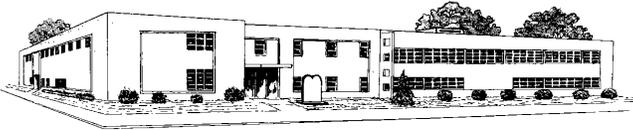


MOWER COUNTY

AUSTIN, MINNESOTA

55912



December 18, 1990

Minutes of the Mower County Planning Commission Regular Meeting

Members Present: Bob Werner, Bob Finbraaten, MeriJo Lonergan,
Keith Vorhees, Herb Hanson, Don Olson, Oliver
Hillier, Steve Wieland

Members Absent: Gary Braaten

Others Present: Pat Oman, Daryl Franklin, Katie Losness

Chair Hanson called the meeting to order at 2:00 p.m. on Tuesday, December 18, 1990, in the Commissioner's Conference Room of the Mower County Courthouse in Austin, Minnesota. The minutes of the November 27, 1990, meeting were approved as mailed on a motion made by Mr. Hillier, seconded by Mr. Wieland and passed unanimously.

Conditional Use Permit #415 for a Dog Kennel in the Agricultural District - Laura Tuttle: This hearing was tabled from the November 27, 1990, meeting in order to obtain the County Attorney's opinion. Pat Oman, County Attorney, told the Commission that the Code could use some updating as it is unclear what the intent is of the kennel provision - what should be restricted or prohibited. The ordinance needs to be revised to indicate clearly what constitutes a kennel. As it stands now, it is not something the County Attorney could enforce.

Mr. Oman requested a conference outside of the hearing with Ms. Tuttle to hear her version of the situation as he has previously heard the other side's version. When they returned, he told the Commission that Ms. Tuttle currently has five dogs, one of which she has sold and will be gone in a few months. Mr. Oman then suggested that the Commission may want to grant the kennel permit for five dogs until that time when there is only four and require that four be the maximum number of dogs allowed. He further told the Commission that if they denied the permit and she kept her dogs, he would not be able to prosecute it as a violation. Mr. Oman reminded the Commission that they can attach any conditions that are rationally and reasonably related.

After further discussion, Mr. Wieland made a motion to recommend approval of the conditional use permit for a kennel for five dogs until such time as there are only four (due to death or when one is sold) then four dogs will be the maximum allowed. Breeding is allowed if all puppies are sold prior to four months of age. The motion was seconded by Mr. Olson and passed on a 5-3 vote with Hanson, Werner and Hillier voting nay. Ms. Losness told those

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present that they would be notified by mail as to the date of the
County Board hearing.

There being no further business to discuss, the meeting adjourned
at 2:45 p.m. on a motion by Mr. Hillier.

Respectfully submitted,

A handwritten signature in cursive script that reads "Katie Losness". The signature is written in dark ink and is positioned above the printed name.

Katie Losness