

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

November 14, 2023

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session November 14, 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 Harren Gjersvik, Executive Assistant Denise Barthels, and Austin Daily Herald Editor Eric Johnson (remote).

The meeting was opened with the Pledge of Allegiance.

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

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

1. Approve Minutes of October 24, 2023 and November 7, 2023 work session
2. Approve Resolution of support for ARVIG Low-Density Border to Border Broadband Grant Application

Date: November 14, 2023

Res. #79-23

**RESOLUTION OF SUPPORT FOR ARVIG GRANT APPLICATION
TO MINNESOTA OFFICE OF BROADBAND BORDER TO BORDER**

On motion of Commissioner Mueller, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023, at the Government Center, Austin, Minnesota.

WHEREAS, Mower County is a rural county in Southeast Minnesota that continues to have a majority of its geography either unserved or underserved by broadband; and

WHEREAS, broadband has become a basic need for all residents for education, medical, business and other quality of life requirements; and

WHEREAS, broadband access in rural areas is linked to increased job and population growth, higher rates of new business formation, increased home values and lower unemployment rates; and

WHEREAS, Arvig is submitting a Minnesota Border to Border Broadband Low Density Grant Application to build out fiber in two low density unserved and/or underserved locations; and

WHEREAS, the Mower County Board of Commissioners understands the importance of Broadband for the constituents it serves.

NOW THEREFORE BE IT RESOLVED that Mower County supports the Application of ARVIG for a Minnesota Broadband Border to Border matching grant for the following project:

78 miles of fiber to provide 225 unserved/underserved locations in the rural area of Mower County including Racine Township, Frankford Township, Bennington Township, Clayton Township, and Southland School District for a total project cost of \$4,173,372.53. Arvig contribution is 11% or \$458,980.39, Border to Border Low Density Grant request is 75% or \$3,129,411.75 and Mower County portion is 14% or \$584,156.96.

Passed and approved this 14th day of November, 2023.

3. Motion to set December 12, 2023 at 10:00 at the regular board meeting for a public hearing on two new proposed cannabis ordinance(s)
Motion carried.

IT Director James Keltgen provided the Board with a department update. The department has been focusing on infrastructure. Following a BCA audit greater effort has been directed at segmenting the county and the sheriff networks. The ticket system for tracking the receipt and responses to technology assistance has been operational for 8 months. In that time 1700 tickets have been generated. The department's average response time is 26 minutes. The phone system generates a large number of help requests since it is at end of life. It will be replaced soon. The department is making strides in using vendors to solve problems through active use of the service agreements. The department is forward focusing and is also working with other counties for cyber security and focusing on building a firm infrastructure foundation.

The Board recessed at 9:24 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 \$187,482.77. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to Board Ratify the PH-DOC Maintenance and Support Agreement effective 1/1/2024-12/31/2026 (financial obligation for 2024 - \$28,250). Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to approve the Children's Mental Health Screening Grant through the Minnesota Department of Human Services in the amount of \$29,542 effective 1/1/2024 to 12/31/24. Motion carried.

At the invitation of Health & Human Services Director Crystal Peterson, Executive Director Karen Wolf and Finance Director Theresa Jacobs provided the Board with Nexus-Gerard Family Healing program presentation. Nexus-Gerard services include a 93 bed children's residential treatment program with different types of treatment programs such as long-term residential, comprehensive intensive bridging services and assessments. The focus is on addressing mental health crisis. The challenges are fewer licensed facilities and the availability of staff.

Ms. Peterson provided an overview of Foundational Public Health Services. There is a Minnesota Public Health Services goal that wherever you live you have access to the same minimum level of public health services. Among the community-specific services, Mower County is weakest in providing chronic disease and injury prevention services but is strong in providing child and family health services. Mower County is expected to receive an increase of \$105,000 in funding (total \$145,000) to meeting the foundational public health services

and plans to add 1.6 staff to meet the goal of providing minimum public health services in all fundamental areas.

Lastly, Ms. Peterson indicated that DocuSign has been implemented and has streamlined the annual process of updating/renewing the purchase of service agreements.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to approve housing support renewal Purchase of Service Agreements effective 7/1/23 – 6/30/24 for 1) Independent Management Services, 2) Lang's Board & Lodge, 3) St. Mark's Lutheran Home, and 4) Skinness, Julie as well as an amendment for mental health purchase of service agreement to extend LGC Services contract to 12/31/23. Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Sparks, to approve the Social Service Actions. Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Sparks, to adjourn the Health & Human Services Board meeting at 9:52 a.m. Motion carried.

