

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

April 6, 2021

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session April 6, 2021 at 1:00 p.m. at the Government Center in Austin, Minnesota.

Members present, viz: Polly Glynn, Chair
Jerry Reinartz
Mike Ankeny
Jeff Baldus
District One Seat Vacant
Excused: Trish Harren, County Administrator

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Baldus, seconded by Commissioner Reinartz, to approve the agenda adding 1) approve Curbside Sweeping Contract with Damel Corporation, Inc. and deleting 1) lease agreement with Ecolab for jail dishwasher. Motion carried.

Public Works Director Michal Hanson presented to the Board for consideration and approval a contract for curbside sweeping and quotes for tractor rentals.

Motion made by Commissioner Reinartz, seconded by Commissioner Baldus, to approve the 2021 Curbside Sweeping Contract with Damel Corporation, Inc. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to approve Public Works to rent two tractors from SEMA equipment for the purpose of mowing. Motion carried.

Under Committee Reports Commissioner Reinartz indicated that he has been attending several Senior Center Board meetings for the purposes of discussing reopening the senior center and the director position.

Motion made by Commissioner Reinartz, seconded by Commissioner Baldus, to approve the minutes of March 23, 2021. Motion carried.

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Above All Cleaning, Inc	2,128.00	Mayo Clinic -Rochester	2,091.67
Anoka County Corrections	28,461.75	MJ O'Connor Inc	2,052.80
Baudoin Oil Company	37,935.99	NetMotion Wireless	2,303.25
Brown-Campbell Company	5,070.00	Nexus-Mille Lacs Family Healing	5,455.08

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Bureau Of Criminal Apprehension	2,095.00	Olympic Fire Protection Corp	5,100.00
Charm-Tex Inc	2,741.30	Pacific Dunes Forensic Psychological	6,075.00
Consolidated Correctional Foodservice	14,881.25	Regents Of The University Of Minnesota	43,150.25
Erickson Engineering Co., LLC	17,068.50	SGTS Inc	7,107.74
Faegre Drinker Biddle & Reath LLP	2,073.50	Veolia Environmental Services Inc	5,509.97
Games People Play	2,169.84	75 Payments less than 2000	27,475.88
Grifols USA LLC	4,954.20	Final Total:	225,900.97

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to approve the annual renewal application for a consumption & display permit license effective through March 31, 2022 for Deer Creek Speedway, LLC. Motion carried.

The Board recessed at 1:15 p.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 1:16 p.m. in regard to CUP #913 of Lance R. and Snowell Pogones, applicants and landowners, for additional single family dwelling to be located in a mature wooded area located in Section 31, Lansing Township.

Valerie Sheedy, Assistant Environmental Services Supervisor, reviewed the permit and Planning Commission recommendations.

The Petitioners Lance and Snowell Pogones were present remotely and spoke on their own behalf. No other persons spoke for or against CUP #913.

The Chair closed the Public Hearing at 1:24 p.m. in regard to CUP #913 of Lance R. and Snowell Pogones, applicants and landowners, in Section 31, Lansing Township.

The County Board reconvened its regular session at 1:24 p.m.

Date: April 6, 2021

Res. #27-21

RESOLUTION

On motion of Commissioner Ankeny, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held April 6, 2021 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #913 of Lance R. Pogones and Snowell Pogones, Landowners, and Petitioners; to be issued pursuant to the Mower County Zoning Regulations for:

An additional single family dwelling to be located in a mature wooded area.

Location: On a 16.73 total (P1 13.38 ac, P2 3.35ac) acre parcel, located in Section 31, Lansing Township (T103N-R18W), and legally described as: Block 001 SubdivisionCd

08200 SubdivisionName VALLEY VIEW ACRES LOT 3 EXC W908FT, Mower County, Minnesota on a parcel identified per tax records as 08.200.0030; and

WHEREAS, Notice having been duly given, a public hearing held on the matter on March 30, 2021, at 7:00 p.m. in the Mower County Courthouse, Commissioner's Room before the Mower County Planning Commission, on said petition; and

