

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

April 10, 2018

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session April 10, 2018 at 8:30 a.m. at the Government Center in Austin, Minnesota.

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

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to approve the agenda by adding 1) Resolution for 2017 Sewer Loan Assessments payable 2018 possibly 2015 and 2016 and 2) Craig Jackel request for waiver of special assessment on tax forfeited parcel and removing the Public Works Director business portion of the agenda. Motion carried.

Lisa Kocer, Health & Human Services Director, provided the Board with a departmental update.

HUMAN SERVICES BOARD:

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve payment to vendors for Human Services Accounts Payable. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny, to approve sending a Social Worker to the Child Maltreatment Conference for out of state travel. Motion carried.

Lisa Kocer updated the Board concerning a County of Financial Responsibility issue.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett, to authorize the Chair and the Director to sign the following Purchase of Service Agreements:
Clasen Jordan Mortuary – renew agreement for Funeral Assistance Services, effective January 1, 2018 to December 31, 2019.
Motion Carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn, to adjourn the Human Services Board meeting at 9:20 a.m. Motion carried.

COUNTY BOARD

The Special Session of the Board was reconvened at 9:22 a.m. for regular business items.

Commissioner Ankeny on behalf of the Building Committee provided the Board with a brief update on the status of the board room remodel. Technology bid is high and the Committee is working to see where adjustments can be made.

Commissioner Ankeny on behalf of the Solid Waste Committee informed the Board that Austin Utilities has made a request for a reduction in the recycling assessment. The Committee is reviewing the Utilities' request.

A Public Hearing was continued from April 3, 2018 in regard to revising the Zoning Ordinance for Solar Farms/Gardens.

Angie Lipelt, Environmental Services Supervisor, reviewed the proposed modifications to the Zoning Ordinance noting that the Planning Commission has approved these modifications and recommended approval to the County Board. The Board requested that a provision for fencing be added to the proposed Ordinance.

The Chair asked for public input. No one spoke for or against amending the Zoning Ordinance for Solar Farms / Gardens.

Date: April 10, 2018

Ord. #03-18

ORDINANCE

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Ordinance was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held April 10, 2018 at the Government Center, Austin, Minnesota.

WHEREAS, a Notice of Intention to consider amending the Zoning Ordinance to add a section for Solar Farms and Gardens was published in the *Austin Daily Herald* on March 9, 2016, May 12, 2016, July 12, 2017, August 14 and 16, 2017, November 17, 2017, January 9, 2018, and March 2, 2018; and in the *Meadow Area Shopper* on July 12, 2017 and August 16, 2017 and in the *Mower County Independent* on July 13, 2017 and August 17, 2017; and

WHEREAS, a public hearing was completed on the matter on April 26, 2016; May 31, 2016 (no discussion at hearing); July 25, 2017; August 29, 2017; November 28, 2017; January 30, 2018 and March 27, 2018 at 7:00 p.m. in the Mower County Government Center, Board Room, before the Mower County Planning Commission at which any concerned citizen was given an opportunity to speak on the matter; and

WHEREAS, the Mower County Planning Commission recommended by a majority to amend the Zoning Ordinance Section 14 to add Section 14-18.7 Special Requirements for Solar Farms and Gardens;

WHEREAS, the County Board held public hearings on said amendment on April 3 and April 10, 2018 at which any concerned citizen was given an opportunity to speak on the matter;

BE IT ORDAINED that Zoning Ordinance Section 14 be amended to add Section 14-18.7 Special Requirements for Solar Farms and Gardens summarized as follows:

Section 14-18.7 Special Requirements for Solar Farms and Gardens

Purpose	Criteria Standards
Definitions	Wells
Allowed Locations	Underground Electrical Lines
Prohibited Locations	Roadway Buffer
Conditional Use Permit Required	Public Trail Buffer
Time-limited Conditional Use Permit Required	Ground Cover and Buffer Areas
Setback Standards	Permit Application
Size	Decommissioning Plan

BE IT FURTHER ORDAINED, this ordinance adopting Section 14-18.7 Special Requirements for Solar Farms and Gardens is effective upon publication.

Passed and approved this 10th day of April, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Commissioner Glynn informed the Public Works Director that she had received a letter of appreciation from the Stewartville Public School District and Southland Public Schools on the diligent road clearing done by Mower County Public Works.

Craig Jackel appeared before the Board with a request for the special assessments to be waived on tax forfeited parcel 34.193.0530 that did not sell at the last public sale on April 4. Mr. Jackel is willing to pay the minimum price set for parcel and build an affordable home on the parcel if the special assessment is waived. A discussion followed the request.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn, to deny the request for the special assessment to be waived on tax forfeited parcel 34.193.0530. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Bennett, to approve the minutes of April 3, 2018. Motion carried.

