

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

January 3, 2017

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session January 3, 2017 at 1:03 p.m. at the Government Center in Austin, Minnesota.

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

The Honorable Jeffrey M. Kritzer administered the Oath of Office to Polly Glynn, Tim Gabrielson (Commissioners) & Joy Kanne (Assessor).

Craig Oscarson, Clerk of the County Board, took nominations for Chairperson for 2017.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to nominate Commissioner Gabrielson as 2017 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 Bennett, seconded by Commissioner Glynn to nominate Commissioner Reinartz as 2017 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 2017 Committee appointments:

<b>Committee</b>	<b>Commissioner(s)</b>
Finance & Purchasing	Glynn / Reinartz
Personnel	Ankeny / Gabrielson
Buildings & Grounds	Ankeny / Glynn
Solid Waste (continuation of ordinance work Reinartz/Ankeny)	Reinartz / Bennett
Planning	Ankeny / Bennett (alt.)
County Extension	Gabrielson / Reinartz

Austin Library Board (no vote)	Ankeny
City/County Joint Issues (quarterly meeting)	Reinartz / Gabrielson
Community Health Services	Bennett / Reinartz
County Board of Health	All Commissioners
Court System	Ankeny
EMS Joint Powers Board	Gabrielson

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

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to approve the agenda with the deletion of the approval of the minutes and commissioner warrants and the addition of a motion to set the 2017 mileage reimbursement rate. Motion carried.

A Public Hearing was held in regard to CUP #844 of Robert Walerak, landowner, and Mike Walerak, applicant, to create a parcel for the purpose of a dwelling without platting the property; the parcel created will be 5 acres +/- but less than 10 acres located in Section 24 of Windom Township.

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

The Petitioner was not present. No one spoke for or against CUP #844.

**Date: January 3, 2017**

**Res. #01-17**

**RESOLUTION**

On motion of Commissioner Ankeny, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 3, 2017 at the Mower County Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #844 of Robert Walerak, Landowner, and Mike Walerak, Petitioner, and to be issued pursuant to the Mower County Zoning Regulations for:

to create a parcel for the purpose of a dwelling without platting the property; the parcel to be created will be 5 acres +/- but less than 10 acres.

Location: on a 120 acre parcel, located in Section 24, Windom Township (T102N-R17W), and legally described as: Legal: Section 24 Township 102 Range 017 E1/2 NE1/4 & NW1/4 NE1/4, Mower County, Minnesota on a parcel identified per tax records as 20.024.0020; and

WHEREAS, Notice having been duly given, a public hearing held on the matter on December 27, 2016, at 7:00 p.m. in the Mower County Government Center, Commissioner's Room before the Mower County Planning Commission, on said petition; and

WHEREAS, Notice having been duly given, a public hearing was held on January 3, 2017 before the Mower County Board of Commissioners, on said petition; and

NOW, THEREFORE, BE IT 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 local regulations regarding the proposed use; and
2. A Zoning Permit and ISTS Permit must be obtained prior to construction of the residence and/or any other structure.
3. 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 the parcel being created.
4. 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.
5. 911 addressing is required to be obtained through the Mower County Highway Dept. before construction; and
6. Wetland Review required: 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.
7. Survey of the properties shall be required and shall be recorded with the Deed in the Office of the Mower County Recorder.
8. A conditional use permit shall become void if the use is established, but then discontinued for a period of one (1) year. (Refer Section 14-36 Discontinuance); and
9. 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.
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 Article II 13-1 Subdivision of Land Section Subdivision Ordinance. Section 13-129 Small Subdivision; relief from platting requirements requested; and Article I Division 6 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 3<sup>rd</sup> day of January, 2017.

THE MOWER COUNTY BOARD OF COMMISSIONERS

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

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

**Date: January 3, 2017**

**Res. #02-17**

**RESOLUTION**

On motion of Commissioner Glynn seconded by Commissioner Bennett the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 3, 2017 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

**ENVIRONMENT & HOUSING**

Mower County Soil & Water .....	\$146,998.00
Historical Society.....	\$50,265.00

**ECONOMIC DEVELOPMENT**

SEMN Initiative Fund.....\$1,000.00

**CULTURE & RECREATION**

Southern Minnesota Tourism.....\$500.00

Passed and approved this 3<sup>rd</sup> day of January, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to allocate the fairgrounds minor repair fund as follows for 2017 and to authorize full distribution of the 2017 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 3, 2017**

**Res. #03-17**

**RESOLUTION**

On motion of Commissioner Reinartz, seconded by Commissioner Bennett the following Resolution was unanimously passed and adopted at a meeting held January 3, 2017 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 2017: Commissioner Jerry Reinartz, Commissioner Polly Glynn, Commissioner Tim Gabrielson, Commissioner Tony Bennett, Commissioner Mike Ankeny, County Coordinator Craig Oscarson, and two staff delegates to be determined at a later date.

