

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

May 3, 2016

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session May 3, 2016 at 1:33 p.m. at the Government Center in Austin, Minnesota.

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

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to approve the agenda with the following additions: 1) Public Hearing to Amend Interim Ordinance 01-15 to extend the solid waste facility moratorium for one-year; 2) Reschedule the public hearings for the following: CUP #829, CUP #831, CUP #832, Rezone request and Ordinance Amendment to May 17 due to publishing error of the public notice; 3) approve/deny out of state travel request for the Sheriff's department; 4) Extension Committee appointments: youth and adult; 5) Purchase Order for Election Equipment; 6) Election Service Agreement ES&S; 7) Fuel Supplement – modify Cedar Valley Services curbside recycling contract and 8) Credit Card – New Merchant financial institution – application. Motion carried.

The Solid Waste noted the proposed meeting on June 13 with the consultant is in conflict with the scheduled Board of Equalization. The solid waste meeting will be rescheduled.

There was a brief discussion of the possible ½ cent sales tax for transportation funding. The Chamber is in opposition to the proposed sales tax increase stating that it benefits the Ag community and hurts downtown businesses. No action took place. The Public Works Director continues to work on a proposed project list.

A Public Hearing was held in regard to the intention to amend Interim Ordinance #01-15 adopted May 26, 2015 that imposed a one-year moratorium on the expansion, development or creation of solid waste facilities in Mower County by extending the moratorium for one additional year.

Commissioner Ankeny provided information concerning the progress of the development of a new ordinance.

No one spoke for or against the extension of the Interim Ordinance.

Date: May 3, 2016

Res. #21-16

**RESOLUTION
AUTHORIZING A ONE YEAR EXTENSION OF INTERIM ORDINANCE NO. 01-15**

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 May 3, 2016 at the Government Center, Austin, Minnesota.

WHEREAS, in April, 2015 the Mower County Board of Commissioners passed a resolution directing a study to be undertaken regarding the County's official controls and plans that relate to waste management and regulation, in order to determine whether revisions, amendments, extensions, or any other changes to those ordinances and plans would be necessary or desirable in order to protect the public health, safety and welfare in Mower County; and

WHEREAS, pursuant to the authority granted Counties in Minnesota Statutes Section 394.34, the Mower County Board of Commissioners deemed it necessary to adopt an interim ordinance placing a moratorium on the location and establishment of new solid waste facilities, and the expansion of existing solid waste facilities, for a period of one year to permit the planning process to take place and allow sufficient time to proceed in an orderly fashion to make any changes, modifications and updates to the County's official control and comprehensive plan; and

WHEREAS, on May 26, 2015, Mower County adopted Interim Ordinance No. 01-15, effective for a period of one year from that date, placing restrictions on solid waste facilities zoning, permitting, operation and licensing, all as set forth therein; and

WHEREAS, since the Mower County Board initiated the study referred to above, the Mower County Waste Committee has hired consultants to assist it in this process and has been gathering information, conducting public meetings, studying and compared its ordinances to other ordinances, and generally embarked upon an information gathering process in order to make informed recommendations to the County Board of Commissioners as to any necessary changes, modifications and/or updates to the County's official controls and comprehensive plan as they relate to waste management; and

WHEREAS, the Waste Committee has determined that the necessary work to complete its study will not be finished by May 25, 2016, the date Interim Ordinance No. 01-15 will expire; and

WHEREAS, Minn. Stat. §394.34 allows a County to extend an interim ordinance beyond its initial one year period for an additional one year period, which the statute refers to as a "one year renewal"; and,

WHEREAS, based upon proceedings to date, the Mower County Board of Commissioners deems it necessary to extend Interim Ordinance No. 01-15 for a period of one year in order to allow sufficient time for the completion of the planning process to take place and to allow

County staff, the Planning Commission, and the County Board sufficient time to proceed in an orderly fashion to make any changes, modifications, and updates to the County's official controls and comprehensive plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Interim Ordinance No. 01-15 is hereby extended for an additional one year period beyond its original expiration date.
2. Consistent with the extension, Interim Ordinance No. 01-15 will be in effect from May 25, 2016 to May 24, 2017, unless earlier terminated by the Mower County Board of Commissioners.

Passed and approved this 3rd day of May, 2016.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Tim Ruzek and Justin Hanson of the Mower County Soil & Water Conservation District presented a proposal for a Cedar River One Watershed, One Plan. The Root River One Plan has been the pilot program. Funding sources are available for the development of additional watershed one plans.

Date: May 3, 2016

Res. #22-16

**RESOLUTION TO SUPPORT A
CEDAR RIVER WATERSHED ONE WATERSHED, ONE PLAN PROJECT**

On motion of Commissioner Ankeny, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held May 3, 2016 at the Government Center, Austin, Minnesota.