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Advanced Correctional Healthcare Inc	14,840.46	Freeborn County Co-Operative Oil Co.	9,903.63
Austin Daily Herald	7,218.54	Gerard Treatment Program	5,515.52
Baudoin Oil Company	21,427.27	Harty Mechanical Inc	3,315.00
Beckleys	3,610.00	Mayo Clinic Patient Financial Services	2,427.82
Cedar Valley Services, Inc	2,256.74	Mille Lacs Academy	11,463.49
Cliftonlarsenallen	4,000.00	Office Of Mn It Services	2,230.00
Department Of Corrections	8,435.00	41 Payments less than 2000	14,384.99
		Final Total:	111,028.46

Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to authorize letter of congratulations be sent to Lyle / Pacelli Athletics Girls Basketball State Champions. Motion carried.

Date: April 10, 2018

Res. #23-18

RESOLUTION

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 April 10, 2018 at the Government Center, Austin, Minnesota.

WHEREAS, on July 23, 1996, the Mower County Board of Commissioners passed and adopted Ordinance #3-96, which authorizes and establishes the Mower County ISTS Loan Program, and

WHEREAS, on July 23, 1996, the Mower County Board of Commissioners by motion adopted the Individual Sewage Treatment Systems (ISTS) Loan Procedural Guide, and

WHEREAS, Mower County has received monies to fund the Mower County ISTS Loan Program, and

WHEREAS, affected property owners who sign the ISTS Loan and Assessment Agreement have agreed that their ten year loan repayment, plus interest, at the per annum rate of 3%, shall be added in equal annual principle installments to the real estate tax levied on the affected property, and

WHEREAS, said property owners have the right to pay off the remaining balance of the loan before November 15th of any year thereafter, and

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

WHEREAS, the County Auditor-Treasurer has submitted a 2017 list of affected properties, owners and loan amounts,

NOW THEREFORE, BE IT RESOLVED, that there is now levied against the following listed properties for 2017, an amount, plus interest, necessary to repay the monies loaned by Mower County for upgrade or repair of individual sewage treatment systems:

PIN	Name	Legal Description	ISTS Loan Amount
16.039.0160	Davis, Blake	Subdivision Name OUT LOTS 33 103 17 Subdivision Cd 16039 OUT LOT 13 OLS E1/2 SE1/4 2.00 AC	\$7,500.00
16.005.0070	Garbisch, Christopher	Section 05 Township 103 Range 017, SW1/4 SW1/4	\$10,500.00
13.031.0090	Mullenbach, Betty	Section 31 Township 101 Range 017, 1 AC NW COR NE1/4 NE1/4	\$10,500.00
02.023.0150	Slowinski, Alan & Roxann and Slowinski, Sara	Section 26 Township 102 Range 018, 4 AC OF E1/2 NE1/4 BK 226-87	\$10,500.00
16.033.0010	Wratislavsky, Lynette	Section 33 Township 103 Range 017, E787.2FT S830FT SW1/4 SW1/4 15.0 AC	\$10,500.00
Total			\$49,500.00

BE IT FURTHER RESOLVED, that the amount each tract and property listed above shall be liable for and must pay is contained and on file in the County Auditor-Treasurer's office and designated as the 2017 Sewer Loans list and shall be levied over a ten year period, commencing with real estate taxes payable in the year 2018.

BE IT FURTHER RESOLVED, that the principal loan shall bear interest at the rate of 3% per annum, per signed loan and assessment agreements.

Passed and approved this 10th day of April, 2017.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

The County Coordinator informed the Board that a similar action for the 2016 Sewer Loans payable in 2017 were not acted upon and the Board approved the 2015 Sewer Loans payable in 2016 by resolution but it was not recorded. The issues are being reviewed for possible Board action at a future date.

The Board recessed at 10:18 a.m. and reconvened at 10:32 a.m.

Justin Hanson and Tim Ruzek, Mower County Soil & Water Conservation District, provided the Board with program updates as well as a request for the approval of the Natural Resources Block Grant Agreement.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve the Natural Resources Block Grant Agreement in the amount of \$86,192. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn, to refer to the Finance Committee to review for recommendation option plans for the wind energy revenue for its uses and possible set-aside for future uses if the revenue is reallocated to other entities other than the County. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn, to adjourn the meeting at 11:02 a.m. Motion carried. The next meeting is scheduled for April 25, 2018 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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