

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

November 5, 2013

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session November 5, 2013 at 1:00 p.m. at the Government Center in Austin, Minnesota.

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

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to approve the agenda with the following additions:

1. Approve/deny accepting a donation for the Vet Van Program;
2. Approve/deny Resolution for amending the All Hazard Mitigation Plan;
3. Approve/deny Resolution for final payment on the grandstand project; and
4. Approve/deny declaring a compressor as surplus property and a request to sell it to another governmental agency (Freeborn County)

Motion carried.

The Personnel and Finance Committees did not have any business.

Under Building Committee business it was reported that the move of Health & Human Services went well due to the efforts of the Health & Human Service director's planning with staff, and the efforts of IT and Maintenance staff. There are a few things to wrap up to have the move complete. And the committee also reported that the City of Austin approved a variance for the Herald parking lot and that the County is waiting on the Herald to finalize the proposed lease agreement.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn to approve the minutes of October 22, 2013. Motion carried.

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

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
12046.35	AUSTIN UTILITIES	327.70	BACHMAN PRINTING
210.38	BOB BARKER COMPANY INC.	120.00	KARLA BOE
407.69	CARDINAL HEALTH	5244.83	CARDMEMBER SERVICE
691.28	CITY OF AUSTIN	674.20	DALCO
213.75	DAMEL CORPORATION	175.60	DASH MEDICAL GLOVES INC.
11187.00	DEPARTMENT OF CORRECTIONS	1070.85	EMERGENCY AUTOMOTIVE TECHNOLOG
1354.54	FERNBROOK FAMILY CENTER	328.90	FIRSTLAB INC.
924.47	HEMOCUE AMERICA	18900.00	HILDI INC

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

1701.89 INNOVATIVE OFFICE SOLUTIONS,LL	175.00 INTERCULTURAL MUTUAL
560.00 KAUS RADIO	413.80 KRUEGER TRANSPORTATION
6496.00 THOMAS LARSON	206.11 LASER PRODUCT TECHNOLOGIES
62095.00 LAW ENFORCEMENT TECHNOLOGY GRO	1493.26 LENWAY LAW OFFICE
119.11 MATTHEW BENDER	3100.00 MAYO CLINIC -ROCHESTER
11084.01 MAYO CLINIC HEALTH SYSTEM-ALBE	8181.72 MELCHERT HUBERT SJODIN
6739.15 METRO SALES INC	150.00 MIDWEST CLINICAL PSYCHOLOGISTS
4350.00 MINNESOTA STATE AUDITOR	325.00 MOWER COUNTY SHOPPER
8700.00 NATIONAL BUSINESS SYSTEMS INC	930.84 OFFICE OF MN IT SERVICES
31767.94 PRO GROWTH BANK	357.00 PUBLIC SAFETY EQUIPMENT LLC
10089.80 RUPP,ANDERSON,SQUIRES & WALDSP	235.00 S & S WATERWORKS
479.79 SCHILLING SUPPLY COMPANY	1040.00 SCHMIDT-GOODMAN OFFICE PROD
404.00 DR SCHMITT	2449.00 SCHNEIDER LLC
38132.00 SGTS INC	300.16 SHRED-IT USA MINNEAPOLIS
1419.00 ST CROIX VALLEY SEXUAL ASSAULT	250.85 STAPLES CREDIT PLAN
760.00 DAVID STROBEL M.D.	2722.18 THOMSON REUTERS-WEST PAYMENT C
187.03 TIM'S REPAIR & TOWING	523.90 TUCKER COMPANY
3640.51 TURNKEY CORRECTIONS	380.58 UNIFORMS UNLIMITED INC
1184.63 WHITEWATER WIRELESS INC	692.75 WOMEN'S RESOURCE CENTER OF WIN
768.25 Y WASTE REMOVAL INC	3093.20 180 DEGREES INC
29 PAYMENTS LESS THAN \$100	1,566.14
**** FINAL TOTAL.....	\$273,142.14 ****

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Gabrielson to approve an approximate 4% rate increase for the DARCAN jail food contract and the new meal rates are as follows: Breakfast \$3.10; Lunch \$4.10 and Dinner \$5.10. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to approve the contract with Midwest Elevator & Drilling for the decommissioning of the jail elevator. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett to approve the Public Works Director to negotiate Rental Agreements for properties in Adams & Lyle for snow plowing purposes with the rental rates of \$600 to \$650 per agreement for 4 to 5 months subject to the review and approval of the County Attorney. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Gabrielson to set the land acquisition price for the Shooting Star Trail at \$8000 per acre. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Glynn to authorize the County Engineer to enter into purchase options / agreements acquiring land for the Shooting Star Trail. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson to amend the building maintenance budget to use approximately \$2000 of the revenue received as a credit from the Austin Utilities use of the generator system and use the funds for servicing the generator. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny to approve the 2013 Emergency Management Performance Grant EMPG grant agreement

(EMPG) in the amount of \$41,154 which requires an local match in the same amount.
Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson to approve Mower County being the fiscal agent for the Strength Planning Grant for which Mower County is eligible for \$5,000 in reimbursement for materials and administrative costs.
Motion carried.

