

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

December 26, 2006

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session December 26, 2006 at 8:30 a.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

Commissioner Cummings moved and Commissioner Ellingson seconded to approve a revised County Burial Policy, effective January 1, 2007. Motion carried.

Commissioner Tucker moved and Commissioner Lang seconded to authorize the Chair and the Director to sign the following Purchase of Service Agreements:

- a. Cedar Branch – approve amendment to contract for DTH Services, effective January 1, 2007 to December 31, 2007.
- b. Cedar Valley Services – renew contract for Extended Employment Services, effective January 1, 2007 to December 31, 2007.
- c. Family Focus – renew contract for Residential Services, effective January 1, 2007 to December 31, 2007.
- d. Carlton Frank – renew contract for Chemical Use Assessment Services, effective January 1, 2007 to December 31, 2007.
- e. Wapiti Meadows Community Technologies & Services – renew contract for MFIP & Diversionary Work Program Services, effective January 1, 2007 to December 31, 2007.
- f. Susan Wittkopp – renew contract for Chemical Use Assessment Services, effective January 1, 2007 to December 31, 2007.
- g. Workforce Development, Inc. - renew contract for MFIP & Diversionary Work Program Services, effective January 1, 2007 to December 31, 2007.

Motion carried.

Commissioner Ellingson moved and Commissioner Tucker seconded to approve the destruction of designated Agency files in accordance with DHS Rules and Regulations. All previously approved files have been destroyed. Motion carried.

**SOCIAL SERVICE ACTIONS:**

**Date: December 26, 2006**

**Res. #84-06**

**RESOLUTION**

On motion of Commissioner Cummings, seconded by Commissioner Lang, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 26, 2006 at the Courthouse in Austin, Minnesota.

WHEREAS, the Director of Human Services for Mower County had advised that all Social Service case actions are in conformance with State, Federal and County laws, rules, regulations and policies,

BE IT RESOLVED, That all Social Service case openings, closings, placements, and licensing actions, as documented in the Mower County Human Services Office, on office listings for licensing action, case records, social service case plans, purchase of services abstract, payment authorizations, and payment records for the period December 1, 2006 through December 31, 2006 are hereby approved.

WHEREAS, the Director of Human Services for Mower County had advised that all Personnel Actions are in conformance with State and Federal law, Minnesota Merit System Rules, existing labor agreements, and Personnel Policies and Practices,

BE IT RESOLVED, That all Personnel Actions for the month of December 2006 for employees of the Department of Human Services as documented in the Department on proposed Personnel Action Listings, personnel abstracts, payroll reports, and Personnel Action Forms, are hereby approved.

WHEREAS the Director of Human Services for Mower County has been advised that all Social Service and Income Claims against Mower County submitted for payment in the month of December 2006 have been reviewed and are eligible for payment pursuant to all applicable rules, regulations, laws, and policies,

BE IT RESOLVED, That all bills, as listed on the listing of bills and claims against Social Services and Income Maintenance Funds and Warrant Registers, shall be approved as valid claims against the County of Mower and are hereby approved for payments.

The Commissioners voted as follows: Garry Ellingson aye, David Hillier aye, Ray Tucker aye, Richard P. Cummings aye, and Richard Lang aye.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**INCOME MAINTENANCE ACTIONS:**

**Date: December 26, 2006**

**Res. #85-06**

**RESOLUTION**

On motion of Commissioner Ellingson, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 26, 2006, at the Courthouse in Austin, Minnesota.

WHEREAS, the Director of Human Services for Mower County had advised that all Income Maintenance case actions are in conformance with State, Federal and County laws, rules, regulations and policies,

BE IT RESOLVED, That all Income Maintenance case actions or approval, denial, suspension, reinstatement, closing, increased and decreased maintenance and denial as documented on the Maxis State computer system for the period December 1, 2006 through December 31, 2006 are hereby approved.

BE IT FURTHER RESOLVED, That all assistance payments issued during the month of December 2006 are hereby approved.

BE IT FURTHER RESOLVED, That all bills and claims against the Income Maintenance Programs, as cited in the Abstract of Payment Records in the Mower County Human Services Department, are hereby approved for payment.

