

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

August 8, 2023

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session August 8, 2023 at 9:00 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Chair Mike Ankeny, Vice-Chair Jerry Reinartz, John Mueller, Dan Sparks and Polly Glynn. Also in attendance were County Attorney Kristen Nelsen, County Administrator Trish Gjersvik, Executive Assistant Denise Barthels.

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve the agenda. Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Glynn, to approve the consent agenda as presented:

1. Approve Minutes of July 25, 2023 and August 1, 2023

2. Approve CivicPlus Website Renewal Agreement effective 8/19/23 (\$12,861.70)

3. Approve Quit Claim Deed to the State of Minnesota as part of an eminent domain proceeding

4. Approve Liquor License: Chateau Speedway 1956 LLC – Seasonal Full Liquor – 3 Months August 1, 2023 – October 31, 2023

Motion carried.

#4 approval
rescinded on
8.22.23 and
new motion
to approve
license
effective
8.11.23 –
10.31.23

County Recorder Sara Madison provided the Board with a department update indicating the year has gone well with some staffing changes and office configuration changes. The vault holding many recorder documents has been emptied to house staff and the documents are being relocated. The records most used by researchers have been relocated to old central services creating a new area for researchers to access these records. The number of documents coming into the office for recording is down over the previous year-to-date and probably is a result of higher interest rates and fewer home purchases and refinancing. Passports applications increased by 55% over last year. A change to processing applications via set appointments has been well received and helpful in managing workflow and being able to arrange to have interpreter assistance for applicants who have English as a second language barriers.

Motion made by Commissioner Reinartz, seconded by Commissioner Sparks, 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	6,548.31	Freeborn County Co-Operative Oil Co.	11,595.62

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Advanced Correctional Healthcare, Inc	38,455.40	H & R Const. Co.	48,800.00
Anoka County Corrections	10,295.00	Harbaugh Septic LLC	3,550.00
Austin Area Chamber Of Comm.	2,400.00	Larson Law Office/Evan	4,535.00
Austin Daily Herald	3,974.63	Mayo Clinic Ambulance Services	2,330.10
Baudoin Oil Company	24,236.05	MCHS SE Minnesota	12,532.39
Bustad Dozing & Excavating	13,800.00	MEIGS Paving	284,294.06
CliftonLarsonAllen LLP	30,922.50	Mower County Shopper	2,500.00
Commissioner Of Transportation	7,858.29	Mower Soil & Water Conservation District	3,718.06
Consolidated Correctional Foodservice	18,553.96	Napa Auto Parts	2,415.00
Dave Lucas Consulting	3,510.00	Petroblend Corp.	3,471.07
Department Of Corrections	38,813.74	Ratwik, Roszak & Maloney, P.A.	2,212.31
DEXON Computer, Inc	25,950.00	Schaeffer Mfg Co.	6,025.45
Diamond Drugs, Inc.	2,409.90	Ziegler, Inc	7,707.78
Freeberg & Grund	2,250.00	76 Payments less than 2000	44,242.84
			Final Total: 669,907.46

Motion carried.

Under Committee Reports Commissioner Mueller encouraged the other commissioners to attend the fair opening ceremony scheduled for later in the day. He also reported he had attended the Government 201 session hosted by Association of Minnesota Counties in Waite Park on August 2. Commissioner Mueller reported that on August 1 he had attended the Fair Board meeting and the Planning Commission meeting. It was noted that also later in the day there would be a groundbreaking for the 1st & 3rd Apartments in Austin at which Commissioner Ankeny would be addressing the attendees. Commissioner Ankeny reported that he had attended the Cedar Wapsipinicon Watershed (CWW) project tour on August 2. Great water conservation projects are being done.

The Board recessed at 9:30 a.m. for the purpose of the Health & Human Services Board.

HEALTH & HUMAN SERVICES BOARD:

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the Health & Human Services accounts payable totaling \$84,398.38. Motion carried.

Motion by Commissioner Mueller, seconded by Commissioner Glynn, to approve TANF Home Visiting Grant effective 7/1/23-6/30/27 in the amount of \$207,012. Motion carried.

Motion by Commissioner Glynn, seconded by Commissioner Mueller, to approve PHEP Budget Period 5 (7/1/23-6/30/24) award in the amount of \$40,576. Motion carried.

Public Health Manager Pam Kellogg provided a Board with an opioid settlement update. Steps are being taken to prioritize where the opioid funding will be used. A survey was distributed to obtain public input on who best to use the roughly \$2 million that will come in over an 18 year timeframe. A summary of the survey priority results are as follows:

% of Funds:	30%	27%	26%	17%
Used in these categories	Treatment & Recovery	Criminal Justice	Prevention	Harm Reduction
With focus on these two programs	Treatment Expansion & Recovery Support	Law Enforcement & Community Corrections	Primary Prevention & Community	Family Support & Overdose-Reversal

Full survey results are available in Public Health.

