

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

December 6, 2018

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session December 6, 2018 at 2:58 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 Gabrielson, to approve the agenda. Motion carried.

Commissioner Glynn on behalf of the Finance Committee reported to the Board that the county has reviewed the zoning permits or lack thereof for approximately 160 properties who constructed structures or added onto existing structures without first obtaining a zoning permit. With recent software changes to the county mapping system, county staff was able to identify these properties with accuracy. The current ordinance requires penalties for these after-the-fact permit needs of triple the existing permit fee. The finance committee has reviewed this issue and in an effort to complete our records the committee is proposing to grant a one-time exception to the penalty rule if the affected property owners will apply for the necessary permits by a certain date such as December 31, 2018 or offer the property owners a certain amount of time to move the structure is possible and if the affected property owners do not meet the deadlines, permits with penalties affixed will be required. A discussion followed concerning the options, possible dates for deadlines, the use of publications and word of mouth.

Motion made by Commissioner Bennett, seconded by Commissioner Ankeny, to waive the penalties for parcels that were built upon without first obtaining a zoning permit subject to the property owner obtaining a zoning permit or for the property owner to begin action to correct their property discrepancy. The effective date for the property owners to contact the county to start the process and resolve the issue is referred back to the Finance Committee for a recommendation at the December 27, 2018 meeting. Motion carried.

A Public Hearing was held in regard to CUP #876 of Scott Drew & Renelle Lindquist Drew, petitioners, and Robert F. Capelle, landowner, for an additional dwelling, pole barn, along with a well and two septic fields to the ¼ section in a mature wooded area within the Ag District as well as relief from ordinance requirement for platting less than 10-acres located in Section 12, Frankford Township.

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

The Petitioner was not present. No one spoke for or against CUP #876.

Date: December 6, 2018

Res. #122-18

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 6, 2018 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners CUP #876 of Robert F. Capelle, Landowner, and Scott Drew & Renelle Lindquist Drew, Petitioners, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

to add an additional dwelling, pole barn, along with a well and two septic fields (primary and secondary) to the 1/4 Section, in a mature wooded area within the Ag. District. Also request relief from ordinance requirements for platting less than 10-acres

Location: on a 40 acre parcel, located in Section 12, Frankford Township (T103N-R14W), and legally described as: an approximate 5-acre parcel of a 40-ac parcel located in the SW Quarter NW Quarter of Section 12-103-14, Mower County, Minnesota, Mower County, Minnesota on a parcel identified per tax records as 06.006.0040; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on November 27, 2018, at 7:00 p.m. in the Mower County Government Center, Board Room before the Mower County Planning Commission, on said petition;

WHEREAS, Notice having been duly given, a public hearing was held on December 6, 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 federal, state and local regulations regarding the proposed use; and
2. Division of the land, which is currently undefined, shall meet the requirements of the zoning ordinance; and

3. A Zoning Permit and ISTS Permit must be obtained prior to construction of the residence and/or any other structure.
4. An ISTS shall be designed, installed and maintained according to MN Rules 7080 & Mower County's SSTs Ordinance; a primary and secondary TYPE I system 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; and.
5. If a Type I septic system primary and secondary site cannot be located on the proposed parcel, a variance shall be required to be obtained before a zoning permit can be obtained; or the site is not developable for residential purposes; and
6. 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. The Homeowners Assumption of Risk form shall be modified to include language relating to the Deer Creek Speedway. The landowner is also accepting of the speedway and any noise or activities generated from this Business District; and
7. 911 addressing is required to be obtained through the Mower County Highway Dept. before construction; if the site is not already 911-addressed; and
8. A survey is required in lieu of platting, but it must be recorded along with the deed; and
9. 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.
10. 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
11. 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.
12. 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
13. 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 Sec 14-51(bb) & Sec: 14-18.4 Residential Density Standards (d)(1)&(2) additional dwellings by CUP in mature wooded areas. 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 6th day of December, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

A Public Hearing was held in regard to CUP #877 of Jason P. & Christine A. Weis, petitioners and landowners, for a commercial nursery/landscaping business located in Section 8, Marshall Township.

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

The Petitioner was present and spoke on his own behalf. No one else spoke for or against CUP #877.