BE IT FURTHER RESOLVED, That all personnel actions for the month of December 2006 for employees of the Department of Human Services as documented in the Department Payroll Reports and Personnel Action Reports, are hereby approved.

BE IT RESOLVED, That all refunds received during the month of December 2006 as listed on the Report of Refunds and Cancellation, are hereby acknowledged as received.

The Commissioners voted as follows: Garry Ellingson aye, David Hillier aye, Ray Tucker aye, Richard P. Cummings aye, and Richard Lang aye.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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

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

Motion by Commissioner Tucker, seconded by Commissioner Lang to approve the minutes of December 7, 2006 and December 7, 2006 Truth-in-Taxation hearing. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Ellingson to approve the following bi-monthly bills:

GENERAL FUND			
AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
872.00	ADAMS DRUG	3601.58	AMERICAN SOLUTIONS FOR BUSINES
207.68	AMI IMAGING SYSTEMS INC	197.00	ANDERSON RADIATOR SERVICE
2607.36	AUSTIN AREA SCHOOLS	189.52	AUSTIN FORD LINCOLN-MERCURY
8769.00	AUSTIN MEDICAL CENTER ATTN:CAS	384.64	AUSTIN NEWSPAPERS, INC
100.00	AUSTIN YMCA	524.48	MYLES BENDTSEN
248.70	CARE EXPRESS PRODUCTS INC	4692.93	CDW GOVERNMENT, INC.
2057.27	CEDAR VALLEY SERVICES, INC	475.00	CITY OF AUSTIN
1897.00	DARS CONSTRUCTION	564.46	DE LAGE LANDEN FINANCIAL SERVI
5599.27	DANIEL DONNELLY LAW FIRM	662.86	FARM & HOME PUBLISHERS
541.58	FLEET SERVICES	836.10	FOX ELECTRIC COMPANY, INC
113.21	FREEBORN-MOWER COOPERATIVE SER	600.00	SALLY GARRY
268.00	HANSON TIRE OF AUSTIN INC	705.60	HARTY MECHANICAL INC
298.20	HASLER MAILING SYSTEMS	120.00	CAMPOS HERRERA
296.00	BARBARA HOVDE	436.49	HUMAN RESOURCE MANAGEMENT SERV
204.86	IKON OFFICE SOLUTIONS	470.05	J & K WINONA
15940.00	JONES, HAUGH & SMITH, INC.	114.00	RAQUEL KAHLE
1794.66	KEY MUNICIPAL FINANCE INC	448.00	MARGARET KIRCHNER
175.23	KEN KROUPA	460.02	LANGUAGE LINE SERVICES
444.96	GUSTAVE LARSON	102.08	LASER PRODUCT TECHNOLOGIES INC
493.28	MARTIN BROS	257.50	MEDTOX LABORATORIES INC
214.03	MEDTRONIC EMERGENCY RESPONSE S	859.25	MELCHERT HUBERT SJODIN
767.62	MIDWEST WIRELESS	859.12	MINNESOTA ELEVATOR, INC
257.00	MITCHELL COUNTY REGIONAL HEALT	186.34	MOLINE AWARDS
328.66	GARY NYQUIST	115.00	OSAGE DENTAL ARTS
222.40	HARLEN PECK	131.25	PLUNKETT & ASSOCIATES INC
180.00	POST BULLETIN COMPANY	165.08	PRESTO-X-COMPANY INC
100.00	PYRAMID CONCEPTS INC.	525.44	QWEST DENVER
1789.32	RATWIK, ROSZAK & MALONEY, ATTY	112.50	RICHARDSON LAW OFFICE
392.00	JAMES RISIUS	3938.40	RS EDEN INC
2616.90	SCHILLING SUPPLY COMPANY	282.79	SCHWAAB, INC
309.38	SHOPKO PHARMACY	140.79	SOUTHLAND SCHOOL DISTRICT #500
8400.00	DAVID SPINLER CONSTRUCTION, INC	176.74	STAPLES CREDIT PLAN
185.00	SUNDAL INSTANT PRINTING	449.00	THOMPSON PUBLISHING GROUP
193.83	TRI-ANIM HEALTH SERVICES INC.	240.00	TRIPLE J DISPOSAL, INC.
5360.00	UNIV OF MINN EXTENSION	350.72	WELLS FARGO FINANCIAL LEASING
4128.77	WEST GROUP		
	23 PAYMENTS LESS THAN \$100	1,131.73	
GENERAL FUND		\$93,879.63	* TOTAL

