

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

July 1, 2014

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session July 1, 2014 at 1:00 p.m. at the Government Center in Austin, Minnesota.

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

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to approve the agenda with additions as follows: 1) Approval of Emergency Management Performance Grant application; 2) Approve revised job descriptions: Senior County Attorney and Lead Criminal County Attorney; and discussion for the July board meeting schedule. Motion carried.

The keys to the new Veteran Service Van were presented to the County Board by Representatives from the Veteran Community.

A Public Hearing was held in regard to CUP #806 of David Smith d/b/a Dave's Engine Rebuilding, Petitioner on behalf of landowners Leo W. & Diane M Sheedy and Melanie M Smith to operate a machine shop, tool and die operation in Section 22, Lansing Township.

Angie Knish, Environmental Services, reviewed the permit and Planning Commission recommendations.

The Petitioner was present. No one spoke for or against CUP #806.

**Date: July 1, 2014**

**Res. #57-14**

**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 July 1, 2014 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #806 of David Smith d/b/a Dave's Engine Rebuilding, Petitioner on behalf of landowners Leo W. & Diane M. Sheedy and Melanie M. Smith, to be issued pursuant to the Mower County Zoning Regulations for:

To operate a machine shop, tool and die operation to also include rebuilding of gas and diesel engines, work on all types of machinery and all automobile engine repairs

Location: on a 2.16 parcel, located in Section 22, Lansing Township (T103N-R18W), and legally described as: APPROX N 295' E 328' NE 1/4 NE 1/4 2.16 AC, Mower County, Minnesota on a parcel identified per tax records as 08.022.0100; and

Notice having been duly given, a public hearing was held on June 24, 2014 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 July 1, 2014 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 Township, State and Federal regulations regarding the proposed use; and
2. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition. There shall be no outside storage of auto parts or waste related to the proposed use; and
3. 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/or valid which may create a nuisance to adjoining landowners from the proposed use, and
4. The Owner/ Applicant shall provide adequate area onsite to park, back; turn-around so as to not create a nuisance or hazard to the traveling public. The trucks cannot be parked or backed onto the premises from the road or its right-of-way; and
5. Any additional buildings or additions to the existing structure will require an amendment to the Conditional Use Permit. Structural additions will also require zoning permits; and
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. For the purposes of this provision, construction shall include the installation of footings, slab, foundation, posts, walls or other portions of a building. Site preparation, land clearing or the installation of utilities shall not constitute construction. A conditional use permit shall become void if the use is discontinued for a period of one (1) year. (Refer Section 14-36 Discontinuance); and
7. No permanent storage or burying of waste material is allowed and to do so would be in violation of MPCA Regulations and Mower County Solid Waste Ordinance; and

8. A violation of any condition set forth in a conditional use permit shall be a violation of this Ordinance and shall automatically terminate the permit ( refer Section 14-35 Revocation); 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.

This permit is issued 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 1<sup>st</sup> day of July, 2014.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

The Building Committee provided the full Board an update on the 2014 projects which include projects at the Fairgrounds; parking lots, Government Center and Justice Center.

The Personnel Committee and Staff presented information concerning the results in response to the Board's directive to study the feasibility of centralizing the Finance functions. The recommendation is to proceed with centralizing the finance functions with a review by the Personnel Committee every six months. The details were reviewed with the full board by memo related to "Centralization of Finance" dated July 1, 2014. A discussion followed.

Motion made by Commissioner Ankeny, seconded by Commissioner Gabrielson to reorganize and merge the major accounting sections into one division to centralize the finance functions by

1. Approve the Central Finance organizational chart dated July 2014 effective July 1, 2014.
2. Approve creating a new position entitled Staff Accountant, authorize filling the position and add the position to the Board approved staffing levels.
3. Eliminate the position of Assistant Finance Director and create the position of Assistant Finance Director / Fiscal Supervisor and add this position to the Board approved staffing levels.
4. Eliminate the position of Fiscal Supervisor, replace the position with a Senior Accountant and add the position to the Board approved staffing levels.

5. Instruct County Administration to meet with the affected unions and representatives to determine union status of the positions of Account Clerks, Information Specialist and Senior Accountant.
6. Instruct County Administration to meet with representatives of the Minnesota Merit System to determine Merit status of the employees in part #5.

Motion carried.

Delmer Wilke appeared before the Board to complain about his treatment at the County Attorney's office. The County Attorney, who was present, heard his complaint and indicated that the matter will be reviewed.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to approve the revised job descriptions for the Senior County Attorney (formerly Chief Deputy Attorney) and the Lead Criminal County Attorney (formerly an Assistant County Attorney by the most senior of the Assistant County Attorneys) and place an effective date of April 17, 2014 for the change in grade given by Bob Bjorklund for each of these positions. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn to adopt the revised Funeral Assistance Policy with revised rates on file in Health & Human Services effective July 1, 2014. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn to approve the minutes of June 24, 2014. Motion carried.