WHEREAS, the Minnesota Board of Soil & Water Resources has developed policies for the coordination and development of comprehensive watershed management plans, also known as "One Watershed, One Plan," consistent with Minnesota Statutes, Chapter 103B.801, Comprehensive Watershed Management Planning Program; and

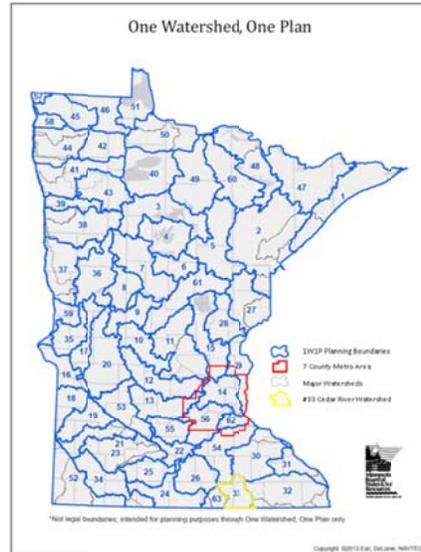
WHEREAS, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota counties to develop and implement a local water management plan; and

WHEREAS, Minnesota Statutes, Chapter 103D.401, Watershed Management Plan, authorizes Minnesota watershed districts to develop and implement a watershed management plan; and

WHEREAS, Minnesota Statutes, Chapter 103C.331, subdivision 11, Comprehensive Plan, authorizes Minnesota soil and water conservation districts to develop and implement a comprehensive plan; and

WHEREAS, the counties; soil and water conservation districts; and watershed districts within the Cedar River Watershed, Number #33, as delineated on the following One Watershed, One Plan suggested boundary map, have interest in developing a comprehensive watershed management plan for this area.

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board of Commissioners recognizes and supports watershed-scale planning efforts consistent with Minnesota Statutes, Chapter 103B.801, also known as One Watershed, One Plan; and



BE IT FURTHER RESOLVED that the Mower County Board of Commissioners welcomes the opportunity to collaborate with the staff and commissioners of Dodge, Freeborn, and Steele counties, as well as the board and staff of the Dodge, Freeborn, Mower, and Steele SWCDs, in addition to the Turtle Creek and Cedar River watershed districts within the Cedar River Watershed, for watershed-scale planning efforts in the future; and

BE IT FURTHER RESOLVED that Mower County Board of Commissioners supports an application to the Minnesota Board of Water & Soil Resources for a planning grant to develop a comprehensive watershed management plan and anticipates entering into a Memorandum of Agreement with the counties; soil and water conservation districts; and watershed districts within the Cedar River Watershed to collaborate on this effort, pending selection as a recipient of a planning grant.

Passed and approved this 3rd day of May, 2016.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Nancy Schnable, Executive Director of the Austin Convention & Visitor's Bureau, presented the bureau's annual report to the Board.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to approve the minutes of April 26, 2016. Motion carried.

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Bustad Dozing And Excavating Inc	8,913.64	Nelson Auto Center	26,610.95
Dave's Plumbing & Heating Inc	4,399.36	Sgts Inc	8,693.40
Dell Marketing L P	14,922.29	53 Payments less than 2000	15,249.57
Mpower Technologies Inc	3,000.00	Final Total:	81,789.21

Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Gabrielson to approve out-of-state travel requests of the County Recorder and County Sheriff for staff to attend conferences. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny to appoint to the Extension Committee Kaye Hansen as an adult representative to serve a three year term effective January 1, 2016 through December 31, 2018 and Victoria Hansen as a youth representative to serve a two year term effective January 1, 2016 through December 31, 2017. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Bennett to approve the purchase of election equipment in the amount of \$4,935 and authorize the Auditor-Treasurer to sign the Sales Order Agreement with ES&S Election. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson to approve the Seachange Election Services Agreement effective June 1, 2016 through May 31, 2020 with ES&S Election and authorize the Auditor-Treasurer to sign the agreement. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz, to authorize the Finance Director to sign the New Merchant Application for the use of credit/debit cards for customer payments of recorder's fees. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny to suspend the fuel escalation charge in Section 2 of the Curbside Recycling Contract with Cedar Valley Services which has been extended to August 30, 2016. Motion carried.

The May meeting scheduled was modified to meet on May 17, 2016 at 1:00 p.m. instead of May 24, 2016 at 8:30 a.m.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to adjourn the meeting at 2:47 p.m. Motion carried. The next meeting is scheduled for May 10, 2016 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

INDEX

A

adjourn, 72
agenda as amended, 67

C

curbside recycling extended contract with Cedar Valley
Services
suspend fuel escalation charge, 71

E

election equipment purchase, 71
Extension Committee appointments
Kaye Hanson, 71
Victoria Hanson, 71

M

May meeting schedule revised
Meet May 3, 10 & 17 and not May 24, 71
minutes 4-26-16, 71

N

New Merchant Application
recorder's fees -- credit/debit cards, 71

O

out-of-state travel
County Recorder staff, 71
County Sheriff staff, 71

P

Public Hearing
Interim Ordinance #01-15 (Solid Waste Facilities) --
extend one year, 67

R

Res. #21-16 Extend Interim Ordinance (Solid Waste
Facilities) one-year, 68
Res. #22-16 Cedar River Watershed One Watershed,
One Plan Project, 69

S

Seachange Election Services Agreement, 71

W

warrants
Commissioner, 71