

**SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS**

October 2, 2012

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session October 2, 2012 at 1:00 p.m. at the Government Center in Austin, Minnesota.

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

A Public Hearing was held in regard to CUP #779 of Roger and Susan Bastyr for the storage and one-time crushing and processing of asphalt and concrete materials as well as mixing and storage of salt and sand in Section 27, Lansing Township.

Mike Hanson, Public Works Director, reviewed the permit and Planning Commission recommendations.

The Petitioner was present and spoke on his own behalf. One person spoke in favor of CUP #779. No one spoke against CUP #779.

Date: October 2, 2012

Res. #68-12

RESOLUTION

On motion of Commissioner Tucker, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 2, 2012 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #779 of Roger and Susan Bastyr, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

Storage, one-time crushing and processing of asphalt and concrete materials, as well as mixing and storage of salt and sand

Location: on a 3.64 parcel, located in Section 27, Lansing Township (T103N-R18W), and legally described as: see attached, Mower County, Minnesota on a parcel identified per tax records as 08.048.0010

Notice having been duly given, a public hearing was held on March 27, 2012 and September 25, 2012 before the Mower County Planning Commission at 7:00 p.m. at the Mower County Government Center in the Commissioner's board room, on said petition.

Notice having been duly given, a public hearing was held on October 2, 2012 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 state and federal regulations regarding the proposed use which may include, but not be limited to, an industrial stormwater permit, solid waste storage standards of the MPCA, and any others that may apply; and
2. Applicant/owner shall maintain a low water mist during crushing operation or provide another acceptable method to the County Board to address dust control during crushing; and
3. Any runoff that would be present from watering or misting of the product shall be contained and disposed by applicant; and
4. When crushing begins and ends; applicant shall notify the Public Works office either by written correspondence, telephone call or by email so the department can log the one-time occurrence; and
5. The storage area for the crushed material shall be contained to the portion of the property located behind the main buildings towards the back portion of the property; and
6. The Owner/Applicant shall work cooperatively with Mower County to mitigate any issues brought to the attention of the County that are found to be legitimate and valid that may create a nuisance to adjoining landowners from the proposed use, and
7. The Owner/Applicant shall abide by all road and bridge weight restrictions or postings that apply to roads used as an ingress/egress to the property; and
8. The Owner/ Applicant shall provide adequate area onsite to park, back, or turn-around so as to not create a nuisance or hazard to the traveling public. Vehicles shall not be parked or backed onto the premises from the road or its right-of-way; and
9. 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; and
10. Failure to comply with any and all listed conditions may result in revocation of this conditional use permit; and
11. A Conditional Use Permit shall become void two (2) years after being granted by the County Board unless used. If the established use is discontinued for a period of three-hundred and sixty-five consecutive days, the CUP permit then becomes void; and

12. Expansion, modification, or additional acreage to this proposed use will require an amendment to the original conditional use permit. Changes or modifications to this use, as granted will also require an amendment to the original conditional use permit.
13. Window time of two years to successfully complete crushing of asphalt and concrete beginning on the date of passage of the CUP by the Mower County Board of Commissioners.

This permit is in accordance with 14-83, Division 8 (Industrial District) and 14-28 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 2nd day of October, 2012.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

A Public Hearing was held in regard to CUP #784 of Leonard Grant for an agricultural-oriented business; specifically a livestock buying station, in Section 32, Udolpho Township.

Mike Hanson, Public Works Director, reviewed the permit and Planning Commission recommendations.

The Petitioner was present and spoke on his own behalf. One person spoke in favor of and five persons spoke against CUP #784.

Motion made by Commissioner Tucker, seconded by Commissioner Gabrielson to table CUP #784 until October 23, 2012 at 10:00 a.m. to allow for a site visit and to review the questions that arose during the public hearing. Motion carried.

The Board recessed at 2:20 p.m. and reconvened at 2:30 p.m.

A Public Hearing was held in regard to CUP #785 of Southern MN Municipal Power Agency c/o Rick Hettwer for the construction of a 161/69 kV electrical substation including minor modifications to existing electrical transmission lines located on the property in Section 28, Lansing Township.

Mike Hanson, Public Works Director, reviewed the permit and Planning Commission recommendations.