Ms. Kellogg also provided the Board with an update on the Cannabis legislation. Rules and licensing will be established, and funding should be available. An Office of Cannabis Management has been established and more information will be received later this fall.

Health & Human Services Director Crystal Peterson reported that in accordance with the partnership established the mental health stabilization worker has arrived to work remotely from the Mower County Health & Human Services offices. Communications are being sent to inform staff and law enforcement of this valuable resource for individual mental health assessments being available locally during regular business hours. After hours, the previous procedure to call in for assessment assistance will be utilized.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve the social service actions. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to adjourn the Health & Human Services Board meeting at 10:09 a.m. Motion carried.

COUNTY BOARD

The Regular Session of the Board was reconvened at 10:10 a.m. for regular business items.

The Board recessed at 10:10 a.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 10:10 a.m. in regard to CUP #965 of Todd and Gina Grundmeier for an after-the-fact extended home occupation for operation of T N G Plumbing out of an accessory building on the property located in Section 28, Dexter Township.

Valerie Sheedy, Assistant Public Works Director, reviewed the permit and Planning Commission recommendations.

The Petitioner was not present. No one spoke for or against CUP #965.

The Chair closed the Public Hearing at 10:18 a.m. in regard to CUP #965 of Todd and Gina Grundmeier.

The County Board reconvened its regular session at 10:18 a.m.

Date: August 8, 2023

Res. #58-23

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 8, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #965, by Bonnie (deceased) Grundmeier and Todd Grundmeier (POA) Landowner(s), and Todd Grundmeier and Gina Grundmeier, Petitioner(s), who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

After-the-fact extended home occupation for operation of T N G Plumbing out of an accessory building on the property

Located in Mower County, Minnesota and legally described as:

All that part of the Southwest Quarter of Section 28, Township 103 North, Range 16 West, Mower County, Minnesota, described as follows: Commencing at the Southeast corner of the Southwest Quarter of said Section 28; thence North 00 degrees 19 minutes 22 seconds East a distance of 480.08 feet, on the East line of said Southwest Quarter; thence North 87 degrees 27 minutes 21 seconds West a distance of 601.70 feet; thence South 01 degrees 37 minutes 25 seconds West a distance of 501.12 feet, to a point on the South line of said Southwest Quarter; thence South 89 degrees 27 minutes 05 seconds East a distance of 612.63 feet, on the South line of said Southwest Quarter, to the point of beginning.

And identified per Mower County tax records as parcel 05.028.0070; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on August 1, 2023, at 5:30 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 August 8, 2023 before the Mower County Board of Commissioners, on said petition; and

WHEREAS, the County Board has received the Findings of Fact; and

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; and
2. This conditional use permit is granted on the premise that there is no customer showroom or need for customers to visit the site to choose or pick out products like that of a retail business. Should this change I operation occur, the Conditional Use Permit needs to be modified, including a new public hearing. Under the current practice where worker vehicles are less than 10 in fleet number and are picking up supplies, this CUP shall apply.
3. Expansion of an existing building, expansion of the business using an already existing building, or the addition of a new building to this site which does not change the

- nature of the operation, or where their work fleet (vehicles) does not exceed 10 vehicles; shall be allowed without need to modify the CUP as granted.
4. The 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). 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
 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. The Owner/Applicant shall comply with the County's Solid Waste Ordinance and keep the site in a neat, orderly and aesthetically pleasing condition. The owner/operator shall properly dispose of or recycle materials that are no longer being used. Waste or used product shall not be allowed to accumulate on the property and shall not be stored out of doors. Exception shall be made for items that are too large to place into the dumpster and will be picked up on the next dumpster empty/removal date. Items that can cause harm to the ground and/or environment should be properly contained.
 7. No burying of waste material is allowed and to do so would be in violation of MPCA Regulations and Mower County Solid Waste Ordinance; and
 8. 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
 9. The Owner/ Applicant shall provide adequate area onsite to park, back, turn-around, 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
 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 issued in accordance with Article II, Section 14-51 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 8th day of August, 2023.

The Board recessed at 10:22 a.m. and reconvened at 10:28 a.m.

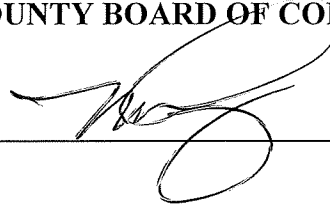
Don Smith provided the Board with an update on the gravel bed nursery and plans for tree replacement in Taopi. Mr. Smith has created a map of Taopi indicating the location of existing trees and plans for planting trees with an average height of five feet. Most will be placed in public right-of-way, but some will be on private property.

Don Smith was presented with a certificate of appreciation for his dedicated service to Mower County.

The Chair adjourned the meeting at 10:57 a.m. The next meeting is scheduled for August 22, 2023 at 9:00 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____



Chairperson

Attest:

By: Trish Hauer
Clerk/Administrator