Date: December 6, 2018

Res. #123-18

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 6, 2018 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #877 of Jason P. & Christine A. Weis, Landowners and Petitioners, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

Commercial nursery / landscaping business

Location: on a 5.34 acre parcel, located in Section 08, Marshall Township (T102N-R16W), and legally described as: Section 08 Township 102 Range 016 E417FT W812FT S558FT SW1/4 SW1/4 5.34 AC, Mower County, Minnesota on a parcel identified per tax records as 12.008.0070; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on November 27, 2018, at 7:00 p.m. in the Mower County Government Center, Board Room before the Mower County Planning Commission, on said petition;

WHEREAS, Notice having been duly given, a public hearing was held on December 6, 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 state and federal and local regulations, which may include, but not be limited to, NPDES storm water permit from the MPCA for any activity disturbing, or part

- of a larger plan/activity which will be disturbing, one or more acres of soil; well appropriation permit from the DNR for more than 10,000 gallons per day or 1 million gallons per year of water; Federal handicap accessibility requirements for areas allowing public access; Permit or approvals from the MN entities, relating to the proposed use of a commercial greenhouse or nursery; and
2. Use of the property which maintains employees or provides public access to the greenhouse(s) or other structures on the premises must provide for onsite sewage waste facilities. Service provided can be a county-approved septic system or porta-potty facilities. If open to the public human-waste facilities must be handicap accessible; and
 3. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition and properly maintain and dispose of any solid waste; and
 4. The owner/operator and employees shall not create a nuisance to neighboring landowners; and
 5. A sign advertising this business shall be 32 square feet or less in size. Location of the sign is limited to the parcels of this CUP request and cannot be placed off-site. The purpose of this condition is to preserve the rural character of the area; and
 6. 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 valid that may create a nuisance to adjoining landowners from the proposed use, and
 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. No vehicles cannot be parked or backed onto the premises from the road or its right-of-way; and
 8. Any change in operation, including expansion or intensification or change to another use, shall require an amended and revised CUP which shall go through the normal Conditional Use Permit process; except for a future greenhouse, proposed west of the existing shop and a possible shed north of the existing shop (as shown on submitted map); 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; and
 10. A conditional use permit shall become void if the use is discontinued for a period of one (1) year; 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 issued in accordance with Article II Division 2 Agricultural District Section 14-51 Conditional Uses item (h) commercial greenhouses and nurseries; and Article I Division 6 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 6th day of December, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

A Public Hearing was held in regard to CUP #878 of Southern MN Special Education Consortium District 6083 c/o Dan Armagost, petitioners and landowners, for a school located in Section 4, Windom Township.

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

The Petitioner was present and spoke on his own behalf. No other person spoke for or against CUP #878.

Date: December 6, 2018

Res. #124-18

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 6, 2018 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #878 of Southern MN Special Education Consortium District 6083, Landowners, and Southern MN Special Education Consortium c/o Dan Armagost, Petitioners, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

A school

Location: on a 9.56 acre parcel, located in Section 4, Windom Township (T102N-R17W), and legally described as: Section 04 Township 102 Range 017 -- 9.56 AC BLDG SITE NE1/4 S OF I-90 BK 452-100, Mower County, Minnesota on a parcel identified per tax records as 20.004.0020; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on November 27, 2018, at 7:00 p.m. in the Mower County Government Center, Board Room before the Mower County Planning Commission, on said petition;

WHEREAS, Notice having been duly given, a public hearing was held on December 6, 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 state and federal regulations regarding the proposed use. Public schools in Minnesota are required to meet building code and handicap accessibility requirements and are reviewed by the MN Department of Labor and Industry; and
2. A well supporting the proposed use shall be permitted and maintained in accordance with Well regulations by the MN Department of Health; and
3. An ISTS shall be designed, installed and maintained according to MN Rules 7080 & Mower County's SSTs Ordinance; a primary and secondary TYPE I system site shall be located for future placement and placed on a map and kept on file in the CUP file in the landowner's records. The area should be preserved and protected from compaction and/or construction or other damages. Systems exceeding 10,000 gallons per day are permitted by the MPCA; and
4. A DNR Water Appropriation permit shall be required if the proposed use consumes 10,000 gallons of water per day or 1 Million gallons of water per year. Please contact the MN DNR directly for permitting requirements and application; and
5. The MPCA requires storm water NPDES permits for disturbance of one acre or more. Please contact the MPCA directly for permitting requirements and application.
6. Change in use access (ingress and egress to the property) may be required by MN DOT, please contact MN DOT directly for their requirements for access and change in use; and
7. Zoning permits are required for construction of buildings and structures to determine zoning requirements have been met or exceeded; and
8. A parking and loading plan must be submitted and reviewed for compliance with the Mower County Ordinance. 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
9. A landscaping plan may be required in accordance with Mower County Ordinance, and
10. Permit(s) may be required from the Cedar River Watershed District (CRWD). Please contact the CRWD directly regarding their permitting requirements and application process(es); and
11. Please work cooperatively, and early in the planning process with local fire, police, and ambulance services for their needs for access, parking, turning radius requirements to service the proposed use in emergency situations; and
12. Any lights on the property shall be deflected downward and shall not create a nuisance or disturbance to the traveling public of the adjoining roadways nor adjoining properties; and
13. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition; and
14. The Owner/Applicant shall contain any blowing or loose garbage/debris onsite by any means necessary which may include perimeter fencing; and
15. 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 valid that may create a nuisance to adjoining landowners from the proposed use, and
16. This Conditional Use Permit shall lapse, and shall be no longer valid upon one-year of non-use; and
17. Waste materials are not allowed to be buried onsite and to do so would be in violation of MPCA Regulations and Mower County Solid Waste Ordinance; and
18. 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 issued in accordance with Article II Division 2 Agricultural District Section 14-51 Conditional Uses (Ag District) item (d) Churches, cemeteries, memorial buildings, schools, libraries, and museums; and Article I Division 6 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 6th day of December, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