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

SOCIAL SERVICE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
	3 PAYMENTS LESS THAN \$100	209.41	
SOCIAL SERVICE FUND		\$209.41	* TOTAL

ROAD & BRIDGE FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
1906.33	BOE BROTHERS TILING, INC	34677.87	BROCK WHITE CO LLC
16232.68	CARGILL INC	152.00	CATCO PARTS AND SERVICE
144.76	CINTAS FIRST AID & SAFETY	2246.09	DIAMOND MOWERS, INC.
432.92	ETTERMAN ENTERPRISES	121.44	FAIRFIELD LINE, INC
111.65	GILLUND ENTERPRISES	725.12	J.J. KELLER & ASSOCIATES INC.
107.78	LAWSON PRODUCTS, INC	179.23	LEEF BROS., INC.
24893.32	METAL CULVERTS, INC.	251.81	MID CON SYSTEMS, INC.
127.58	MISSISSIPPI WELDERS SUPPLY CO.	1359.83	PETROBLEND CORP.
230.97	PROLINE DIST., INC	173.40	QWEST DENVER
2475.06	R & M STEEL	347.50	RED WING SERVICE COMPANY, INC.
260.76	REED BUSINESS INFORMATION	627.18	RONCO ENGINEERING SALES, INC.
1553.41	SCHAEFFER MFG CO.	714.93	ST JOSEPH EQUIPMENT, INC
2382.15	STATE OF MINNESOTA,	707.31	TERMINAL SUPPLY CO.
153.62	ULVEN'S ACE HARDWARE	214.95	UNITED LABORATORIES
656.09	ZEP MANUFACTURING COMPANY	11422.41	ZIEGLER, INC
	14 PAYMENTS LESS THAN \$100	676.36	
ROAD & BRIDGE FUND		\$106,266.51	* TOTAL

SOLID WASTE/RECYCLING FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
24660.86	CEDAR VALLEY SERVICES, INC	5468.40	IVERSON HAULING
459.00	MOWER COUNTY SHOPPER		
	4 PAYMENTS LESS THAN \$100	160.25	
SOLID WASTE/RECYCLING FUND		\$30,748.51	* TOTAL

BUILDING FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
	1 PAYMENTS LESS THAN \$100	70.00	
BUILDING FUND		\$70.00	* TOTAL

DITCH FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
1019.50	JONES, HAUGH & SMITH, INC.	2870.00	MOWER COUNTY SOIL & WATER CONS
	0 PAYMENTS LESS THAN \$100	.00	
DITCH FUND		\$3,889.50	* TOTAL

STATE & AGENCY COLLECTION FUND

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
5000.00	PARENTING RESOURCE CENTER, INC		
	0 PAYMENTS LESS THAN \$100	.00	
STATE & AGENCY COLLECTION FUND		\$5,000.00	* TOTAL

FAMILY CONNECTIONS

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
1400.00	HEARTMAN INSURANCE	254.83	MIDWEST WIRELESS
	0 PAYMENTS LESS THAN \$100	.00	
FAMILY CONNECTIONS		\$1,654.83	* TOTAL
****	FINAL TOTAL.....	\$241,718.39	****

Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Lang to approve payment application #8 to Freeborn Construction in regard to Ditch #1 clean out in the amount of \$12,249.25. Motion carried.

**Date: December 26, 2006**

**Res. #86-06**

**RESOLUTION**

On motion of Commissioner Cummings, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 26, 2006, at the Courthouse in Austin, Minnesota.

