

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

January 6, 2015

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session January 6, 2015 at 1:06 p.m. at the Government Center in Austin, Minnesota.

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

Craig Oscarson, Clerk of the County Board, took nominations for Chairperson for 2015.

Motion made by Commissioner Reinartz seconded by Commissioner Gabrielson to nominate Commissioner Ankeny as 2015 Chairperson. The Clerk asked for further nominations three times and hearing none the unanimous vote was cast. Motion carried.

As directed by the newly elected chair, the Clerk of the Board took nominations for Vice-Chairperson.

Motion made by Commissioner Gabrielson seconded by Commissioner Bennett to nominate Commissioner Glynn as 2015 Vice-Chairperson. The Clerk of the Board asked for further nominations three times and hearing none the unanimous vote was cast. Motion carried.

The Chair made the following 2015 Committee appointments:

Committee	Commissioner(s)
*Finance & Purchasing	Reinartz / Gabrielson
**Personnel	Ankeny / Glynn
Buildings & Grounds	Glynn / Bennett
Solid Waste	Ankeny / Reinartz
Planning	Reinartz / Bennett (alt.)
County Extension	Ankeny / Glynn

Austin Library Board	
Austin Sustainability Task Force	Bennett
City/County Joint Issues (quarterly meeting)	Ankeny / Bennett
Community Health Services	Glynn / Ankeny
County Board of Health	All Commissioners
Court System	Ankeny
EMS Joint Powers Board	Gabrielson

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Family Connections	Reinartz / Gabrielson
Historical Society Strategic Planning	Glynn
Interstate Trail Committee	Reinartz / Glynn
JT. PA Board (PIC)	Gabrielson
Law Library	Bennett
LEC Advisory Committee	Ankeny / Bennett
One Watershed / One Plan Board	Gabrielson
Ordinance Committee	Reinartz / Gabrielson
RC & D	Gabrielson
Regional Housing	Glynn / Bennett
Road & Bridge Committee	All Commissioners
Rural Energy Task Force	Gabrielson
Safety Committee	Glynn
SCHSAC	Kocer / Reinartz
SE MN Regional Radio Board	Gabrielson / Reinartz
SEMCAC	Bennett
SEMREX Joint Powers Board	Ankeny
Siebel Visitation Center Advisory Board	Bennett
SMART Transit Advisory Committee	Ankeny
SWCD Board (no vote)	Glynn
Water Quality Joint Powers Board	Gabrielson / Ankeny

*Per diem for budget meetings only.

**Per diem for budget meetings only.

Eligible for per diem

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson to approve the agenda with the following additions:

- AIS resolution
- Set Board of Equalization
- Authorize Chair to Sign LELS #81 Contract

Motion carried.

A Public Hearing was held in regard to CUP #814 of Richard L. Winfield Revocable Living Trust and Louise R. Winfield, land owners, and EDF Renewable Energy, c/o Rachel Clement, applicant on behalf of the land owners, to install a 60 meter meteorological tower in Section 26, Lodi Township.

Craig Oscarson, County Coordinator in the absence of Angie Knish, Environmental Services Director, reviewed the permit and Planning Commission recommendations.

The Petitioner was present. No one spoke for or against CUP #814.

Date: January 6, 2015

Res. #01-15

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 6, 2015 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #814 of Richard L. Winfield Revocable Living Trust and Louise R. Winfield, land owners and EDF Renewable Energy, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

For the installation of a 60 meter meteorological tower

Location: On a 159.66 parcel, located in Section 26, Lodi Township (T101N-R15W), and legally described as: NE1/4, Mower County, Minnesota on a parcel identified per tax records as 10.026.0020

Notice having been duly given, a public hearing was held on December 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.

Notice having been duly given, a public hearing was held on January 6, 2015 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. To provide visibility to aircraft, the Petitioner shall be required to paint the top half of the tower alternating red and white in ten foot segments, fit each outside guy wire with a 20 foot long red and white plastic sleeve centered at 164 feet, and equip the top of the tower with a night-time flashing red light.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

- 6. To provide visibility to agricultural equipment operators, a brightly colored plastic sleeve no less than 3 feet in length shall be placed at the bottom of the guy wire/anchor area.
- 7. 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.
- 8. If the use was established but then discontinued; this Conditional Use Permit shall lapse, and shall be no longer valid upon one-year of non-use.
- 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 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 6th day of January, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Austin Utilities	30,088.81	Minnesota Counties Intergov'tal Trust	446,800.00
Charter Communications	159.82	Minnesota County Attorneys Association	3,747.00
Dash Medical Gloves Inc.	206.60	Minnesota Department Of Corrections	29,077.88
Dick's Plumbing	332.00	Minnesota Sheriffs Association	9,646.00
Freeborn County	4,500.00	Mn Assoc Of County Vet Service Officers	150.00
Freeborn County Co-Operative Oil Co.	7,092.18	Motorola Solutions Inc	69,018.00
Larson Law Office/Evan	552.00	MSCIC	150.00
M.O.M.S.	1,500.00	Semngtf	6,000.00
Maco	1,440.00	Sheriff Rice County	140.00
Macpo	315.00	Vanguard Appraisals Inc	1,920.00
Medicareblue Rx	15,035.30	9 Payments less than 100	530.39
Minnesota Counties Computer Co	54,511.12	Final Total:	682,912.10

Motion carried.

