

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

June 5, 2018

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session June 5, 2018 at 1:00 p.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 Ankeny, seconded by Commissioner Glynn, to approve the agenda – with the following additions: Sheriff to request an amend to the Budget for Posse Radios at 50% cost; Extension Committee Appointments and include a Full Liquor On-Sale & Sunday Application for Lansing Corners Supper Club and delete the item to approve changes to the septic loan program/policy. Motion carried.

Commissioner Gabrielson on behalf of the Personnel Committee informed the Board that the Health and Human Services Director met with the Personnel Committee to discuss the retirement of the two part-time PHN's in the department by the end of June. The challenges in finding two Public Health Nurses willing to work part-time were discussed. In review of the caseloads and better management of staff time, the department is requesting to replace the two part-time positions with one full-time position. The funding sources would remain the same, as of now the part-time positions are fully funded at no additional cost to the county. The projected cost for making this a full-time position would also be funded but there would be a reduction in revenue of about \$7800.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn, to approve converting the two part-time Public Health Nurse positions in Health & Human Services into one full-time Public Health Nurse effective June 28, 2018. Motion carried.

Commissioner Ankeny provided the Board a brief update on the Building Committee's projects of the Sheriff's Impound Building and the Board room remodel.

Commissioner Ankeny under the Solid Waste Committee business provided the Board with a brief update on regional recycling information received at a recent SEMREX (SE MN Recycling Exchange) meeting.

Under other committee reports, Commissioner Gabrielson and Coordinator Oscarson provided the Board with information from the Association of Minnesota Counties District IX meeting held on June 4, 2018.

A Public Hearing was held in regard to CUP #865 of Andrew J. and Stacy A. Anderson, land owners, and Andrew J. Anderson, petitioner, for an extended home occupation which will allow for an automotive maintenance and repair shop inside a pole building existing on site (no auto body or painting) and signage in Section 15, Lansing 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 #865.

Date: June 5, 2018

Res. #36-18

RESOLUTION

On motion of Commissioner Bennett, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 5, 2018 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #865, by Andrew J. and Stacy A. Anderson, land owners, and Andrew J. Anderson, petitioner, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for an extended home occupation which will allow for an automotive maintenance and repair shop inside a pole building existing on site (no auto body or painting) and signage; and

WHEREAS, The proposed use is to be located on a 5.2 acre parcel, located in Section 15, Lansing Township (T103N-R18W), and legally described as: E420FT N954FT NE1/4 SE1/4 EXC E320FT N544FT, Mower County, Minnesota on a parcel identified per tax records as 08.015.0300; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on May 29, 2018, at 7:00 p.m. in the Mower County Government Center, Board Room before the Mower County Planning Commission, on said petition; and

WHEREAS, Notice having been duly given, a public hearing was held on June 5, 2018 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 Township, State and Federal regulations regarding the proposed use; and

2. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition. There shall be no outside storage of auto parts or waste related to the proposed use; 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/or valid which 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 so as to not create a nuisance or hazard to the traveling public. The vehicles cannot be parked or backed onto the premises from the road or its right-of-way; and
5. Any additional buildings or additions to the existing structure will require an amendment to the Conditional Use Permit. Structural additions will also require zoning permits; and
6. The pit shall be lined and sealed and shall be determined to be watertight (to prevent possible contamination of shallow wells within the area); and
7. 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. A conditional use permit shall become void if the use is discontinued for a period of one (1) year. (Refer Section 14-36 Discontinuance); and
8. No permanent storage or burying of waste material is allowed and to do so would be in violation of MPCA Regulations and Mower County Solid Waste Ordinance; and
9. 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
10. 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 3 Rural Management District Section Rural management district defers to Ag District: 14-51 (q) Extended Home Occupations in accordance with Section 14-18.2 of this Ordinance; and Article I Division 6 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 5th day of June, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Bennett, seconded by Commissioner Glynn, to approve the amendment to the AgBMP loan agreement regarding the septic system loan program existing fund balance. Motion carried.

Ronda Allis, Mn Department of Transportation, provided the Board with a presentation regarding the MnDOT District 6 10-year Capital Highway Investment Plan.

Members of the Izaak Walton League along with volunteers appeared before the Board with a presentation regarding the League's Water Monitoring results and recommendations. The League's presentation included testimonies, facts pertaining to the water monitoring, the findings from the water monitoring and a request for Board participation in actions to clean up area waters. The water monitoring results indicated high and unacceptable levels of e-coli in area waterways. The League is encouraging and requesting that non-compliant septic systems be aggressively identified and fixed. The Chair directed the Finance Committee to review the request and provide any recommendation back to the full Board. No action was taken by the Board at this time.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett, to award the low quote of Century Fence in the amount of \$73,884.85 to fence the outshops and to amend the Public Works 2018 budget in the same amount with 2017 carryover for the fencing project. Motion carried.

The Board recessed at 3:00 p.m. and reconvened at 3:08 p.m.

Sheriff Amazi requested that the Board approve the purchase of two radios for the posse that requires a 50/50 match with radio funding available through Wabasha County.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny, to purchase two radios for use by the posse and amend the 2018 Sheriff's budget for the 50/50 match purchase in the amount of \$6,418.18 with fifty percent of the purchase being reimbursed from the Regional Radio Board that has some unused funds available for radios. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Bennett, to approve the minutes of May 22, 2018. Motion carried.

Motion made by Commissioner Glynn, 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> |
|---------------------------------------|---------------|--|-------------------|
| Aaa Striping Service Company | 27,410.40 | Mayo Clinic Patient Financial Services | 2,390.18 |
| Advanced Correctional Healthcare, Inc | 3,413.70 | Metro Sales Inc | 4,411.79 |
| Bob Barker Company Inc. | 2,290.22 | Midwest Clinical Psychologists | 2,250.00 |
| Brock White Co Llc | 2,320.00 | Minnesota Counties Computer Co | 26,180.00 |
| ESRI | 4,600.00 | Northland Business Systems | 3,117.17 |
| Gold Cross Ambulance Service | 4,338.59 | Office Of Mn It Services | 4,637.89 |
| Law Enforcement Technology Group LLC | 5,600.00 | Vanguard Appraisals Inc | 18,725.00 |
| Marston Consulting Group,LLC | 2,000.00 | 79 payments less than 2000 | 39,765.21 |
| | | Final Total: | 153,450.15 |

Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Bennett, to approve the applications of Deer Creek Speedway for a fireworks/pyrotechnic special effects displays on June 30, July 7 and September 22, 2018 (Rain Dates of July 14, July 8 and September 23, 2018). Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett, to approve the Liquor—On Sale and Sunday license applications effective July 1, 2018 through June 30, 2019 for Grafing Company d/b/a Echo Lanes; Austin Windows and Windrift Lounge LLC d/b/a Windrift Lounge; and Lansing Corners Supper Club Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson, to approve the Transient Merchant application of TNT Fireworks for the sale of fireworks at Wal-Mart in Austin, MN effective June 20, 2018 through July 5, 2018. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn, to approve the tobacco license applications effective July 1, 2018 through June 30, 2019 for K & H Classic Stop of LeRoy; Vikre Enterprises, LLC d/b/a BP Food Shop – LeRoy; and Freeborn Co Coop Oil. Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Ankeny, to appoint Rebecca Jax and Miguel Garate as adult representatives on the Extension Committee each for their first three year term effective January 1, 2018 through December 31, 2020. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett, to adjourn the meeting at 3:17 p.m. Motion carried. The next meeting is scheduled for June 12, 2018 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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