Passed and approved this 3<sup>rd</sup> day of January, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny to approve the 2017 Countywide Fee Schedule on file in the office of the County Coordinator. Motion carried.

The Board received the following quotes for 2017 legal newspaper:  
Austin Daily Herald \$3.84 per column inch  
LeRoy Independent/Grand Meadow \$4.00 per column inch

**Date: January 3, 2017**

**Res. #04-17**

**RESOLUTION**

On motion of Commissioner Reinartz, seconded by Commissioner Bennett the following Resolution was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held January 3, 2017 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 2017, the Financial Statement of the year 2016 and the proceedings of the County Board of said County for the year 2017 shall be published and the same is hereby accepted as per quote of \$3.84 per column inch.

**BE IT FURTHER RESOLVED**, that the LeRoy Independent, a weekly newspaper, with publications in both the "*Meadow Area Shopper*" and the "*LeRoy Independent*" be awarded as the secondary county newspaper with a quote of \$4.00 per column inch in which the proceedings of the annual meeting, the County Board of Equalization and 2016 Financial Statement shall be published.

Passed and approved this 3<sup>rd</sup> day of January, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: January 3, 2017**

**Res. #05-17**

**RESOLUTION**

On motion of Commissioner Ankeny, seconded by Commissioner Reinartz the following Resolution was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held January 3, 2017 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 3<sup>rd</sup> day of January, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: January 3, 2017**

**Res. #06-17**

**RESOLUTION**

On motion of Commissioner Glynn, seconded by Commissioner Bennett, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 3, 2017 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 foster care, guardianship and placement care providers. 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 3<sup>rd</sup> day of January, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: January 3, 2017**

**Res. #07-17**

**RESOLUTION**

On motion of Commissioner Ankeny, seconded by Commissioner Glynn the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 3, 2017 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 2017:

United Farmers State Bank -- Adams and Elkton  
First Farmers and Merchants -- Austin, Brownsdale and Grand Meadow  
US Bank  
Home Federal Savings Bank  
Mower County Employees Credit Union  
Minnesota Association of Government Investing for Counties /PFM Asset Management LLC  
Morgan Stanley, formerly known as Smith Barney  
UBS  
Northland Securities  
Raymond James

**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 2017.



Passed and approved this 3<sup>rd</sup> day of January, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: January 3, 2017**

**Res. #08-17**

**RESOLUTION**

On motion of Commissioner Bennett, seconded by Commissioner Reinartz the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 3, 2017 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 2017;

**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 3<sup>rd</sup> day of January, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz to approve The Association of Minnesota Counties 2017 policy committee appointments as follows:

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

Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Bennett to set the County Board of Review & Equalization for June 12, 2017 at 6:30 p.m. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Glynn to set the 2017 mileage reimbursement rate at 53.5 cents per mile effective January 1, 2017. Motion carried.

Motion made by Commissioner Ankeny seconded by Commissioner Bennett to adjourn the meeting at 2:00 p.m. Motion carried. The next meeting is scheduled for January 10, 2017 at 8:30 a.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

**INDEX**

**2**

2017 AMC policy committee appointments, 9  
2017 Chairperson Commissioner Gabrielson, 1  
2017 Committee appointments, 1  
2017 Countywide Fee Schedule, 6  
2017 mileage reimbursement rate, 10  
2017 Vice-Chairperson Commissioner Reinartz, 1

**A**

adjourn, 10  
agenda as amended, 2

**B**

Board of Equalization set  
6-12-17 @ 6.30 pm, 10

**M**

minor repair allocation  
Ag, Historical & 4-H, 5

**O**

Oath of Office, 1

**P**

Public Hearing  
CUP #844 Walerak, 2

**R**

Res. #01-17 CUP #844 Walerak, 2  
Res. #02-17 general fund allocations, 4  
Res. #03-17 AMC delegates, 5  
Res. #04-17 2017 legal newspaper, 6  
Res. #05-17 Memorial Day Expenses, 7  
Res. #06-17 incidental expenses, 7  
Res. #07-17 2017 Depositories, 8  
Res. #08-17 2017 Health Officer -- Chawla, 9