WHEREAS, Notice having been duly given, a public hearing was held on April 6, 2021, 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 approval, 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. An approved ISTS (septic) design for the proposed septic system shall be obtained and submitted prior to construction of the residence and/or any other structure; and
3. A primary and secondary Type I septic 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; this area should be preserved and protected from compaction and/or construction or other damages which would render the site unusable and jeopardize the viability of the site for residential purposes; and
4. A Zoning Permit shall be obtained prior to the construction of any and all structures on the property; and
5. Petitioner must sign and notarize the "Rural and Agricultural Home Owners Assumption of Risk Assessment Form and have it recorded at the Mower County Recorder's Office; and
6. 911 addressing is required to be obtained through the Mower County Highway Dept. before construction if the site is not already assigned an E911 location; and
7. Shoreland Overlay and floodplain zones are present on the parcel. Any development in these areas is subject to the standards of those districts or zones; and
8. Wetland Review required: Petitioner has contacted the Mower County SWCD regarding the Wetland Conservation Act shall comply with the recommendations to maintain deminimus impact; and
9. The approval of the conditional use permit shall expire and be considered null and void two (2) years from the date of such approval 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 established then discontinued for a period of one (1) year as stated by Ordinance Section 14-134(g); and

10. If for any reason this parcel is further subdivided, subdivision of the parcel(s) into smaller tracts, parcels, or lots shall comply with the City of Austin's subdivision ordinance and any other applicable governmental rules, regulations, and/or procedures in effect at that time; and
11. 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
12. 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 4 Urban Expansion District Section 14-18.4 A. Residential Development Standards & 14-18.4 D additional dwelling by CUP; 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 April, 2021.

Sheriff Sandvik (remotely) and Sergeant Pike (in person) appeared before the Board to discuss Local Radio System Enhancements. Sergeant Pike informed the Board that some areas in the county have been identified needing a system enhancement. Ninety-five percent of the county has been covered by the ARMER system but in the communities of Grand Meadow and Lyle there is diminished portable radio coverage especially in industrial buildings (i.e. schools). ANCOM Wireless (formerly Whitewater Wireless) has identified a possible enhancement for these two areas: an outdoor distributed antenna system ("ODAS") administration system to be located on the water tower in the community. The estimated cost would be \$75,000 per town. The City of Grand Meadow has indicated a willingness to partner with the County to provide this enhancement for law enforcement, fire and ambulance to improve communication with portable radios. Prior to proceeding ANCOM will do a proof of concept for \$3000. Lyle has not yet embraced the ARMER system and is still using the VHF system. A grant application can be presented to the radio board which would require a 50-50 match from the local authority. Additional discussions with the City of Lyle may be needed.

Motion made by Commissioner Baldus, seconded by Commissioner Reinartz, to table approving applications to the SE MN Regional Radio Board for radio enhancements for the Cities of Grand Meadow and Lyle with a proof of concept study by ANCOM Wireless until the Lyle City Council has had an opportunity to meet and indicate an interest in proceeding. Motion carried.

Steve Lawler and Jon Erichson appeared before the Board to present Turtle Creek Watershed District annual report and program updates. The work of the managers has been focused on water quality, flood retention projects and providing recreational opportunities like canoe access.

Lee Gundershiemer, Kjellgren Alkire & Laura Helle appeared before the Board (remotely) on behalf of the Southeast Minnesota Arts Council (SEMAC) to present a program overview and update. SEMAC awards grants each year in two cycles to individual artists, arts organizations and non-arts organizations such as schools or local governments engaged in arts programming. Funding in southeastern Minnesota is made available through the MN State Arts Board / Legacy Dollars and the McKnight Foundation. Miranda Moen (remote connection) a grant recipient shared her story in how SEMAC helped her to establish her local architectural design business (Moen Design).

Jail Administrator James Brown presented to the Board for review, consideration and approval several agreements.

Motion made by Commissioner Baldus, seconded by Commissioner Reinartz, to approve the Data Works Plus technical support agreement for 24/7 support of the jail fingerprinting machine effective 6/1/21 – 5/31/22 (annual cost \$275.94). Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to approve the License Agreement with Fastcase effective 4/1/21 – 3/31/24 to provide an electronic law library to the inmate population. The annual cost is based on inmate population and an annual cost estimate is \$714. Motion carried.

There was a brief discussion on the lease agreement for a jail dishwasher. The lease agreement from Ecolabs has not yet been finalized for approval and will be brought again to the Board at a later date.

Motion made by Commissioner Baldus, seconded by Commissioner Reinartz, to adjourn the meeting at 2:41 p.m. Motion carried. The next meeting is scheduled for April 13, 2021 at 9:00 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____

Chairperson

Attest:

By: _____

Clerk/Administrator

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