WHEREAS, on July 23, 1996, the Mower County Board of Commissioners passed and adopted Ordinance #3-96, which authorized and established the Mower County Individual Septic Treatment System (ISTS) and Well Sealing Loan Programs, and

WHEREAS, on July 23, 1996 the Mower County Board of Commissioners by motion adopted the Individual Sewage Treatment Systems (ISTS) and Well Sealing Loan Procedural Guide and

WHEREAS, by motion of April 25, 2000, Mower County has committed monies to fund the Mower County ISTS Loan Program, and

WHEREAS, affected property owners who sign the ISTS Loan and Assessment Agreement have agreed that their ten-year loan repayment, plus interest, at the per annum rate of 3%, shall be added in equal annual installments to the real estate tax levied on the affected property, and

WHEREAS, said property owners have the right to pay off the remaining balance of the loan before November 15<sup>th</sup> of any year thereafter, and

WHEREAS, the County Auditor has submitted a list of affected properties, owners and amounts. Said list is identified as ISTS Loan (Mower County) 2006/2007.

NOW THEREFORE BE IT RESOLVED there is now levied against the properties listed in the Auditor's ISTS Loan (Mower County) 2006/2007 list an amount, plus interest, necessary to repay the monies loaned by Mower County for upgrade and repair of individual sewage treatment systems.

BE IT FURTHER RESOLVED, that the amount each tract and property shall be liable for and must pay is contained in the County Auditor's ISTS Loan (Mower County) 2006/2007 list, which is on file in the office of the Mower County Auditor and shall be levied over a ten-year period, commencing with real estate taxes payable in the year 2007.

BE IT FURTHER RESOLVED, that the principal loan shall bear interest at the rate of 3% per annum, per signed loan and assessment agreements.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Date: December 26, 2006

Res. #87-06

**RESOLUTION**

On motion of Commissioner Tucker, seconded by Commissioner Ellingson, the following Resolution was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held December 26, 2006, at the Courthouse in Austin, Minnesota.

**WHEREAS**, on July 23, 1996, the Mower County Board of Commissioners passed and adopted Ordinance #3-96, which authorizes and establishes the Mower County ISTS Loan Program, and

**WHEREAS**, on July 23, 1996, the Mower County Board of Commissioners by motion adopted the Individual Sewage Treatment Systems (ISTS) Loan Procedural Guide, and

**WHEREAS**, Mower County has received monies from the Department of Agriculture to fund the Mower County ISTS Loan Program, and

**WHEREAS**, affected property owners who sign the ISTS Loan and Assessment Agreement have agreed that their 10-year loan repayment, plus interest, at the per annum rate of 3%, shall be added in equal annual installments to the real estate tax levied on the affected property, and

**WHEREAS**, said property owners have the right to pay off the remaining balance of the loan before November 15th of any year thereafter, and

**WHEREAS**, the County Auditor has submitted a list of affected properties, owners, and amounts. Said list is identified as ISTS Loan (Dept. of Ag.) 2006/2007.

**NOW, THEREFORE, BE IT RESOLVED**, There is now levied against the properties listed in the Auditor's ISTS Loan (Dept. of Ag.) 2006/2007 list an amount, plus interest, necessary to repay the monies loaned by Mower County for upgrade or repair of individual sewage treatment systems.

**BE IT FURTHER RESOLVED**, That the amount each tract and property shall be liable for and must pay is contained in the County Auditor's ISTS Loan (Dept. of Ag.) 2006/2007 list, which is on file in the office of the Mower County Auditor and shall be

levied over a 10-year period, commencing with real estate taxes payable in the year 2007.

**BE IT FURTHER RESOLVED**, That the principal loan shall bear interest at the rate of 3% per annum, per signed loan and assessment agreements.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Cummings, seconded by Commissioner Ellingson to authorize the County Coordinator to set a letting date pursuant to Minnesota Statutes for the sale of property owned by Mower County described as follows:

The West 132.00 feet of the East 422.00 feet of the North 15 rods of the S ½ of the SW ¼ NE ¼ Section 9-T103N-R17W, Mower County, Minnesota.

Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Lang to designate the following banks as public depositories:

Farmers and Merchants Blooming Prairie  
Farmers State Bank-Elkton  
First Farmers and Merchants-Sargeant  
First Farmers and Merchants-Grand Meadow  
First National Bank-Leroy  
Mower County Employees Credit Union  
Community Bank  
Home Federal Savings Bank-Austin

Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Tucker to reappoint Dale Madison to the Mower County Housing Authority Board effective January 1, 2007 through December 31, 2011. Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Cummings to reappoint Daryl Franklin and Gerald Meier as 2007 delegates to the Southern Minnesota Association of Regional Trails with Craig Hoium and Charles Anderson as alternates. Motion carried.



Motion by Commissioner Ellingson, seconded by Commissioner Lang to authorize the Chair and Correctional Services Director to sign an agreement with the State of Minnesota for Sentence to Service program effective July 1, 2007 through June 30, 2009. Motion carried.

The following retiring employees and officials were recognized for their years of service to Mower County:

Wally Jukes, Heavy Equipment Operator  
Garry Ellingson, County Commissioner  
Woody Vereide, County Auditor

Motion carried.

Motion by Commissioner Tucker, seconded by Commissioner Lang to award the bid on SAP 50-599-100, Bridge 50J89 to Midwest Contracting based on the apparent low bid. A detailed abstract of bids is on file in the County Auditor/Treasurer's office. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Ellingson to award the bid on SAP 50-599-101, Bridge 50J90 to Midwest Contracting based on the apparent low bid. A detailed abstract of bids is on file in the County Auditor/Treasurer's office. Motion carried.

Motion by Commissioner Ellingson, seconded by Commissioner Lang to award the bid on SAP 50-599-102, Bridge 50J91 to Landwehr Construction based on the apparent low bid. A detailed abstract of bids is on file in the County Auditor/Treasurer's office. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Ellingson to award the bid on SAP 50-599-106, Bridge 50J87 to Swenke Company, Inc. based on the apparent low bid. A detailed abstract of bids is on file in the County Auditor/Treasurer's office. Motion carried.

Motion by Commissioner Cummings, seconded by Commissioner Tucker to award the bid on SAP 50-599-107, Bridge 50J88 to Swenke Company, Inc. based on the apparent low bid. A detailed abstract of bids is on file in the County Auditor/Treasurer's office. Motion carried.

The County Engineer provided the Board with an update and possible scenarios in regard to the City of Austin's proposal to remove two bridges known as the Oakland Avenue bridges and preserve the Roosevelt Bridge. The issue was referred to the Finance Committee for further discussion.

**Date: December 26, 2006**

**Res. #88-06**

**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 December 26, 2006 at the Courthouse, Austin, Minnesota.

**BE IT RESOLVED**, that a per diem of forty dollars (\$40) be set for the following County Commissioner working committees:

- 1) Finance (budget meetings only)
- 2) Road and Bridge
- 3) Personnel (Monthly meeting, Union grievances and negotiations)
- 4) Ag Extension
- 5) Planning Commission
- 6) Community Health Services
- 7) RC & D
- 8) All State AMC Committees
- 9) AMC District IX
- 10) All Joint Powers Boards
- 11) Solid Waste Advisory
- 12) Building
- 13) Human Services Advisory (monthly meeting)
- 14) Feedlot Advisory
- 15) SEMCAC
- 16) EMS Joint Powers Board
- 17) PIC
- 18) Human Services/PMAP
- 19) All AMC and NACo Meetings and Conferences

**BE IT FURTHER RESOLVED** that all other previously stated non-county board working committees (Book U-49, U-53, U-233 & U-234) be forty dollars (\$40);

**BE IT FURTHER RESOLVED** that the Commissioners salaries for 2007 be set at \$23,500.00 payable in bi-weekly installments.

Passed and approved this 26<sup>th</sup> day of December, 2006.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Cummings, seconded by Commissioner Ellingson to amend the 2007 Human Services budget in the amount of \$10,000.00 for scanning service with Turtle Creek Industries. Motion carried.

A Public Hearing was held in regard to an Environmental Assessment for High Prairie Wind Farm II, LLC of Horizon Wind Energy. Kate Wattson of Horizon Wind Energy presented an overview of the Environmental Assessment.

