

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

December 6, 2012

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session December 6, 2012 at 1:00 at the Government Center in Austin, Minnesota.

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

Motion made by Commissioner Bennett, seconded by Commissioner Tucker to fill the full-time position of Jailer in the Jail according to union contract and personnel policies. Motion carried.

It was noted that the truth in taxation public hearing is scheduled tonight. Craig Oscarson, County Coordinator, handed out the memo that will be distributed tonight and reviewed it with the Board concerning the 2013 budget and levy.

A Public Hearing was held in regard to CUP #787 of Michael Schneider/Adams Bancshares, Inc. for the construction and operation of a monopole communications tower (no more than 100 feet in height) in Section 21, Marshall Township.

Angie Knish, Environmental Services Director, reviewed the permit and Planning Commission recommendations. The Commission recommended approval with five conditions.

The Petitioner was present. No one spoke for or against CUP #787.

**Date: December 6, 2012**

**Res. #78-12**

**RESOLUTION**

On motion of Commissioner Reinartz, seconded by Commissioner Tucker, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 6, 2012 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #787 of Michael Schneider/Adams Bancshares, Inc., Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

The construction and operation of a monopole communications tower (no more than 100 feet in height)

Location: On a 40 parcel, located in Section 21, Marshall Township (T102N-R16W), and legally described as: SW1/4 of SE1/4 Section 21, Township 102, Range 16 (Mower County, Minnesota), Mower County, Minnesota on a parcel identified per tax records as 12.021.0060

Notice having been duly given, a public hearing was held on November 27, 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 December 6, 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. Secure the necessary State, Federal or Local Permits.
2. Follow all applicable Federal and State safety and health regulations during construction process.
3. The CUP shall become void two years from the date of approval by the County Board if no construction has begun or the use has not been established.
4. Petitioner 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.
5. The 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 Section 14-49 (Agricultural District) and 14-28 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 6<sup>th</sup> day of December, 2012.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Angie Knish, further reported that Mr. Kappers had made a request for an additional extension on his CUP #689 approved in 2005 and extended through December 2012 and also an extension on his septic and structural permits.

Motion made by Commissioner Tucker, seconded by Commissioner Bennett to extend Jeff Kapper's CUP #689 and Septic and Zoning permits through 12-31-13. Motion carried.

Craig Oscarson provided the Board with a VCAA (Vulnerable Children and Adult Act) workgroup update.

Mike Hanson, Public Works Director, reported that the grandstand abatement is to start next week. Disposal options are being reviewed.

The Board recessed at 1:53 p.m. reconvened at 2:13 p.m.

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

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
1036.90	ABOVE ALL CLEANING, INC	9460.83	ADVANCED CORRECTIONAL HEALTHCA
202.24	ALLIANT ENERGY	180.25	AMERICAN INSTITUTIONAL SUPPLY
300.00	AMERICAN LEGION POST 91	337.05	AUSTIN BUILDERS SUPPLY, INC
25508.16	AUSTIN UTILITIES	185.91	AUTO VALUE AUSTIN
26254.68	BAUDOIN OIL COMPANY	13083.04	BISHOP EXCAVATING INC AND
1117.59	CANADIAN PACIFIC RAILWAY COMPA	680.60	CARDINAL HEALTH
3350.24	CARDMEMBER SERVICE	161.53	CINTAS FAS LOCKBOX 636525
3368.05	COMMISSIONER OF TRANSPORTATION	348.00	COUNTRY INN & SUITES
459.44	DE LAGE LANDEN FINANCIAL SERVI	807.93	DEXTER LP, INC
103.18	DIAMOND MOWERS INC	2070.64	ENVIRONMENTAL ASSURANCE
2587.50	ERICKSON ENGINEERING CO., LLC	1470.38	ETTERMAN ENTERPRISES
189.29	FOX ELECTRIC COMPANY, INC	6327.48	FREEBORN COUNTY CO-OPERATIVE O
412.70	G & K SERVICES	236.96	HANSON TIRE SERVICE INC.
540.00	COREY HAUER	121.35	ALLYN HENDRIKSON
317.72	INNOVATIVE OFFICE SOLUTIONS,LL	434.76	J-ROCKS AUTO GLASS LLC
5907.50	JONES, HAUGH & SMITH, INC.	2581.20	KANE & JOHNSON ARCHITECTS INC
549.93	KESTNER ELECTRIC, INC.	1070.00	EVAN LARSON LAW OFFICE
2376.18	LHB INC	702.19	LITTLE FALLS MACHINE, INC.
826.00	MANPOWER	609.88	MANTEK
199.99	MATCO TOOLS	200.79	MAYO CLINIC -ROCHESTER

