

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

October 7, 2014

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session October 7, 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 Ankeny, seconded by Commissioner Glynn to approve the agenda as amended by deleting the item under Public Works. Motion carried.

Commissioner Gabrielson reported on behalf of the Personnel Committee that the Committee received an update from the Finance Director regarding the Centralization of Finance. The Committee reviewed the pros and cons of a central location for the various finance activities that take place in the Government Center and also discussed a central location on the budget where the payroll and benefits line items should be listed.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to relocate finance department staff that is currently co-located with Health and Human Services staff to the space currently designated as the "East View" conference room and to instruct staff to prioritize the relocation in order to provide greater finance department staff efficiencies. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to approve transferring the expenditures including, but not limited to, payroll and benefits for the positions in Centralized Finance, which include: Finance Director, Fiscal Supervisor, Sr. Accountant, Public Works Accountant, Accounting Technicians, Accounting/Collections Specialist, Information Support Specialist as well as any future positions placed under the supervision of the Finance Director to be listed under the General Fund with an effective date of January 1, 2015. Motion carried.

The Board received information regarding the 2013 audit report that was completed by CliftonLarsonAllen.

The Board was informed that Mower County sent the required 90-day notice of intent to terminate the current jail food contract not because of the quality or value of the current service but due to the cost.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz to authorize the County Coordinator and the Sheriff to re-negotiate a jail food contract with the current vendor, and if necessary, request bids from other vendors. Motion carried.

Craig Oscarson, County Coordinator reported that several possible locations were reviewed with representatives of the Daughters of the American Revolution for their requested relocation of the WWI memorial boulder and that the preferred location was by the "tank" on the historical society / fairgrounds property.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson to accept the Daughters of the American Revolution WWI memorial boulder and to relocate it to the fairgrounds/historical society property near the tank. Motion carried.

A Public Hearing was held in regard to CUP #809 of Brian & Kim Larson for an additional single family dwelling in Section 14, Windom Township.

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

The Petitioner was present. No one spoke for or against CUP #809.

**Date: October 7, 2014**

**Res. #70-14**

**RESOLUTION**

On motion of Commissioner Reinartz, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 7, 2014 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #809 of Brian and Kim Larson, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

An additional single family dwelling

Location: On a 2.43 parcel, located in Section 14, Windom Township (T102N-R17W), and legally described as: E293FT S362FT SE1/4 NE1/4 2.43 AC Section 14 Township 102 Range 017, Mower County, Minnesota on a parcel identified per tax records as 20.014.0041; and

Notice having been duly given, a public hearing was held on September 30, 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; and

Notice having been duly given, a public hearing was held on October 7, 2014 before the Mower County Board of Commissioners, on said petition; and

**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; and
2. An ISTS shall be designed, installed and maintained according to MN Rules 7080 & Mower County's SSTS 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. A secondary site shall be found and preserved for both parcels being created; and
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; and
4. 911 addressing is required to be obtained through the Mower County Highway Dept. before construction; and
5. 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; and
6. 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. 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
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.

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 7<sup>th</sup> day of October, 2014.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Chairperson**

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

**Clerk/Coordinator**

A Public Hearing was held in regard to CUP #810 of Mark and Andrea Hollerud to operate a limited dealership for automotive sales of new or used vehicles including signage in Section 18, Red Rock Township.

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

The Petitioner was not present. No one spoke for or against CUP #810.

**Date: October 7, 2014**

**Res. #71-14**

**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 October 7, 2014 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #810 of Mark and Andrea Hollerud, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

The operation of a limited dealership for automotive sale of new or used vehicles including signage

Location: On a 4.75 parcel, located in Section 18, Red Rock Township (T103N-R17W), and legally described as: Section 18 Township 103 Range 017 N300FT E700FT E1/2 NE1/4, Mower County, Minnesota on a parcel identified per tax records as 16.018.0020; and

Notice having been duly given, a public hearing was held on September 30, 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; and

