

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

October 3, 2006

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session October 3, 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

Diane Christopherson, Financial Worker, was presented with a certificate in honor of her retirement with thirty-eight years of service and Jennel Hines, Office Support Assistant, was presented with a certificate in honor of her retirement with twenty-eight years of service.

At this time a Public Hearing was held in regard to CUP #710 of Mark and Amy Lee for an additional dwelling (mobile home) on the property.

Daryl Franklin, Director of Environmental Services, provided a summary of the CUP #710 and informed the Board that the planning commission recommended the approval of the CUP with 6 stated conditions.

The Petitioner was present and spoke in favor of the CUP on his own behalf.

No one spoke against CUP #710.

**Date: October 3, 2006**

**Res. #65-06**

**RESOLUTION**

On motion of Commissioner Tucker, seconded by Commissioner Ellingson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 3, 2006 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #710 of Mark and Amy Lee, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

To allow an additional dwelling (mobile home) on the property

Location: S 665 ft. W 327.52 ft. SE ¼ NW ¼ , Section 14, Racine Township,  
T104N R14W, Mower County, Minnesota

Notice having been duly given and a hearing held October 3, 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. A Zoning Permit and ISTS Permit must be obtained prior to construction.
2. The CUP shall become void on 12/31/08 if no construction has begun or the use has not been established. However, the County Board may extend the CUP for an additional twelve (12) months by a motion if the conditions are the same as the approved CUP.
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 sign a "Rural and Agricultural Home Owners Assumption of Risk Assessment Form" and have it recorded at the Mower County Recorder's Office.
5. The property cannot be subdivided in the future.
6. The mobile home will be occupied by relatives and not used as rental property.

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

Passed and approved this 3<sup>rd</sup> day of October, 2006.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
**Chairperson**

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

It was brought to the County Attorney's attention that there is a pre-settlement conference scheduled for October 11 in St. Paul for the Alliance Pipeline tax court case in which it has been requested that staff be present to support the settlement. The County Attorney's office does not have staff available to send to the settlement conference but it may be appropriate to send a staff member from the County Assessor's office.

Motion made by Commissioner Cummings, seconded by Commissioner Lang to authorize one employee from the County Assessor's office to attend the Pre-Settlement Conference for Alliance Pipeline on Wednesday, October 11, 2006 at the discretion of the County Assessor. Motion carried.

Motion made by Commissioner Cummings, seconded by Commissioner Ellingson to approve the request of the City of Austin to transfer to the City the property commonly known as the Moldenhauer property which was part of the county flood buyout. Motion carried.

Motion made by Commissioner Tucker, /seconded by Commissioner Cummings to retain the legal services of the former County Attorney, Patrick Flanagan, for the unresolved legal action concerning the Shooting Star Trail at an hourly rate of \$60 plus reimbursable expenses. Motion carried.

Motion made by Commissioner Ellingson, seconded by Commissioner Lang to approve the minutes of September 26, 2006. Motion carried.

Craig Oscarson, County Coordinator, reviewed for the Board the format of the joint City / County meeting scheduled for October 3<sup>rd</sup> for the proposed County Criminal Justice Center.

The Board recessed at 1:38 p.m.  
The Board reconvened at 2:21 p.m.

Len Koehnen, Radio Consultant, reviewed for the board the radio project and the receipt of bids for the project. Mr. Koehnen reported that 1 bid was received for parcels 1, 2, 3 and 4 of the project and 2 bids were received for parcel 5 of the project. Mr. Koehnen recommends that the board acknowledge the receipt of the proposals and table the award until the staff and consultant can review the bid options and determine the city/county split of the bid.

Motion made by Commissioner Cummings, seconded by Commissioner Ellingson to table the award of the bid(s) for the radio project to November 7, 2006 at 1:00 p.m. Motion carried.

Commissioner Tucker discussed with the Consultant the wind tower ordinance in reference to buried cable and the consultant said that buried cable should not interfere with the transmissions. In addition, Commissioner Tucker discussed with the Consultant the issue of four sections around the towers are designated as "no build sections". The consultant informed Commissioner Tucker that this is necessary for the long term as the wind chargers age they tend to interfere more with other transmissions. These sections are designated as no build sections for wind chargers to ensure good radio communications long term.

The Board recessed at 2:48 p.m.  
The Board reconvened at 3:25 p.m.

Mahlon Schneider, of the Hormel Foundation, addressed the Board concerning the Hormel Institute expansion project and the request to the County Board for financial assistance for a five year, \$5 million construction loan guaranteeing 25 jobs.

Craig Oscarson, County Coordinator, and Donna Welsh, Finance Director, provided information concerning the request and the availability of funds over the five year period.

**Date: October 3, 2006**

**Res. #66-06**

On motion of Commissioner Lang, seconded by Commissioner Ellingson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 3, 2006 at the Courthouse, Austin, Minnesota.

**RESOLUTION  
GIVING PRELIMINARY APPROVAL TO A BELOW-  
MARKET INTEREST RATE ECONOMIC  
DEVELOPMENT LOAN TO HORMEL FOUNDATION  
IN CONNECTION WITH THE HORMEL INSTITUTE  
PROJECT**

WHEREAS, in connection with the proposed construction and equipping by the Hormel Institute of a new facility (the "Project") at an estimated cost of approximately \$28,000,000, which new facility is expected to add in excess of 100 new technology jobs of which 25 jobs will be guaranteed, the Hormel Foundation, a Minnesota nonprofit corporation (the "Foundation") has requested a contribution from Mower County (the "County") to be applied to costs of the Project; and

WHEREAS, the County is authorized by Minnesota Statutes, Section 375.83 to appropriate money to any incorporated development society or organization of the State of Minnesota which, in the opinion of the Board, will use the money for the best interests of the County in promoting, advertising, improving, or developing the economic and agricultural resources of the County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Mower County, Minnesota that:

1. The Board finds and determines that the County will receive substantial economic benefit from the Project, as it will provide the County with additional employment and tax revenues.
2. The Board gives its preliminary approval to funding a contribution to the Foundation to be applied to costs of the Project, such contribution to be in the form of a below-market interest rate economic development loan.

3. The County shall hold a public hearing on the proposal to make a 5 year, \$5 million at two percent (2%) simple interest with principle due in 5 years for a economic development loan to the Foundation on October 24, 2006, at 11:00 a.m. in the Mower County Board Room and hereby authorizes the County Coordinator to cause notice of such hearing to be duly published in the official newspaper of the County not less than ten (10) days prior to the date set for the hearing.

Passed and approved this 3<sup>rd</sup> day of October, 2006.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to adjourn the meeting at 3:44 p.m. until October 10, 2006 at 8:30 a.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

Attest:

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

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