

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

February 7, 2017

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session February 7, 2017 at 1:01 p.m. at the Government Center in Austin, Minnesota.

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

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to approve the agenda. Motion carried.

Commissioner Reinartz reported that the Solid Waste Committee will be meeting on February 27 to finalize the solid waste ordinance and to review a possible fee structure.

Craig Oscarson, County Coordinator, requested that the Commissioners not attending the Association of Minnesota Counties spring legislative conference indicate their concerns to those attending.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn to approve the minutes of January 24, 2017. Motion carried.

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>
Anoka County Human Services	29,627.00	Inmate Services Corp	2,466.00
Austin Utilities	6,885.70	Midwest Clinical Psychologists	3,000.00
Beckleys	3,902.25	Minnesota Counties Computer Co	14,359.24
Bishop Excavating Inc	22,312.06	Path	2,680.26
Central States Wire Prod	3,374.00	Rinke-Noonan	2,400.00
City Of Austin	2,000.00	Riverside Psychological Services	2,600.00
Compass Minerals	17,552.06	SEMNECB	3,000.00
Dave Lucas Consulting	7,829.08	SEMV CET	7,000.00
Department Of Corrections	10,345.00	Southeast Mn Water Resources Board	5,000.00
Freeborn County Co-Operative Oil Co.	8,437.89	Southern Lock & Glass	7,751.32
Hansen Hauling & Excavating Inc	4,900.00	Uhl Company Inc	13,920.00
Houck Transit Advertising	2,925.00	92 Payments less than 2000	37,571.39
		Final Total:	221,838.25

Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn to appoint Sherry Roth, Human Resources Director, and Steve King, Director of Correctional Services, as the 2017 Association of Minnesota Counties staff delegates. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to approve the presented final modifications to the approved Procurement and Contracting Standards Policy for Federal Grants adopted on January 24, 2017 and effective January 1, 2017. Motion carried.

A Public Hearing was held in regard to CUP #840 of Chester M. & Barbara L. Nelson, et al. and Gregory L. Nelson, Landowners, and Gregory L. Nelson, et al., Petitioners, for two dwelling structures to be used minimally during the year as hunting shacks. Structures will include a 10ft x 47ft trailer house, 12 X 20 deck, and a 13ft x 18ft bunkhouse in Section 28, Nevada 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 #840.

Date: February 7, 2017

Res. #11-17

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 February 7, 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 #840 of Chester M. & Barbara L. Nelson, et al. and Gregory L. Nelson, Landowners, and Gregory L. Nelson, et al., Petitioners, and to be issued pursuant to the Mower County Zoning Regulations for:

Two dwelling structures to be used minimally during the year as hunting shacks. Structures will include a 10ft x 47ft trailer house, 12 X 20 deck, and a 13ft x 18ft bunkhouse.

Location: on a 6.0 acre parcel, located in Section 28, Nevada Township (T101N-R17W), and legally described as: Section 28 Township 101 Range 017 W6AC NW1/4 NW1/4; Deeded Acres: 6.0, Mower County, Minnesota on a parcel identified per tax records as 13.028.0100; and

WHEREAS, Notice having been duly given, a public hearing held on the matter on January 31, 2017, at 7:00 p.m. in the Mower County Government Center, Commissioner's Board Room before the Mower County Planning Commission, on said petition; and

