

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

April 4, 2006

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session April 4, 2006 at 1:00 p.m. at the Courthouse in Austin, Minnesota.

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

Ellen Chrz, Office Support Specialist, was recognized as employee of the month.

Motion by Commissioner Tucker, seconded by Commissioner Lang to adopt Section B225, Telephone Policy of the Mower County Personnel Policies, effective May 1, 2006. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to continue the consolidation of the offices of Auditor/Treasurer as follows:

1. Instruct the Human Resource Director to complete a job description and pay rating for the position of Auditor/Treasurer in accordance with County policy.
2. Abolish the positions of Chief Deputy Auditor and Chief Deputy Treasurer effective January 1, 2007 and create the position of Chief Deputy Auditor/Treasurer and to instruct the Human Resource Director to complete a job description and pay rating for the new position in accordance with County policy.
3. Instruct the Human Resource Director to develop a proposed organizational structure for the remainder of the job duties and positions needed in the Office of the Auditor/Treasurer with the assistance and input of the Auditor, Treasurer, Coordinator, Finance Director, Assessor, Recorder and other staff as deemed appropriate. In addition, the Human Resource Director is to provide the proposal to the Personnel Committee on or before June 1, 2006.

Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Cummings to offer the Property Appraiser to the top applicant. The terms of the offer are a salary of Grade 10, step 8 at \$24.0229 per hour on the 2006 pay scale and PTO accrual at the rate for employees with

1-5 years of service and 40 hours of PTO given at the start date. The start date for the applicant is May 1, 2006. Motion carried.

A Public Hearing was held in regard to CUP #696 of Horizon Wind Energy and FPL Energy to construct, operate, maintain and own a new 161kV substation in Section 23 of Clayton Township. The two companies, along with High Prairie Wind Farm II, LLC also propose to construct, operate, maintain and own a 161 kV high voltage transmission line. The line will connect the proposed High Prairie Wind Farm at the new substation to the Adams Substation in Section 18 of Lodi Township.

Daryl Franklin, Environmental Services Supervisor, reviewed the CUP and the Planning Commission recommendations. Daryl noted that the High Prairie Wind Farm was not part of the CUP and would be licensed by the State of Minnesota due to the size.

Representatives for the petitioners were present and did not have any new information to add, but were available to answer questions. No one spoke for or against CUP #696.

The Board held a discussion in regard to the publication of an Environmental Assessment in the EQB Monitor and concerns on interference with county radio systems. The county's consultant and MN DOT previously provided opinions to county officials that there would not be any interference.

Date: April 4, 2006

Res. #22-06

RESOLUTION

On motion of Commissioner Tucker, seconded by Commissioner Cummings, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held April 4, 2006 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, Petition No. CUP #696 of Horizon Wind Energy and FPL Energy, Petitioners, and to be issued pursuant to the Mower County Zoning Regulations for:

Construct, operate, maintain and own a new 161kV substation in Section 23 of Clayton Township. The two companies, along with High Prairie Wind Farm II, LLC also propose to construct, operate, maintain and own a 161 kV high voltage transmission line. The line will connect the proposed High Prairie Wind Farm at the new substation to the Adams Substation in Section 18 of Lodi Township.

Location: Clayton and Lodi Townships

Notice having been duly given and a hearing held April 4, 2006, 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. Prior to construction, the petitioner must submit copies of transmission line easements to Mower County Environmental Services.
2. Any wind turbine that feeds into the substation or transmission lines shall be located outside the established Mower County microwave beam pathways established for public safety.
3. 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.
4. Secure and submit MPCA (NPDES) General Stormwater Permit for Construction Activities.
5. Comply with all State and Federal rules and regulations.
6. Contact the Mower County Engineer to secure and install a "911" rural address and sign for the substation and each wind turbine. Petitioner is responsible for all costs associated.
7. The Environmental Assessment must be published in the EQB Monitor and final approval obtained from the County Commissioners on April 25, 2006 after sufficient time has passed for public comment on the Environmental Assessment.