The Petitioner was present. One person spoke in favor and no one spoke against CUP #785.

Date: October 2, 2012

Res. #69-12

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 2, 2012 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #785 of Southern MN Municipal Power Agency c/o Rick Hettwer, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

For the construction of a 161/69 kV electrical substation including minor modifications to existing electrical transmission lines located on the property

Location: On a 48.6 parcel, located in Section 28, Lansing Township (T103N-R18W), and legally described as: NE1/4 S of RR & W of Hwy 218, 28-103-18, Mower County, Minnesota on a parcel identified per tax records as 08.028.0020

Notice having been duly given, a public hearing was held on September 25, 2012 before the Mower County Planning Commission at 7:00 p.m. at the Mower County Government Center in the Commissioner's board room, on said petition.

Notice having been duly given, a public hearing was held on October 2, 2012 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. Prior to construction, a Zoning Permit must be obtained.
2. 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.
3. Secure and submit MPCA (NPDES) General Storm water Permit for Construction Activities.

4. Comply with all State and Federal rules and regulations.
5. Contact the Mower County Engineer to secure and install a "911" rural address and sign for the substation. Petitioner is responsible for all costs associated.
6. 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 14-83 (Industrial District) and 14-28 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 2nd day of October, 2012.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Heather Steinkamp, Seibel Center, reported great news that the Center had received a \$400,000 grant for funding over the next three years.

Motion made by Commissioner Tucker, seconded by Commissioner Bennett to ratify the signature of the chair on the Cooperative Agreement with the Department of Justice, Office of Violence Against Women regarding a \$400,000 grant for the Siebel Center for the period 10/1/12 through 9/30/2015. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to approve the quote of Motorola for the 2012 purchase of three dispatch consoles at a cost \$380,000. Half of the cost is eligible for grant reimbursement. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to accept the request of Mary Lang for Phased Retirement Option to work up to 520 total hours on an as needed basis in 2013. Motion carried.

Commissioner Bennett reported on behalf of the Personnel Committee that the Sheriff and Dispatch Supervisor had requested, due to an upcoming leave of absence, to utilize the existing part-time dispatcher for fill in hours in lieu of regular dispatch staff incurring overtime. The understanding of the committee is that the part-time dispatcher would work up to 40 hours per week for the duration of the leave only to meet minimum staffing levels.

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to allow part-time dispatcher to work up to 40 hours per week during the duration of the upcoming leave of absence only as needed to fulfill minimum staffing levels. Motion carried.

The Personnel Committee is planning on amending Personnel Policy B230 Security Guidelines but prior to making a recommendation to the Board the proposed policy is being forwarded to department heads for further review and discussion.

With the upcoming health insurance open enrollment, the Personnel Committee recommends setting the County contribution for non-union employees consistent with the four collective bargaining agreements that have been settled for 2013.

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to set the County contribution towards 2013 health insurance premiums as follows:

- family insurance at \$1600/month; and
- single insurance at \$675.33/month

The county's contribution per month includes funds for both the plan cost and VEBA contribution (if applicable). The County VEBA contribution for applicable plans is set at 50% of the plan deductible. Motion carried.

One of the existing Social Workers is voluntarily electing to demote back to her prior position as a Financial Worker. She, and another Financial Worker, would like to share one Financial Worker position and both work half-time hours. Management and the union are working on the viability of a job share with the understanding that the County may, at its discretion, elect to fill the job share position as one full-time position in the future. This voluntary demotion would leave the employee's existing Social Worker position vacant.

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to authorize the Human Resources Director to fill the full-time position of Social Worker in Health & Human Services according to union contract and personnel policies. Motion carried.

Commissioner Reinartz on behalf of the Building reported that the cost to fix the condemned grandstand at the fairgrounds is cost prohibitive and that the Building Committee is recommending that the grandstand be demolished. It was noted that public comment has been received to restore the building. Staff has met with the Fair Board, the fire department and a firefighter instructor from Riverland. It is believed that the structure could be burned which would provide for an educational training exercise. There may be grant money available to assist in the training which would reduce the County's cost of demolition.