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

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
30392.47	ANOKA CO JUVENILE CENTER	125.00	ASSOCIATION OF MINNESOTA COUNT
105.55	AUSTIN NEWSPAPERS INC	2355.13	CARDMEMBER SERVICE
2607.39	CDW GOVERNMENT INC	133.00	CODE 4 PUBLIC SAFETY EDUCATION
110.40	CULLIGAN OF AUSTIN	8296.00	DEPARTMENT OF CORRECTIONS
175.00	DANIEL DONNELLY LAW FIRM	409.27	GRAINGER
568.01	HEMOCUE AMERICA	2250.00	HILDI INC
126.68	INNOVATIVE OFFICE SOLUTIONS,LL	300.00	SANDRA JARVIS
500.00	KANSAS CITY METRO TACTICAL OFF	544.00	KAUS RADIO
705.60	MANPOWER	4650.00	MAYO CLINIC -ROCHESTER
10982.29	MAYO CLINIC HEALTH SYSTEM-ALBE	650.54	METRO SALES INC
236.80	MIDTOWN TOWING	650.00	MIDWEST CLINICAL PSYCHOLOGISTS
4754.26	MIDWEST MONITORING & SURVEILLA	149.32	NAPA AUTO PARTS
670.00	NICOLS COMPLETE AUTOMOTIVE CEN	525.00	NORTHEAST WISCONSIN TECHNICAL
138.42	RADIO SHACK CORPORATION	16632.51	REGENTS OF THE UNIVERSITY OF M
155.49	RUPP,ANDERSON,SQUIRES & WALDSP	400.00	BRANDON SCHAEFER PAINTING LLC
928.02	SCHILLING SUPPLY COMPANY	284.00	DR SCHMITT
6439.72	SEA CHANGE	552.00	SGTS INC
130.00	SHERIFF FREEBORN COUNTY	4267.01	TURNKEY CORRECTIONS
	12 PAYMENTS LESS THAN \$100	674.36	
****	FINAL TOTAL.....	\$103,573.24	****

Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn to approve the liquor/beer/wine license effective July 1, 2014 through June 30, 2015 for Deer

Creek Speedway (3.2 beer and wine) and The Corners Bar & Grill (full liquor). Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn to approve the application of Deer Creek Speedway for a fireworks/pyrotechnic special effects display on July 12, 2014. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson to approve the Emergency Management Performance Grant application. Motion carried.

The Board discussed the possibility of changing the meeting schedule for the remainder of July. The Board revised the July meeting schedule by setting July 15 and July 29 as the remaining July meeting dates.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson to move into a closed session of the County Board at 2:49 p.m. due to client/attorney privilege related to active tax court petitions. Motion carried.

The Board recessed at 2:50 p.m. and reconvened into closed session at 2:59 p.m.

The Chair called for the regular meeting to be re-opened out of the closed session and noted that a tape was made of the proceedings in accordance with open meeting law and will be kept for the record.

Motion by Commissioner Ankeny, seconded by Commissioner Glynn to adjourn the meeting at 3:51 p.m. Motion carried. The next meeting is scheduled for July 15, 2014 at 9:00 a.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Chairperson**

**Attest:**

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

**Clerk/Coordinator**

**INDEX**

**A**

adjourn, 173  
agenda as amended, 169

**C**

client/attorney privilege Closed Session, 173

**E**

Emergency Management Performance Grant  
application, 173

**F**

Finance Functions -- Centralized  
eliminate Assistant Finance Director and create new  
position Assistant Finance Director/Fiscal  
Supervisor, 171  
eliminate Fiscal Supervisor and replace position with  
a Senior Accountant, 171  
new position of Staff Accountant, 171  
organizational chart, 171  
staff meet with unions and MN Merit to determine  
status of positions, 172  
fireworks display permit  
Deer Creek Speedway, 173  
Funeral Assistance Policy amended, 172

**H**

hire Staff Accountant, 171

**J**

job descriptions  
created  
Lead Criminal County Attorney, 172  
revised  
Chief Deputy County Attorney to Senior County  
Attorney, 172  
July Board meeting schedule set, 173

**L**

liquor/beer/wine licenses, 172

**M**

minutes 6-24-14, 172

**P**

Public Hearing  
CUP #806 David Smith, 169

**R**

Res. #57-14 CUP #806 David Smith, 169

**W**

warrants  
Commissioner, 172