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

Passed and approved this 4th of April, 2006.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

At this time a Public Hearing was held in regard to CUP #697 of Robert Bartel, Petitioner, to expand feedlot from 2,000 animal units up to 3,000 animal units.

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

The Petitioner gave the Board copies of the article from 1977 describing the previous owner's feedlot with 6,000 animals annually. He said this is not really an expansion, just using the buildings in place as they were used in 1977.

No one spoke in favor of CUP #697. Four people spoke in opposition to CUP #697.

Motion by Commissioner Cummings, seconded by Commissioner Lang to table the public hearing on CUP #697 of Dan Bartel to May 2, 2006 at 1:15 p.m. to conduct a site visit on April 10, 2006 at 9:00 a.m. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Tucker to amend the 2006 County Attorney budget in the amount of \$7030.00 and the 2006 County Recorder budget in the amount of \$2,991.95 with funds from the County Recorder's equipment reserves. Motion carried.

Commissioner Hillier, Commissioner Cummings and Craig Oscarson updated the board on discussion from the Association of Minnesota Counties Legislative Conference.

Date: April 4, 2006

Res. #23-06

RESOLUTION

On motion of Commissioner Cummings, seconded by Commissioner Ellingson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held April 4, 2006 at the Courthouse, Austin, Minnesota.

WHEREAS, Minnesota's transportation infrastructure forms the backbone of the state's economy and has a direct impact on future economic development;

WHEREAS, too many Minnesotans are being killed in traffic crashes on dangerous roadways;

WHEREAS, funding for highway and transit systems in Minnesota has remained stagnant and is failing to keep pace with growing population demands;

WHEREAS, local governments throughout the state are struggling to maintain local transportation systems while the state's gas tax has not been increased since 1988 and transit budgets have been cut in recent years;

WHEREAS, the Minnesota Legislature has repeatedly turned to revenue from the motor vehicle sales tax, which has been viewed as user fee revenue, in order to fund both highway and transit systems including the current dedication of 54% of motor vehicle sales tax for transportation purposes;

WHEREAS, the legislature passed a proposed constitutional amendment during the 2005 Legislative Session that would appear on the ballot November 7, 2006 asking voters if

the remaining 46% of motor vehicle sales tax revenue currently used for other purposes should be used for highways and transit systems;

WHEREAS, passage of this amendment would mean an increase in stable revenue for highway and transit systems throughout the state that would rise to approximately \$300 million per year once the transfer of revenue is fully phased-in by 2011;

NOW, THEREFORE, Be It Resolved That Mower County strongly supports passage of the proposed amendment to the Minnesota Constitution dedicating all of the motor vehicle sales tax revenue to transportation with at least 40% of the revenue for public transit assistance and not more than 60% of the revenue for highway purposes.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion by Commissioner Tucker, seconded by Commissioner Lang to approve the tobacco license application of Racine Travel Plaza Inc., effective April 5, 2006 through June 30, 2006. Motion carried.

Beverly Nordby, Mower County Soil and Water District, and Dave Peterson, Board of Water and Soil Resources, made a presentation in regard to information and options available to a multi-government ad hoc committee working to reduce flooding in the Cedar River Basin. The presenters were available to answer questions from the board, staff and members of the public.

Motion by Commissioner Lang, seconded by Commissioner Tucker to adjourn the meeting at 4:14 p.m. until April 11, 2006 at 8:30 a.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

INDEX

2

2006 County Attorney budget
amend for copier, 90
2006 County Recorder budget
amend for copier, 90

A

Auditor/Treasurer
consolidate offices, 87

C

Cedar River Basin
flood reduction presentation, 91
CUP #697
Bartel
table for site visit, 90

E

employee of the month
Ellen Chrz, 87

P

Property Appraiser

offer, 87
Public Hearing
CUP #696
Horizon Energy & FPL, 88
CUP #697
Bartel, 89

R

Res. #22-06
CUP #696
Horizon Energy & FPL, 88
Res. #23-06
support constitutional amendment
motor vehicle tax, 90

S

Section B225, Telephone Policy
Mower County Personnel Policies, 87

T

tobacco license
Racine Travel Plaza, 91