Motion by Commissioner Gabrielson, seconded by Commissioner Reinartz to approve the following Commissioner warrants for payment:

| AMOUNT | VENDOR NAME | AMOUNT | VENDOR NAME |
|--------|--------------------|----------|--------------------------------|
| 251.16 | A.E.S., INC. | 4980.91 | ACS GOVERNMENT INFORMATION SER |
| 201.26 | ALLIANT ENERGY | 23420.89 | ANOKA CO JUVENILE CENTER |
| 277.85 | ASD HEALTHCARE | 30124.12 | AUSTIN UTILITIES |
| 550.28 | AUTO VALUE AUSTIN | 25771.62 | BAUDOIN OIL COMPANY |
| 801.56 | BROCK WHITE CO LLC | 253.07 | CARDMEMBER SERVICE |

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

| | | | |
|----------|--------------------------------|--------------|--------------------------------|
| 100.00 | CARVER COUNTY ATTORNEY OFFICE | 2397.72 | COMMISSIONER OF TRANSPORTATION |
| 824.46 | CONTINENTAL RESEARCH CORP. | 139.63 | D & G ACE HARDWARE |
| 124.50 | DESLAURIERS INC | 652.64 | ETTERMAN ENTERPRISES |
| 8551.43 | L.R. FALK CONSTRUCTION CO. | 1884.00 | FINANCIAL SUPPORT |
| 505.00 | FIRESTONE | 121.62 | FLEETPRIDE INC |
| 209.44 | GRAINGER | 271.90 | HANSON TIRE SERVICE INC. |
| 134.00 | BARBARA HOVDE | 368.92 | J-ROCKS AUTO GLASS LLC |
| 100.10 | JODIE KALOW | 944.00 | MANPOWER |
| 11196.49 | MATHY CONSTRUCTION COMPANY | 2500.00 | MAYO CLINIC -ROCHESTER |
| 650.00 | MIDWEST CLINICAL PSYCHOLOGISTS | 196.08 | NAPA AUTO PARTS |
| 864.68 | POWERPLAN | 308.84 | PRINSCO, INC. |
| 193.29 | PROLINE DIST INC | 1787.50 | R & S GRAN SYSTEMS INC |
| 16579.74 | REGENTS OF THE UNIVERSITY OF M | 124.75 | ROAD MACHINERY & SUPPLIES CO. |
| 223.05 | ROCHESTER FORD-TOYOTA | 253.02 | ROCHESTER SAND AND GRAVEL, INC |
| 2605.21 | RONCO ENGINEERING SALES, INC. | 773.64 | RUFFRIDGE-JOHNSON EQUIPMENT CO |
| 314.03 | SCHILLING SUPPLY COMPANY | 30447.03 | SEVERSON OIL CO |
| 100.00 | SHERIFF WABASHA COUNTY | 114.05 | SKB ENVIROMENTAL |
| 325.00 | KATHY STUTZMAN | 395.87 | SWANSTON EQUIPMENT CORPORATION |
| 13306.84 | SYNERGY GRAPHICS INC. | 964.58 | DAVE SYVERSON FREIGHTLINER |
| 27042.76 | TRAFFIC MARKING SERVICE INC NO | 6247.70 | ULLAND BROTHERS INC. |
| 531.36 | UNITED LABORATORIES | 154.92 | WASTE MANAGEMENT OF WI-MN |
| 529.83 | WEST PAYMENT CENTER | 496.64 | WHEELER ELECTRIC OF LEROY, INC |
| 116.13 | WRIGHT EXPRESS FSC | 1420.00 | YAGGY COLBY ASSOCIATES INC |
| 347.09 | YOUNG'S WELDING, INC. | 3460.29 | ZARNOTH BRUSH WORKS, INC. |
| 230.10 | ZEP SALES & SERVICE | 6441.17 | ZIEGLER, INC |
| | 29 PAYMENTS LESS THAN \$100 | 1,338.64 | |
| **** | FINAL TOTAL..... | \$236,542.40 | **** |

Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson to appoint Julie Stevermer and Jill Cordes as the AMC delegates for 2012 and 2013 and amend their budgets for the cost to attend the annual conference in December. Motion carried.

Motion by Commissioner Bennett, seconded by Commissioner Tucker to adjourn the meeting at 3:25 p.m. Motion carried. The next meeting is scheduled for October 9, 2012 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____

Chairperson

Attest:

By: _____

Clerk/Coordinator

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