

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

September 1, 2015

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session September 1, 2015 at 1:00 p.m. at the Government Center in Austin, Minnesota.

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

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson to approve the agenda with the following amendments 1) Delete item #1a under Personnel and 2) add Deer Creek's application for fireworks display under General Business. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson to approve the contract with Fox Lawson and Associates, a division of Gallagher Benefit Services, Inc., in the amount of \$35,000 for a classification and compensation study. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett to authorize the Human Resource Director to hire a temporary staff to assist with the classification and compensation project with a budget up to \$7,000. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Gabrielson to grant a one-time exception by reducing the Mower County overhead rate thereby reducing the amounts owed by the townships of Lodi, LeRoy, Racine, Bennington, Nevada and Adams for assessing services performed by the Mower County Assessor's office; authorize the Board chair to sign letters to these townships information them of this decision and authorize a refund to the townships of Nevada, Adams and Bennington who have already paid the original invoice. Motion carried.

Craig Oscarson gave a brief update on the progress being made towards solid waste ordinance amendments.

A Public Hearing was held in regard to CUP #823 of Jason D. & Angela M. Grant for a horseback riding academy, including western and English disciplines (which also includes jumping and gaming activities); training of horses, training of riders, with possible future stable and/or tack shop, feed or feed supplement retail sales in Section 31, Udolpho Township.

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

The Petitioner was present. No one spoke for or against CUP #823.

Date: September 1, 2015

Res. #49-15

RESOLUTION

On motion of Commissioner Reinartz, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held September 1, 2015 at the Government Center, Austin, Minnesota.

The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #823 of Jason D. & Angela M. Grant, Petitioners, and to be issued pursuant to the Mower County Zoning Regulations for:

A horseback riding academy, including western and English disciplines (which also includes jumping and gaming activities); training of horses, training of riders, possible future stable and/or tack shop, feed or feed supplement retail sales.

Location: on a 6.85 parcel, located in Section 31, Udolpho Township (T104N-R18W), and legally described as: (full legal on file at Mower County Environmental Services) W890FT N375FT -EAST SIDE-NW1/4 SW1/4 EXC .81 AC IN SW COR T104N-R18W PLUS AN ADDITIONAL 33 FEET ALONG THE COMMON BOUNDARY LINE OF PID 18.031.0060 & 18.031.0061 EAST OF 18.031.0060, Mower County, Minnesota on a parcel identified per tax records as 18.031.0060

Notice having been duly given, a public hearing was held on August 25, 2015 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 September 1, 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. Applicant shall follow all federal, state, and township regulations regarding the proposed use; which may include but not be limited to:
 - a. American Disabilities Act;
 - b. Other permits or requirements for the proposed use;
 - c. Township Zoning
2. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition; 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 valid that 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 or contain other vehicular maneuvers on site so as not to create a nuisance or hazard to the traveling public. Vehicles shall not be parked within the road-right-of way nor shall they be backed onto the premises from the right-of-way; and
5. Any change in operation, or use of the facility, including additional expansion, shall require an amended and revised CUP which shall go through the normal Conditional Use Permit process; and
6. A Conditional Use Permit shall become void two (2) years after being granted by the County Board unless used. If the established use is discontinued for a period of three-hundred and sixty-five (365) consecutive days the CUP permit becomes void.
7. 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 1st day of September, 2015.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Bennett, seconded by Commissioner Glynn to approve a three month extension to December 5, 2015 for CUP #788 of Robert and Betty Wilson for one additional single-family dwelling in Section 7, Pleasant Valley Township previous extended to September 5, 2015. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson to approve the minutes of August 25, 2015. Motion carried.

Motion made by Commissioner Gabrielson, 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>
Applied Concepts Inc	2,505.80	Motorola Solutions Inc	11,192.25
Dell Marketing L P	16,170.53	Ratwik,Roszak & Maloney,Atty	15,206.33
Department Of Corrections	17,665.00	Rochester Sand And Gravel, Inc	18,265.44
Donnelly Law Firm/Daniel	2,351.94	Taser International	5,826.27
Intradyn	5,225.00	Trimble's Cycle Center, Inc	8,350.00
Lyle Signs Inc	6,542.34	Turnkey Corrections	5,011.70
Mayo Clinic	3,100.00	59 payments less than 2000	25,740.01
		FINAL TOTAL	143,152.61

Motion carried.

Motion by Commissioner Bennett , seconded by Commissioner Glynn to approve the following list of surplus property for disposal and/or auction:

<u>Quantity</u>	<u>Item</u>	<u>Department</u>
1	2000 Polaris Magnum 500 with snow plow attachment	Public Works
50 boxes	Used T-8 Florescent Light bulbs (28 – 32 watt) (15 per box)	Maintenance

Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson to approve the application of Deer Creek Speedway for a fireworks/pyrotechnic special effects display on September 26, 2015 (9-27-15 rain date). Motion carried.

The Board recessed at 1:35 p.m. and reconvened at 1:52 p.m.

Jim Hartson addressed the board regarding safety concerns. Mr. Hartson's neighbor has been firing weapons off a deck of a pole shed that he feels 1) puts him (and others) in danger and 2) that the deck and/or the pole shed are in violation of the CUP issued as to its intended use.

Mr. Hartson further addressed the Board regarding county road maintenance issues which included a large rock on the shoulder of 57, a missing stop sign and ditches filled with wild parsnip and thistles.

Dave Weness, Mower County resident along with two or three other residents addressed the Board with their concerns on county road conditions. There is a concern that the condition of the gravel roads is a safety issue. It is their opinion that more rock and more grading are needed to keep the roads in good repair.

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to accept a \$100.00 donation from The Maschkoffs for sheriff department supplies. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn to adjourn the meeting at 2:39 p.m. Motion carried. The next meeting is scheduled for September 8, 2015 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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