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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132.50 MAYO CLINIC HEALTH SYSTEM-OWAT	13299.00 MCF - STW
8795.28 METAL CULVERTS, INC.	2030.72 METRO SALES, INC.
237.50 MINNESOTA CHEMICAL COMPANY	31682.50 MINNESOTA DEPT OF HEALTH
199.45 MINNESOTA SUPPLY COMPANY	120.00 MSCIC
1461.73 NAPA AUTO PARTS	700.00 OSMUNDSON BROTHERS INC
5907.04 PARAGON PRINTING & MAILING INC	61429.60 PAUL R JOHNSON ARCHITECT--HOLD
1974.11 MARSHA PAWLUK	1600.00 JEFFREY PEDERSON
1337.87 PETROBLEND CORP.	1275.00 BONNIE PITTS
3661.15 POWERPLAN	326.12 PRINSCO, INC.
267.49 PROLINE DIST INC	415.74 PUBLIC SAFETY EQUIPMENT LLC
859.72 RATWIK, ROSZAK & MALONEY, ATTY	2600.00 REGNER, INC
810.19 ROCHESTER SAND AND GRAVEL, INC	304.11 ROCKMOUNT RESEARCH & ALLOYS IN
2921.00 ROLLING GREEN FENCING, INC	4317.96 RONCO ENGINEERING SALES, INC.
600.00 RUD EXCAVATING INC	792.04 SCHMIDT-GOODMAN OFFICE PROD
153.00 DR. SCHMITT	25310.43 SEVERSON OIL CO
231.32 SHRED-IT USA MINNEAPOLIS	1676.65 STROUP DISTRIBUTING, INC.
151.00 SWEEPER PARTS SALES	195.66 DAVE SYVERSON FREIGHTLINER
108.20 TARGET	815.95 TOWMASTER TRUCK EQUIPMENT
3180.49 TURNKEY CORRECTIONS	122.20 UNIFORMS UNLIMITED INC
655.46 WASTE MANAGEMENT OF WI-MN	481.51 WEST PAYMENT CENTER
69020.96 WHITEWATER WIRELESS, INC ROCHE	2306.00 YAGGY COLBY ASSOCIATES INC
710.78 ZIEGLER, INC	
36 PAYMENTS LESS THAN \$100	2,319.71
**** FINAL TOTAL.....	\$374,175.20 ****

Motion carried.

Motion by Commissioner Bennett, seconded by Commissioner Gabrielson to deny the Application for Abatement of penalty in the amount of \$82.20 requested by Carter Wagner/Joseph Properties, LLC in regard to parcel number 02.890.0170 in Mower County for taxes payable in 2012. The basis for denial is based on Minnesota Statute §375.192 and is consistent with current policy and practice. Motion carried.

Motion by Commissioner Bennett, seconded by Commissioner Gabrielson to deny the Application for Abatement of penalty in the amount of \$40.92 requested by Harlen Johnsrud in regard to parcel number 34.425.0060 in Mower County for taxes payable in 2012. The basis for denial is based on Minnesota Statute §375.192 and is consistent with current policy and practice. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Tucker to reappoint Sherwood (Woody) Vereide as the citizen chair to the AMCAT board for a two year term effective January 1, 2013 through December 31, 2014. Motion carried.

The Board has become aware that a supplemental tax statement was sent out for a ditch assessment on JD #26. They were sent out separately and late. Taxpayers that have already paid their taxes are being charged interest and penalties on this ditch assessment. The Board would like to approve a "blanket" authorization for the abatement of tax penalty and interest associated with the assessment on JD #26 for those taxpayers that have paid their taxes in full and on time with the exception of this additional assessment.

Motion made by Commissioner Gabrielson, seconded by Commissioner Tucker to approve through December 31, 2012 the abatement of penalty and interest for taxpayers with parcels subject to an assessment on JD #26 that have made full payment of all other taxes due

and payable. This approval includes the following parcels: 34.240.0430, 34.517.0105, 34.007.0015, 34.235.0500, 34.235.0630 and possibly more. Motion carried.

Craig Oscarson presented Commissioner Tucker with a Certificate of Recognition received from the Rural Energy Board for Commissioner Tucker's service on that Board.

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to appoint Joy Kanne as the County Assessor effective January 1, 2013 through December 31, 2014 subject to a one-year probation. The starting salary is set at \$61,392.24 annually. Upon completion of SAMA certification, Ms. Kanne will receive a one-step wage increase in addition to other step increases awarded through policy. Ms. Kanne's anniversary date for wage/benefit purposes will remain unchanged. Motion carried.

Mr. Marv Repinski made an additional appeal for the Board to consider a partnership/merger of the County and City of Austin House and Redevelopment Authority boards.

Motion by Commissioner Bennett, seconded by Commissioner Gabrielson to adjourn the meeting at 2:40 p.m. Motion carried. The Truth in Taxation Public Hearing is scheduled for this evening. The next regular meeting is scheduled for December 13, 2012 at 8:30 a.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

**INDEX**

**A**

adjourn, 318  
AMCAT board chair appointment  
    Sherwood Vereide, 317

**C**

County Assessor appointment -- 2 years  
    Joy Kanne, 318  
CUP #689 Kappers --extension. *See* Kappers

**H**

hire jailer, 314

**K**

Kappers -- extension of  
    CUP #689, 316  
    septic permit, 316  
    zoning permit, 316

**P**

Public Hearing  
    CUP #787  
        Schneider/Adams Bancshares, 314

**R**

Res. #78-12 CUP #787 Schneider/Adams Bancshares,  
    314

**T**

tax abatement – DENIED  
    Johnsrud, 317  
    Joseph Properties, 317  
tax abatement--blanket approval  
    selected parcels with JD#26 assessments, 317

**W**

warrants  
    Commissioner, 316