A Public Hearing was held in regard to CUP #879 of Rob Viera, petitioner, and Herb Kiefer Revocable Living Trust, landowner, for FTC Tower Co to build a 195 ft self-support tower for Cover 2 (an AT&T affiliate company) in order to improve wireless communications coverage in Mower County, located in Section 4, Lodi Township.

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

The Petitioner was present and spoke in his own behalf. One other person spoke in favor of the CUP and no one spoke against.

Date: December 6, 2018

Res. #125-18

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 December 6, 2018 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #879 of Herb Kiefer Revocable Living Trust, Landowners, and Rob Viera, c/o Buell Consulting, Petitioner, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

FTC Tower Co to build a 195ft self-support tower for Cover 2 (an AT&T) affiliate company) in order to improve wireless communications coverage in Mower County

Location: on a 120.00 acre parcel, located in Section 4, Lodi Township (T101N-R15W), and legally described as: Section 04 Township 101 Range 015 S1/2 SW1/4 & S1/2 N1/2 SW1/4, Mower County, Minnesota on a parcel identified per tax records as 10.004.0040; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on November 27, 2018, at 7:00 p.m. in the Mower County Government Center, Board Room before the Mower County Planning Commission, on said petition;

WHEREAS, Notice having been duly given, a public hearing was held on December 6, 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 local, state and federal regulations regarding the proposed use, which may include, but not be limited to an MPCA Storm water Permit, FCC and FAA permits and/or licenses; and
2. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition; and
3. The owner/Applicant shall erect and maintain an 8-foot chain link fence around the tower, main equipment and buildings; and
4. 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 valid that may create a nuisance to adjoining landowners from the proposed use, and
5. 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
6. The Owner/Applicant shall not use any portion of the tower or property for any advertising signs (other than warning or equipment information signage); and
7. All abandoned or unused tower(s) and associated above-ground structures or facilities shall be removed within 12 months of the cessation of operation at this site unless a time extension is approved by the Mower County Board of Commissioners. In the event that a tower and associated structures or facility appurtenances are not removed within 12 months of cessation of operation, the structures and appurtenances may be removed by the Mower County Board of Commissioners and the costs of removal assessed against the property; and
8. Based upon information provided by the applicant the site will be leased property; please note that if the property is subdivided and ownership transferred for any reason in the future; the site design as submitted along with this application will not meet the minimum requirements lot size and/or appropriate access of the County Ordinance. No variance will be considered in the future for these defects. Subdivision and platting may be required; and
9. Structures shall meet the setbacks as required by ordinance; and
10. 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; and
11. This Conditional Use Permit shall lapse, and shall be no longer valid upon one-year of non-use for a use that had been previously established; and
12. The Owner/Applicant shall be liable for any road damages as a result of this operation as stated under MN Statute 169.88; and

13. 911 Addressing and/or additional driveway access must be obtained from the Mower County Highway Department or any other local road authority, and may include fees to the applicant; and
14. 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 issued in accordance with Article II Division 2 Agricultural District Section 14-51 Agricultural District, CUP (e) commercial radio / television towers and transmitters & (u) other uses of the same general character, etc.; and Article I Division 6 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 6th day of December, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

A Public Hearing was held in regard to CUP #880 of Rob Viera, petitioner, and Larry G. & Lynette Aanonson, landowners, for FTC Tower Co to build a 195 ft self-support tower for Cover 2 (an AT&T affiliate company) in order to improve wireless communications coverage in Mower County, located in Section 24, Lyle Township.

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

The Petitioner was present and spoke on his own behalf. No other person spoke for or against CUP #880.