No one spoke for or against the Environmental Assessment for High Prairie Wind Farm II, LLC.

Motion made by Commissioner Tucker, seconded by Commissioner Ellingson to affirm the Environmental Assessment for the substation and power line relating to the Conditional Use Permit #711 of Horizon Wind Energy for High Prairie Wind Farm II, LLC to construct a 161kV substation in Section 10, Lodi Township and a new 161kV high voltage transmission line connecting the proposed High Prairie Wind Farm II at the new substation to the Mower County substation in Section 23 of Clayton Township. Motion carried.

At this time a Public Hearing was held in regard to CUP #711 of High Prairie Wind Farm II, LLC for construction, operation, maintenance and ownership of a new 161kV high voltage substation in Section 10 of Clayton Township and a new 161kV high voltage transmission line.

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

One person spoke in favor of CUP #711. No one spoke against CUP #711.

**Date: December 26, 2006**

**Res. #89-06**

### **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 December 26, 2006 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #711 of High Prairie Wind Farm II, LLC, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

Construction, operation, maintenance and ownership of a new 161kV high voltage substation in Section 10 of Clayton Township and a new 161kV high voltage transmission line.

Location: Clayton Township

Notice having been duly given and a hearing held December 26, 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.

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

Passed and approved this 26<sup>th</sup> day of December, 2006.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

A Public Hearing was held in regard to CUP #713 of Merlin, Donna and Jan Hansen to have a wash-out area for hog trailers on the property. The truck wash would be used to maintain bio-security by washing their livestock trucks used to transport hogs. The building would be 40' x 70' and would be used for truck storage and washing. They expect to wash

out up to tow trailers per day, several days a week. The wastewater collected shall drain into holding tanks.

Daryl Franklin, Environmental Services Director, reviewed the application and Planning Commission recommendations. Daryl also indicated he spoke with Minnesota Pollution Control Agency representative and they do not have any objections to the CUP. Sergeant Township also notified Daryl Franklin that they do not have any objections to the CUP.

No one spoke for or against CUP #713.

**Date: December 26, 2006**

**Res. #90-06**

### **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 December 26, 2006 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #713 of Merlin, Donna and Jan Hansen, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

Wash-out area for hog trailers on the property. The truck wash would be used to maintain bio-security by washing their livestock trucks used to transport hogs. The building would be 40' x 70' and would be used for truck storage and washing. They expect to wash out up to tow trailers per day, several days a week. The wastewater collected shall drain into holding tanks.

Location: SE ¼ , Section 17, Sargeant Township, T104N R16W, Mower County, Minnesota.

Notice having been duly given and a hearing held December 26, 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. The operator is responsible to obtain all other required permits including but not limited to MPCA, NPDES, and DNR permits.
2. The truck washing facility is to only be used for vehicles associated with this producer's livestock business.

3. All wastewater collected shall drain into a minimum of two 1,600 gallon septic tanks and disposed of on owner's property.
4. Obtain a Zoning Permit from Mower County for the new building.

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

Passed and approved this 26<sup>th</sup> day of December, 2006.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

A Public Hearing was held in regard to CUP #714 of Jill Anderson to operate a riding stable business as an extended home occupation on the property.

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

No one spoke for or against CUP #714.

**Date: December 26, 2006**

**Res. #91-06**

**RESOLUTION**

On motion of Commissioner Cummings, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 26, 2006 at the Courthouse, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #714 of Jill Anderson, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

Operation of a riding stable business as an extended home occupation on the property.

Location: W 990 ft. N 880 ft. SW ¼ Exc. W 660 ft. S 280 ft., Section 15,  
Frankford Township, T103N R14W, Mower County, Minnesota.

Notice having been duly given and a hearing held December 26, 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 no conditions.

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

Passed and approved this 26<sup>th</sup> day of December, 2006.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion by Commissioner Ellingson, seconded by Commissioner Cummings to adjourn the meeting at 11:40 a.m. until January 2, 2007 at 1:00 p.m. Motion carried.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

Attest:

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

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