Date: January 6, 2015

Res. #02-15

RESOLUTION

On motion of Commissioner Bennett, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 6, 2015 at the Government Center, Austin, Minnesota.

BE IT RESOLVED, that the County Auditor-Treasurer be authorized to make the following expenditures from the County General Revenue Funds. Payment in full to be made for all appropriations under \$5,000.00. All appropriations over \$5,000.00 to be disbursed quarterly.

CATEGORY:
HUMAN SERVICES

SEMCAC	\$3,000.00
Lyle Senior Citizens.....	\$600.00
LeRoy Senior Citizens	\$600.00
Brownsdale Seniors	\$600.00
Sargeant Seniors.....	\$600.00
Mower County Senior Citizens.....	\$11,000.00
Mower County Senior Citizens -- Chore	\$36,000.00
Youth Center.....	10,856.00

ENVIRONMENT & HOUSING

Mower County Soil & Water	\$146,998.00
Historical Society.....	\$34,765.00

ECONOMIC DEVELOPMENT

SEMN Initiative Fund.....	\$1,000.00
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CULTURE & RECREATION

Southern Minnesota Tourism.....	\$500.00
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Passed and approved this 6th day of January, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to allocate the fairgrounds minor repair fund as follows for 2015 and to authorize full distribution of the 2015 amounts.

Ag Society	50%	\$ 15,000
Historical Society	35%	10,500
4-H	15%	<u>4,500</u>
	TOTAL	\$30,000

Motion carried.

Date: January 6, 2015

Res. #03-15

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was unanimously passed and adopted at a meeting held January 6, 2015 at the Government Center in Austin, Minnesota.

BE IT RESOLVED, by the Board of County Commissioners of Mower County, Minnesota to appoint the following persons as Mower County Delegates to the Association of Minnesota Counties for 2015: Commissioner Jerry Reinartz, Commissioner Polly Glynn, Commissioner Tim Gabrielson, Commissioner Tony Bennett, Commissioner Mike Ankeny, County Coordinator Craig Oscarson, and will appoint two staff delegates at a later date.

Passed and approved this 6th day of January, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn to set the 2015 liquor license fees as follows:

1.	On Sale	\$2,160.00
2.	Sunday On Sale	200.00
3.	Wine	240.00
4.	Bottle Club (C&D)	240.00
5.	Beer On Sale	75.00

Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Glynn to set the dangerous dog certificate fee for 2015 at \$150.00 per certificate. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson to set the 2015 fireworks display permit fee at \$50.00. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to set the 2015 Mini Truck license fee at \$30.00. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn to set the 2015 Late Filing of Marriage License Fee at \$100.00. Motion carried.

The Board received the following quotes for 2015 legal newspaper:
Austin Daily Herald \$3.49 per column inch
LeRoy Independent/Grand Meadow \$3.85 per column inch

Date: January 6, 2015

Res. #04-15

RESOLUTION

On motion of Commissioner Reinartz, seconded by Commissioner Glynn the following Resolution was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held January 6, 2015 at the Government Center, Austin, Minnesota.

BE IT RESOLVED, based on the low quote and being in the best interest of the public, that the award go to the "*Austin Daily Herald*", a daily newspaper, with general circulation in Mower County, as the newspaper in which the notice and list of real estate remaining delinquent on the first business day in January 2015, the Financial Statement of the year 2014 and the proceedings of the County Board of said County for the year 2015 shall be published and the same is hereby accepted as per quote of \$3.49 per column inch.

BE IT FURTHER RESOLVED, that the LeRoy Independent, a weekly newspaper, with publications in both the "*Grand Meadow Area News*" and the "*LeRoy Independent*" be awarded as the secondary county newspaper with a quote of \$3.85 per column inch in which the proceedings of the annual meeting, the County Board of Equalization and 2014 Financial Statement shall be published.

Passed and approved this 6th day of January, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn to set the 2015 mileage reimbursement rate at fifty cents (\$0.50) per mile effective January 1, 2015. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to set the 2015 burning permit fee at \$15.00. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Glynn to set the 2015 tobacco license fee at \$75.00. Motion carried.

Date: January 6, 2015

Res. #05-15

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held January 6, 2015 at the Government Center, Austin, Minnesota 55912.

BE IT RESOLVED that pursuant to M.S. Chapter 375.34 & 375.35, the sum of up to \$300.00 to be paid to each recognized military organization or society including their auxiliary, with a maximum of \$600.00 per post, and the same is hereby appropriated out of the General Revenue Fund of Mower County to each of the recognized Military Persons' Organizations or Societies filing bills showing expenses in this amount, for the purpose of Memorial Day Exercises and the County Auditor/Treasurer is expected to draw his warrant for the amount shown on the itemized bill not to exceed \$300.00.