Date: November 5, 2013

Res. #75-13

**RESOLUTION
All Hazard Mitigation Plan Amendment**

On motion of Commissioner Ankeny, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 5, 2013 at the Government Center, Austin, Minnesota.

WHEREAS, the risk of tornadoes and severe thunderstorm can impact all areas within Mower County and there is an increased risk of tornado activity, and

WHEREAS, there may be inadequate safe rooms in parks (camping and non-camping), public buildings, and schools, and

WHEREAS, there is increased public interest in community safe rooms, and

WHEREAS, this amendment will enable the county to be eligible for the hazard mitigation grant funding for tornado safe rooms, and

NOW THEREFORE BE IT RESOLVED that the Mower County Board of Commissioners wishes to amend the Mower County All Hazards Mitigation Plan to include the construction of storm shelters for the public in the county that do not have a safe area of refuge.

Passed and approved this 5th day of November, 2013.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn to accept a \$1,000 donation from Robert and Colleen Weimer in memory of Charles Meakins for the Veteran Service Van program. Motion carried.

Date: November 5, 2013

Res. #76-13

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 5, 2013 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 050-013-007 completed under contract number 21307 by Seating and Athletic Facility Enterprises, LLC has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 599,663.00
Final Amount: \$ 599,663.00 [100%]
Final Payment: \$ 29,983.15

Passed and approved this 5th day of November, 2013.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Glynn, seconded by Commissioner Bennett to declare a compressor as surplus property for review of value at a later date for sale to another public entity (*Freeborn County*). Motion carried.

The Board recessed at 1:47 p.m. and reconvened at 2:30 p.m.

A Public Hearing was held in regard to CUP #796 of Lucas Haarstad to build an additional dwelling on the Slinde property in Section 28, Nevada Township.

Angie Knish, Environmental Services, reviewed the permit and Planning Commission recommendations to approve the CUP with eight conditions.

The Petitioner was present and spoke on his own behalf. Two persons spoke in favor of CUP #796. One person spoke against CUP #796.

Date: November 5, 2013

Res. #77-13

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 5, 2013 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #796 of Lucas Haarstad, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

To allow for Additional Dwelling, (garage and shed) to the Quarter Section

Location: on a 10 parcel, located in Section 28, Nevada Township (T101N-R17W), and legally described as: See Attached Legal, Mower County, Minnesota on a parcel identified per tax records as 13.028.0160

Notice having been duly given, a public hearing was held on October 29, 2013 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 November 5, 2013 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. A Zoning Permit and ISTS Permit must be obtained prior to construction of the residence and/or any other structure.
2. An ISTS shall be designed, installed and maintained according to MN Rules 7080 & Mower County's ISTS Ordinance; a secondary site shall be located for future placement and placed on a map and kept on file in the CUP file and homeowner's records. The area should be preserved and protected from compaction and/or construction or other damages.

3. 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.
4. 911 addressing is required to be obtained through the Mower County Highway Dept. before construction.
5. Secure a completed Wetland Inventory performed by the Mower County Soil and Water Conservation District prior to beginning. A soils determination shall be completed by the SWCD for the presence of wetlands. Upon completion 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.
6. A conditional use permit shall become void two (2) years from the date of approval by the County Board if no construction has begun or the use has not been established.
7. A conditional use shall expire when used and if that use is discontinued for a period of three-hundred and sixty-five consecutive (365) days.
8. 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

A letter of no-loss has been submitted and is on file.

This permit is in accordance with 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 5th day of November, 2013.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Public Hearing / Scoping Meeting was held in reference to RES Americas / Pleasant Valley Transmission Project to open the public comment period related to the Environmental Assessment. RES America representatives were present and presented information concerning the Pleasant Valley Transmission Project in the form of a power point presentation. The chair called for public comment. Four persons made statements indicating that the project will have a negative impact on the environment. Environmental concerns included the destruction of wooded habitat along the Root River, transmission lines on both sides of the road would be devastating in the event of a natural disaster and reported concerns that persons living near transmission lines and substations have higher occurrences of developing cancer. The public hearing was closed but the comment period extends

through November 18, 2013 but submitting written comments directly to Mower County Environmental Services.

Motion by Commissioner Bennett, seconded by Commissioner Ankeny to adjourn the meeting at 3:17 p.m. Motion carried. The next meeting is scheduled for November 12, 2013 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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