Notice having been duly given, a public hearing was held on October 7, 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. Motor vehicle waste, including, but not limited to engine oil, transmission fluid, power steering fluid, brake fluid, hydraulic fluid, antifreeze, chlorinated or non-chlorinated parts-cleaning solvents and degreasers cannot be disposed of in a septic system. Any floor drains in any buildings which are connected to a septic system must be re-routed, removed or permanently blocked/plugged. All motor vehicle waste must comply with MPCA and EPA disposal or recycling rules or requirements; and
3. 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
4. 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
5. 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. Vehicles cannot be parked or backed onto the premises from the road or its right-of-way; and
6. Any additional buildings or additions to the existing structure for business purpose will require an amendment to the Conditional Use Permit. Structural additions will also require zoning permits; and
7. 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; and
8. 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
9. 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
10. 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
11. 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 14-49 (Agricultural District) and 14-28 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 7<sup>th</sup> day of October, 2014.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

A Public Hearing was held in regard to CUP #811 of Interstate Power & Light Company / Mary Fredericks to erect a 100 foot monopole for communication at the Wolfe Creek Substation in Section 17, Red Rock Township.

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

The Petitioner was not present. No one spoke for or against CUP #811.

**Date: October 7, 2014**

**Res. #72-14**

**RESOLUTION**

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 7, 2014 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #811 of Interstate Power & Light Company / Mary Fredericks, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

A 100 foot monopole for communication at the Wolfe Creek Substation

Location: On a 1.0 parcel, located in Section 17, Red Rock Township (T103N-R17W), and legally described as: Lot 001 Block 001 RED ROCK SUBSTATION SUBDIVISION, Mower County, Minnesota on a parcel identified per tax records as 16.044.0010; and

Notice having been duly given, a public hearing was held on September 30, 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; and

Notice having been duly given, a public hearing was held on October 7, 2014 before the Mower County Board of Commissioners, on said petition; and

**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 MPCA Storm water Permit, FCC and FAA permits and/or licenses; and
2. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition; and
3. The owner/Applicant shall erect and maintain an 8-foot chain link fence around the tower, main equipment and buildings; and
4. 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
5. The Owner/ Applicant shall provide adequate area onsite to park, back, turn-around or etc. 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
6. The Owner/Applicant shall not use any portion of the tower or property for any advertising signs (other than warning or equipment information signage); and
7. All abandoned or unused tower(s) and associated above-ground structures or facilities shall be removed within 12 months of the cessation of operation of an antenna facility at the site unless a time extension is approved by the Mower County Board of Commissioners. In the event that a tower and associated structures or facilities is not removed within 12 months of cessation of operation at this site, the structures and appurtenances may be removed by the Mower County Board of Commissioners and the costs of removal assessed against the property; and
8. 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; and
9. This Conditional Use Permit shall lapse, and shall be no longer valid upon one-year of non-use for a use that had been previously established; and
10. The Owner/Applicant shall be liable for any road damages as a result of this operation as stated under MN Statute 169.88; and
11. 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 14-49 (Agricultural District) and 14-28 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Passed and approved this 7<sup>th</sup> day of October, 2014.

THE MOWER COUNTY BOARD OF COMMISSIONERS

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

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

It was noted that SKB had contacted Environmental Services to "hold/withdraw" their CUP. Environmental Services will be following-up with them.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny to approve the minutes of September 23, 2014. Motion carried.

