

Mower County Planning Commission

Minutes of the Mower County Planning Commission

Members Present: Diane Benson, David Hillier, Vance Larson, Meri Jo Lonergan, Brian McAlister, Don Olson.

Members Absent: Harold Boverhuis and Sheldon Lukes

Others Present: Citizens, Lee Bonorden (Austin Daily Herald), Denise Mudra, Daryl W. Franklin, Mike Hanson, Igor Lenzner, Jay Quam, Max Libby, Jerry McCarthy, Marry Kenyon, Glen Pell, Dave Baldner, Lu Wayne Kenyon, Joyce Pederson, Nyles Pederson

Chair David Hillier called the regular meeting to order at 7:00 p.m. on Tuesday, November 24, 1998, at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the October 27, 1998, meeting approved as mailed on a motion by Brian McAlister, seconded by Vance Larson. The motion passed unanimously.

Conditional Use Permit #546 – Alliance Pipeline. CUP applicable to Section 14-51(r) of the Mower County Zoning Ordinance for installation of (9.6 miles) and maintenance of a 36" natural gas pipeline and related facilities. The new pipeline will be installed adjacent and parallel to the existing Dome Pipeline in private easements. Approximately 63 acres of permanent easement and 69 acres temporary easement (construction only) in Lyle and Nevada Townships.

Staff Presentation:

Reference was made to the site investigation performed by the Planning Commission on November 18, 1998. Staff report was presented. Maps, copies of documents, and other information was available for citizens to view.

Igor Lenzner from Rinke Noonan, presented background information on the nine county agreement. He explained that the "Agricultural Impact Mitigation Agreement" handles issues concerning drainage tiles on privately owned agricultural land. The agreement was signed by Alliance Pipeline L.P. and Iowa Attorney Generals office and the Minnesota Attorney General Office.

Applicant's Presentation.

Jay Ouam from Fredrickson & Bryon representing Alliance Pipeline L.P. provided additional background on the process. He explained that Alliance pipelines needed FERC approval before they could start the local permitting process.

Statements from the Public:

Nyles Pederson was concerned about farm draining tile repair for only five years. It was explained that after five (5) years Alliance is responsible if it can be proven that the pipeline caused the problem with the farm drainage tile.

Jerry McCarthy from Austin Utilities was in favor of the proposed project. He asked the procedure for Austin Utilities to purchase gas farm the pipeline.

Conclude the Public Hearing:

Chair Hillier closed the hearing to the public. After consideration of all oral and written testimony, a motion was made by Don Olson, seconded by Vance Larson to approve Conditional Use Permit #546 for installation of (9.6 miles) and maintenance of a 36" natural gas pipeline and related facilities. Because it was in accordance with Section 14-31 of the Mower County Code with the following conditions:

1. All terms and conditions set forth in attached EXHIBIT B must be met.(attached document)
2. Comply with 14-8.2 of the Mower County Zoning Ordinance, unless these requirements are in conflict with the FERC Certificate or the conditions of EXHIBIT B shall be followed.

The motion passed unanimously.

Chair Hillier informed the citizens that Mower County Board of Commissioners would be rendering their decision on December 3, 1998 at 1:30 p.m. in the Courthouse.

**Petition to Rezone – Laverne & Virginia Kehret AND
Conditional Use Permit #548 – Laverne & Virginia Kehret**

tabled until a special meeting on December 15, 1998, at 7:00 p.m. due to an incorrect legal description that was originally published in the newspaper and mailed to neighboring property owners.

OTHER BUSINESS:

Thanking Don Olson for his years of service.

There being no further business, the meeting adjourned at 7:50 p.m. on a motion by Vance Larson, seconded by Diane Benson. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin
Mower Co. Planning Director