE ¼ , Section 15,  
Austin Township, T102N R18W, Mower County,  
Minnesota. PIN #02-012-0030.

Notice having been duly given and a hearing held June 7, 2005, on said petition.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mower County Board accepts and adopts the findings of fact of the Mower County Planning Commission in the five required areas; and

**BE IT FURTHER RESOLVED**, that said petition is hereby approved, as recommended by the Mower County Planning Commission with conditions as follows:

1. The lot shall contain 150 feet along the publicly dedicated road.
2. A Zoning Permit and ISTS Permit must be obtained prior to construction.

3. The CUP shall become void two years from the approval date if no construction has begun or the use has not been established.
4. The Petitioner shall be responsible for obtaining a 9-1-1 rural address from the Mower County Engineer and for obtaining proper signage for the property. Any and all costs associated with 9-1-1 addressing and signage are the responsibility of the Petitioner.
5. Owner 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.
6. Owner must provide a copy to the County of an Erosion Control Plan for the site by working with the Mower County SWCD or by hiring a private contractor.
7. 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.

This permit is in accordance with Section 14-18.4 of the Mower County Zoning Ordinance.

Passed and approved this 7<sup>th</sup> of June, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
**Chair**

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

At this time a Public Hearing was held in regard to CUP # 681 of Michael Kaderabek, Petitioner, and Robert and Mary Nord, Owner, to construct a mini-storage facility on the property.

Daryl Franklin, Environmental Services Director, reviewed the application and Planning Commission recommendations.

Robert Nord, Owner, spoke in favor of the permit. No one spoke against CUP #681.

**Date: June 7, 2005**

**Res. #44-05**

**RESOLUTION**

On motion of Commissioner Ellingson, seconded by Commissioner Hillier, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 7, 2005 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, Petition No. CUP #681 of Michael Kaderabek, Petitioner, and Robert and Mary Nord, Owner, and to be issued pursuant to the Mower County Zoning Regulations for:

Construction of a mini-storage facility on the property.

Location: 13.49 Ac. N ½ SW ¼ W of Hwy. , Section 26, Racine Township, T104N R14W, Mower County, Minnesota. PIN #15-026-0050.

Notice having been duly given and a hearing held June 7, 2005, on said petition.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mower County Board accepts and adopts the findings of fact of the Mower County Planning Commission in the five required areas; and

**BE IT FURTHER RESOLVED**, that said petition is hereby approved, as recommended by the Mower County Planning Commission with conditions as follows:

1. Permit is void if one commercial mini-storage facility is not constructed within 24 months of the date of approval.
2. The petitioner is required to complete a boundary survey on the property before any construction can begin.
3. The Petitioner shall be responsible for obtaining a 9-1-1 rural address from the Mower County Engineer and for obtaining proper signage for the property. Any and all costs associated with 9-1-1 addressing and signage are the responsibility of the Petitioner.
4. Petitioner must receive permission from the Minnesota Department of Transportation for entrance to property from Highway 63.

This permit is in accordance with Section 14-51 of the Mower County Zoning Ordinance.

Passed and approved this 7<sup>th</sup> of June, 2005.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Chair

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

**Clerk/Coordinator**

Motion by Commissioner Ellingson, seconded by Commissioner Hillier to set a public hearing for July 5, 2005 at 1:15 p.m. in regard to amending Section 14-18.5 and 14-18.6, Special Requirements for Wind Energy Conversion System of the Mower County Zoning Ordinance. Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Lang to send a letter to State Legislators requesting Department of Corrections rules in regard to space requirements for inmates be lessened if a sales tax increase is not approved to help finance a new Criminal Justice Center in Mower County. Motion carried.

Motion by Commissioner Lang, seconded by Commissioner Hillier to approve the minutes of May 24, 2005. Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Lang to approve the following miscellaneous bills for immediate payment:

Zenk, Read, Trygstad, and Associates	\$19,360.00
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Motion carried.

Motion by Commissioner Lang, seconded by Commissioner Ellingson to approve the Liquor License with Sunday Liquor and 3.2 Off Sale Beer license for the Windrift Lounge. Motion carried.

Motion by Commissioner Lang, seconded by Commissioner Ellingson to approve the Tobacco License Application of the Oasis Bar and Grill. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Hillier to renew the membership with the State of Minnesota Materials Management Division for the Cooperative Purchasing Venture program and to authorize payment of the \$500 fee. Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Lang to extend the Letter of Understanding with Austin/Mower County Area Transit under the same terms and conditions for ten hours per week of administrative duties effective June 1, 2005 through December 31, 2005 and amend the 2005 Coordinator Budget by increasing revenues and decreasing expenses by \$7,287 each. Motion carried.

Motion by Commissioner Lang, seconded by Commissioner Hillier to appoint Commissioner Ellingson as Vice-Chair of the Austin/Mower County Transit Joint Powers board effective immediately through December 31, 2005. Motion carried.

At this time Bev Nordby, Mower County Soil and Water District updated the Board on the Wetland Restoration Study and BWSR Challenge grant.

The following bid was received in regard to SAP 50-602-023, 50-602-024, and Project SCP-Brownsdale:

J.B. Holland Construction Inc.	\$2,715,293.05 – SAP 50-602-023
	60,084.26 – SAP 50-602-024
	3,395,420.51 – SCP Brownsdale

Motion by Commissioner Cummings, seconded by Commissioner Hillier to reject the bid on SAP 50-602-023, 50-602-024, and Project SCP-Brownsdale due to bids exceeding budgeted funds. Motion carried.

Carmen Thompson and Sharon Davis gave an update on Mower County 4-H Activities.

Motion by Commissioner Lang, seconded by Commissioner Ellingson to authorize closing of County Road 7 in the City of Dexter on June 18, 2005 for Sunflower Days and to notify the County Engineer of said closing and request his staff to provide barricades. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Lang to adjourn the meeting at 3:30 p.m. until June 14, 2005 at 8:30 a.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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