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

AMOUNT	VENDOR NAME	AMOUNT	VENDOR NAME
1018.71	ABOVE ALL CLEANING, INC	5212.57	ACS
10037.00	ADVANCED CORRECTIONAL HEALTHCA	156.36	ALLIANT ENERGY
237.60	ANKENY'S MINI MART #5	21532.70	ANOKA CO JUVENILE CENTER
7936.00	ANOKA COUNTY HUMAN SERVICES	799.60	APG MEDIA OF SOUTHERN MN LLC
289.78	AUSTIN NEWSPAPERS INC	36959.12	AUSTIN UTILITIES
279.81	BEST WESTERN KELLY INN ST CLOU	1140.82	BOB BARKER COMPANY INC.
2647.05	BOE BROTHERS TILING INC	416.18	BOUND TREE MEDICAL LLC
6218.51	CARDMEMBER SERVICE	31588.90	CARGILL INCORPORATED
374.29	CHARTER COMMUNICATIONS	189.05	CITY CAR WASH INC
774.08	CONTINENTAL RESEARCH CORP.	523.00	CRAFTMASTER HARDWARE CO INC
2862.73	DALCO	16864.00	DEPARTMENT OF CORRECTIONS
200.00	DEPARTMENT OF TRANSPORTATION	483.28	DODGE SOIL & WATER CONSERVATIO
15729.38	DOLAN'S LANDSCAPE CENTER	1284.68	FIRESTONE COMPLETE AUTO CARE
818.87	G & K SERVICES INC	270.07	GALLS LLC
523.52	GRAINGER	1327.08	HARTY MECHANICAL INC
8950.00	HILDI INC	917.00	HITESMAN & WOLD PA
698.64	INNOVATIVE OFFICE SOLUTIONS,LL	575.00	INTOXIMETERS INC
600.00	LEROY JOHNSON	600.00	KAUS RADIO
343.95	LASER PRODUCT TECHNOLOGIES	169.00	LOU'S GLOVES
395.81	JAMES LOVEN	705.60	MANPOWER
3100.00	MAYO CLINIC -ROCHESTER	386.10	MAYO CLINIC HEALTH SYSTEM-MANK
313.78	MEDTOX LABORATORIES INC	2490.00	MELCHERT HUBERT SJODIN
132.75	MIDTOWN TOWING	517.00	MIDWEST MONITORING & SURVEILLA
2446.25	MINNESOTA COUNTIES COMPUTER CO	1276.24	MJ O'CONNOR INC
229.25	MN SUPPLY	4716.39	MORRIS ELECTRONICS
1220.00	OLYMPIC FIRE PROTECTION CORP	8687.50	PARENTING RESOURCE CENTER DBA
278.63	PETROBLEND CORP.	250.00	JEFF POORMAN
1051.15	PRAIRIE LAKES YOUTH PROGRAMS	154.48	PROLINE DIST INC
264.00	RATWIK,ROSZAK & MALONEY,ATTY	17870.91	REGENTS OF THE UNIVERSITY OF M
8530.00	REGION 9 DEVELOPMENT COMMISSIO	199.33	RICOH USA INC
511.01	RUPP,ANDERSON,SQUIRES & WALDSP	202.00	SAFE DEPOSIT BOX OPERATIONS
587.11	SCHILLING SUPPLY COMPANY	125.00	DR SCHMITT
12209.29	SEA CHANGE	23985.82	SEVERSON OIL CO
245.39	SGTS INC	130.00	SHERIFF FREEBORN COUNTY
340.00	SHERIFF OLMSTED COUNTY	150.00	SHERIFF STEELE COUNTY

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

---

158.18 SHRED-IT USA MINNEAPOLIS	139.69 SKB ENVIROMENTAL
4144.65 SUN LIFE FINANCIAL	114.00 JANE THOME
4081.95 THOMSON REUTERS-WEST PAYMENT C	175.00 TIM'S REPAIR & TOWING
13480.00 UHL COMPANY INC	1510.00 ULTRAMAX
249.16 UNIFORMS UNLIMITED INC	1245.00 US BANK EQUIPMENT FINANCE
2622.60 VILLAGE RANCH CHILD FAMILY SER	150.00 WEIS LANDSCAPING AND DESIGN LL
1150.96 WHITEWATER WIRELESS INC	335.00 WORLEIN FUNERAL HOME
695.06 Y WASTE REMOVAL INC	
40 PAYMENTS LESS THAN \$100	1,858.09
**** FINAL TOTAL.....	\$307,358.46 ****

Motion carried.

Kristen Krell from Extension provided the Board with treats and information concerning the department's activities for National 4-H week.

Steve Reinartz introduced himself to the Board informing them that he was running for County Auditor-Treasurer.

Motion by Commissioner Gabrielson, seconded by Commissioner Reinartz to adjourn the meeting at 2:01 p.m. Motion carried. The next meeting is scheduled for October 14, 2014 at 8:30 a.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

**INDEX**

**A**

adjourn, 241  
agenda as amended, 233

**C**

Centralized Finance  
budget under General Fund 1-1-15, 233

**F**

finance department staff  
relocated, 233

**J**

jail food contract  
terminated / renegotiate / bid, 234

**M**

minutes 9-23-14, 240

**P**

Public Hearing  
CUP #809 B.&K. Larson, 234  
CUP #810 M. & A. Hollerud, 236  
CUP #811 of Interstate Power & Light Company / M.  
Fredericks, 238

**R**

Res. #70-14  
CUP #809of B. & K. Larson, 234  
Res. #71-14  
CUP #810 of M. & A. Hollerud, 236  
Res. #72-14  
CUP #811 Interstate Power & Light Co. / M.  
Fredericks, 238

**W**

warrants  
Commissioner, 240  
WWI memorial boulder  
accepted for location at fairgrounds, 234