Passed and approved this 6th day of January, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: January 6, 2015

Res. #06-15

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 January 6, 2015 at the Government Center, Austin, Minnesota.

BE IT RESOLVED That the County Auditor-Treasurer be allowed to pay various incidental expenses, refunds, state agency payments, tax apportionments and Board approved appropriations. Items paid by auditor warrant include: utilities; telephone; requests by a Judge for immediate payment; postage; license fees; tax overpayments; employee benefits; credit card payments, when necessary to avoid late penalties and charges and costs associated with travel and conferences when pre-payment is required. All claims for reimbursement

must be submitted to the County Auditor-Treasurer within six (6) months of occurrence in order to qualify for payment.

BE IT FURTHER RESOLVED, that the County Auditor-Treasurer be allowed to pay the food contract, partial contract payments and claims for payment from Marsha Pawluk. An auditor warrant may be issued provided a signed legal contract is on file, the department head supervising the contract has approved the payment for work completed and that the payment is not a final payment on a contract.

Passed and approved this 6th day of January, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: January 6, 2015

Res. #07-15

RESOLUTION

On motion of Commissioner Bennett, seconded by Commissioner Gabrielson the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 6, 2015 at the Government Center, Austin, Minnesota.

WHEREAS, Mower County receives and disburses public funds and shall deposit such funds in a commercial bank, savings association, trust company, credit union or other financial institution as defined by law in Minnesota Statutes 118A.01;

WHEREAS, Mower County will designate as a depository of its funds one or more financial institutions per MS 118A.02;

WHEREAS, the following financial institutions are designated depositories for 2015:
Adams and Elkton have merged into one bank called United Farmers State Bank
First Farmers and Merchant-Brownsdale
First Farmers and Merchants-Grand Meadow
First Farmers and Merchants-Austin
US Bank
Home Federal Savings Bank
Mower County Employees Credit Union
Minnesota Association of Government Investing for Counties /PFM Asset Management LLC
Smith Barney
UBS
Northland Securities

Raymond James Formally Known As Morgen Keegan & Company

BE IT RESOLVED THAT, the Mower County Board of Commissioners adopt and designate the listed financial institutions in this resolution as depositories of public funds for the year 2015.

Passed and approved this 6th day of January, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: January 6, 2015

Res. #08-15

RESOLUTION

On motion of Commissioner Reinartz, seconded by Commissioner Glynn the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 6, 2015 at the Government Center, Austin, Minnesota.

BE IT RESOLVED; That Dr. Vijay Chawla, M.D. be appointed as Mower County Health Officer for the year 2015;

BE IT FURTHER RESOLVED: that the medical officer shall receive \$2,600.00 per year plus expenses upon receipt of an itemized and verified bill for said expenses.

Passed and approved this 6th day of January, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

The Association of Minnesota Counties 2015 policy committee appointments are as follows:

Commissioner Gabrielson – Environment & Natural Resources
Commissioner Ankeny -- Public Safety
Commissioner Glynn -- General Government
Commissioner Bennett -- Health & Human Services
Commissioner Reinartz – Transportation & Infrastructure

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn to approve the Use Agreement #74244 Oakland Woods Tower with the Minnesota Department of Transportation for a ten year term effective March 1, 2015 through February 28, 2025 for the placement of communication equipment on the tower. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett to approve the LEC Radio Tower Project Service Contract with Vertical Limit Construction LLC effective December 19, 2014 through June 30, 2015 and authorize the Sheriff to sign the service contract. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson to approve the Application for Abatement of penalty in the amount of \$851.76 requested by James Sathre in regard to parcel number 04.015.0015 in Mower County for taxes payable in 2014. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson to deny the Application for Abatement of penalty requested by Curtis L. Krebsbach Revocable Trust in regard to parcel numbers 20.036.0050, 01.022.0010, 20.036.0055 and 11.027.0030 in Mower County for taxes payable in 2014. The basis for denial is based on Minnesota Statute §375.192 and is consistent with current policy and practice. Motion carried.

The Board discussed a proposed Resolution presented for their approval regarding the administration of the funding that may be received under the Aquatic Invasive Species legislation.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson to reject the proposed resolution for aquatic invasive species funding administration. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Glynn to authorize the chair to sign the LELS #81 Contract effective 7-1-14 through 6-30-17. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn to set the County Board of Equalization for June 15, 2015 at 6:30 p.m. Motion carried.

The Personnel Committee reported that the Committee had discussed an annual Staffing Level for each department. The Committee recommends staffing levels based on the budget approved by the Board for 2015. The outcome would be to permit the Human Resources

Director to proceed with filling vacancies as they occur, rather than wait on Board approval. Policy B130, Recruitment and Selection, provides for authorization to permit the Human Resources Director to fill vacancies according to union contract and County policies.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn to maintain the use of Policy B130, Recruitment and Selection, and to approve the annual staffing levels for 2015 for all departments as on file in the Human Resources Department.

Motion made by Commissioner Reinartz seconded by Commissioner Gabrielson to adjourn the meeting at 2:16 p.m. Motion carried. The next meeting is scheduled for January 13, 2015 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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