Date: December 6, 2018

Res. #126-18

RESOLUTION

On motion of Commissioner Bennett, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 6, 2018 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #880 of Larry G. & Lynette Aanonson, Landowners, and Rob Viera, Buell Consulting, Petitioner, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

FTC Tower Co to build a 195' self-support tower for Cover 2 (an AT&T affiliate company) in order to improve wireless communications coverage in Mower County

Location: on a 40.00 acre parcel, located in Section 24, Lyle Township (T101N-R18W), and legally described as: Section 24 Township 101 Range 018 NE1/4 NW1/4, Mower County, Minnesota on a parcel identified per tax records as 11.024.0011; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on November 27, 2018, at 7:00 p.m. in the Mower County Government Center, Board Room before the Mower County Planning Commission, on said petition;

WHEREAS, Notice having been duly given, a public hearing was held on December 6, 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 local, state and federal regulations regarding the proposed use, which may include, but not be limited to an MPCA Storm water Permit, FCC and FAA permits and/or licenses; and
2. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition; and
3. The owner/Applicant shall erect and maintain an 8-foot chain link fence around the tower, main equipment and buildings; and
4. 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 valid that may create a nuisance to adjoining landowners from the proposed use, and
5. 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
6. The Owner/Applicant shall not use any portion of the tower or property for any advertising signs (other than warning or equipment information signage); and
7. All abandoned or unused tower(s) and associated above-ground structures or facilities shall be removed within 12 months of the cessation of operation at this site unless a time extension is approved by the Mower County Board of Commissioners. In the event that a tower and associated structures or facility appurtenances are not removed within 12 months of cessation of operation, the structures and appurtenances may be removed by the Mower County Board of Commissioners and the costs of removal assessed against the property; and
8. Based upon information provided by the applicant the site will be leased property; please note that if the property is subdivided and ownership transferred for any reason in the future; the site design as submitted along with this application will not meet the minimum requirements lot size and/or appropriate access of the County Ordinance. No variance will be considered in the future for these defects. Subdivision and platting may be required; and

9. Structures shall meet the setbacks as required by ordinance; and
10. 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; and
11. This Conditional Use Permit shall lapse, and shall be no longer valid upon one-year of non-use for a use that had been previously established; and
12. The Owner/Applicant shall be liable for any road damages as a result of this operation as stated under MN Statute 169.88; and
13. 911 Addressing and/or additional driveway access must be obtained from the Mower County Highway Department (or any other applicable local road authority), and may include fees to the applicant; and
14. 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 issued in accordance with Article II Division 2 Agricultural District Section 14-51 Agricultural District, CUP (e) commercial radio / television towers and transmitters & (u) other uses of the same general character, etc.; and Article I Division 6 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 6th day of December, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Mike Hanson, Public Works Director, presented to the Board a request for approval for equipment purchases using 2018 budgeted funds. A discussion followed concerning the items on the list.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson, to approve equipment purchases (within budget) as follows in Public Work:

<u>Description</u>	<u>Cost</u>
Upgrade Fuel Pumps and Fuel Management System	\$ 25,702.62
2019 Ford F-150 4x4 Crew Cab Pickup Truck	\$ 37,743.75
2019 Ford F-250 4x4 Super Cab Pickup Truck	\$ 31,268.00
Volvo L110H Wheel Loader	\$ 222,950.00
Volvo PT125C Pneumatic Tire Roller	\$ 82,900.00
Less Trade:	\$ (3,750.00)
Total:	\$ 396,814.37

Motion carried.

The Commissioners thanked the Public Works Director for the great work the department had done over the last year with all the additional road/construction projects.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn, to approve the minutes of November 19 and November 27, 2018. Motion carried.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Austin Daily Herald	2,026.35	Fox Electric Company	2,074.50
Austin Utilities	4,134.88	Metro Sales Inc	3,328.13
Bustad Dozing And Excavating Inc	7,015.00	NELSON SOUND	5,465.00
Complete Automotive Services	2,304.00	Office Of Mn It Services	4,840.56
DAVID DROWN ASSOCIATES INC	17,000.00	Wilderness Inquiry Inc.	2,100.00
Department Of Corrections	14,735.00	59 Payments less than 2000	26,934.77
Donnelly Law Firm, PLLC	5,641.58	Final Total:	97,599.77

Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Ankeny, to approve the Human Services Accounts payable. Motion carried.

Donna Welsh, Finance Manager, presented to the Board for review and approval investment reports (May, July, August, September, October) and she also presented a summary of 2018 budget year to date (through November).

Motion made by Commissioner Glynn, seconded by Commissioner Bennett, to approve the investment reports for the months of May, July, August, September and October 2018. Motion carried.

Craig Oscarson presented a brief overview of the 2019 budget memo that is to be handed out during today's evening public hearing.

Motion made by Commissioner Ankeny, seconded by Commissioner Gabrielson, to adjourn the meeting at 4:17 p.m. Motion carried.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:
By: _____
Clerk/Coordinator

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