WHEREAS, Notice having been duly given, a public hearing was held on February, 7, 2017 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 local regulations regarding the proposed use; and
2. An after-the-fact zoning permit must be obtained from Mower County for placement of these structures on this property to determine compliance with the ordinance. For permitting purposes the 2 structures and deck shall be permitted as one permit in the amount of \$150.00.
3. The applicant owner shall be granted use of the following structures for recreational purposes: an existing 10ft x 47ft trailer house, an existing 12ft x 20ft deck, and an existing 13ft x 18ft bunkhouse which will allow 2 enclosed structures to be used as sleeping units on a minimal basis. Minimal basis shall not exceed 90 days within a calendar year beginning January 1 – December 31.
4. Replacement structures: Replacement of 2 existing, minimally used, enclosed structures to be used for recreational purposes shall not exceed 800sq feet (foot-print) in total for replacement. And for clarification: the deck may be enlarged administratively by a zoning permit request.
5. The Owner/applicant shall discontinue the Imminent Public Health Threat discharge in accordance with MN Statute on or before June 18, 2017.
6. With issuance of this conditional use permit because it is subject to a parcel located within a shoreland overlay district; the non-compliant septic system utilized by the primary dwelling, currently occupied by Chester and Barbara Nelson shall be upgraded within 12 months of the date of granting of this conditional use permit. The current system is noted to be a 500-gallon drywell. Drywells are considered a failing system under MN Rules 7080 and Mower County Subsurface Sewage Treatment Ordinance.
7. 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. Vehicles cannot be parked or backed onto the premises from the road or its right-of-way; and
8. 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
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 Article II Division 2 Agricultural District Section Section 14-18.4 Residential Development and Density Standards: & Division 2, Agricultural District, Section 14-51 Conditional uses, item (c).(l), (u) & (v).; and Article I Division 6 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 7th day of February, 2017.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

The Board recessed at 1:32 p.m. and reconvened at 1:47 p.m.

A Public Hearing was held in regard to a Housing Tax Abatement request of Brad and Brittany Braaten, applicant, to construct a single family home in Section 9, Lyle Township, Minnesota.

Craig Oscarson reviewed the application and the recommendation is to approve the application.

The applicant Brad Braaten was present and spoke on his own behalf. No one else spoke for or against the Brad & Brittany Braaten housing tax abatement application.

Date: February 7, 2017

Res. #12-17

**RESOLUTION APPROVING TAX ABATEMENT
FOR CERTAIN PROPERTY PURSUANT TO MINN. STAT. 469.1813**

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 February 7, 2017 at the Government Center, Austin, Minnesota.

WHEREAS, Minnesota Statute 469.1813 gives authority to the County of Mower to grant an abatement of property taxes imposed by the County if certain criteria are met; and

WHEREAS, in addition to the statutory requirements, Mower County has adopted the Tax Abatement Policy for new construction of Single and Multi-family homes which includes criteria which must be met before an abatement of taxes will be granted; and

WHEREAS, Brad and Brittany Braaten are the owners of certain property within Mower County, legally described as follows:

Approximately an 18 acre building site N ½ NW ¼ West of River Document #630712, Section 9, Lyle Township, Mower County, Minnesota (PIN 11.009.0030).

WHEREAS, Brad and Brittany Braaten have made application to Mower County for the abatement of taxes as to the above-described parcel; and

WHEREAS, Notice having been duly given, a public hearing was held on February 7, 2017 before the Mower County Board of Commissioners, on said application.

WHEREAS, Brad and Brittany Braaten have met the statutory requirements outlined under Minnesota Statute 469.1813 Subdivision 1(1) and Subdivision 2(i) as well as Mower County's criteria for tax abatement;

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
MOWER COUNTY, MINNESOTA:**

1. Mower County does, hereby grant an abatement of Mower County's share of real estate taxes upon the above-described parcel for the construction of the single family home.
2. The tax abatement will be for no more than five years commencing with the receipt of the Certificate of Occupancy, or not more than one year following approval of the taxing authority's resolution, whichever is first, on the first year of taxes payable for the assessed value(s) related to the capital improvements outlined in Paragraph 1.
3. The County shall provide the awarded abatement payment following payment of due real estate taxes annually. One single payment shall be made to the owner of record at the time of the payment, by December 30th of that calendar year.
4. The tax abatement shall be for up to the full amount of the real estate taxes collected from added tax base of the newly constructed housing/home annually. Land values and the current base value are not eligible and will not be abated.

Passed and approved this 7th day of February, 2017.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to adjourn the meeting at 1:50 p.m. Motion carried. The next meeting is scheduled for February 14, 2017 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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