COUNTY BOARD

The Regular Session of the Board was reconvened at 9:53 a.m. for regular business items.

Motion made by Commissioner Mueller, 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>
Advanced Correctional Healthcare Inc	19,913.85	Leadership Development Resources	5,753.00
Advanced Drainage Systems, Inc.	22,176.72	LSQ Funding Group, LLC	3,716.20
ASTECH	40,075.48	MCHS-Austin Clinic Pharmacy	2,836.00
Austin Automotive LLC	3,251.55	Midwest Monitoring & Surveillance	3,198.00
Baudoin Oil Company	47,045.62	Mineral Service Plus, LLC	18,462.50
Beckleys	4,762.00	OSI Environmental, Inc	3,270.00
CDW Government	3,519.11	Petroblend Corp.	6,208.03
Cedar Valley Services, Inc	58,284.64	Pomp's Tire Service, Inc	2,107.60
City Of Austin	11,716.26	Prairie Lakes Youth Programs Secure	10,850.00
Commissioner of Transportation	11,989.27	Precision Signs	3,139.97
Dave Lucas Consulting	4,570.00	Rochester Service Company	2,500.00
Dell Marketing L P	4,147.12	Sign Solutions USA	2,715.27
Department Of Transportation	8,448.00	Softree Technical Systems Inc	2,970.00
Diamond Mowers Inc	2,072.20	Subsurface, Inc.	4,346.65
Eric Boe and Sons LLC	2,050.00	Thomson Reuters-West Payment Center	2,144.62
Erickson Engineering Co., LLC	5,245.00	Tiny's Body Shop	5,313.14
Fitzgerald Excavating & Trucking, Inc	66,014.91	Uline	6,085.46
Freeborn County Co-Operative Oil Co.	12,343.83	Ulland Brothers Inc.	60,750.30
Hancock Concrete Products, LLC	9,120.20	Village Ranch Inc	15,305.51
J & S Repair Inc	3,882.50	White Cap	3,447.52
Jones Haugh & Smith Inc	2,250.00	Ziegler, Inc	208,532.11
Kiker Brothers, Inc.	17,977.10	96 Payments less than	51,102.91
KnowBe4, Inc.	4,513.13		
		Final Total:	790,123.28

Motion carried.

The Saint Paul Port Authority had presented a letter of request for the Board to approve a resolution to place a special PACE assessment on parcel 12.029.0021 of J&K Farms, LLC. J&K Farms will add solar panels on its hog farm.

Commissioner Reinartz was excused at 10:00 a.m.

Date: November 14, 2023

Res. #80-23

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, Resolution #75-17 approved a Joint Powers Agreement (JPA) with the Saint Paul Port Authority to administer the Property Assessed Clean Energy (PACE) program for Mower County: and

WHEREAS, The County has received a request from the Saint Paul Port Authority to place a special assessment on property tax parcel 12.029.0021, pursuant to the JPA.

NOW, THEREFORE, BE IT RESOLVED That a special assessment of \$87,125 plus interest at 5.00% and any fees incurred shall be placed on parcel 12.029.0021 for property owner J & K Farms, LLC to be amortized evenly over the ten-year term of the assessment with the interest accrual date of January 1, 2024.

Passed and approved this 14th day of November, 2023.

The Saint Paul Port Authority had presented a letter of request to amend Resolution #44-21 dated 6/22/21 regarding the JCW-NuTek PACE assessment.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to amend Resolution #44-21 dated June 22, 2021 to change PACE assessment amount for JCW Creekside LLC from \$2,970,890 plus service fee of \$1,200 with interest rate of 6.65% over 20 years to a new assessment amount of \$2,895,195.92 with interest rate of 6.6% over 19 years beginning 1/1/2024. Motion carried. Commissioner Sparks abstained.

The Board recessed at 10:03 a.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 10:03 a.m. regarding a Housing Tax Abatement application of Charles Kerrins for a single-family home located Block 1, Lot 2 Pheasant Run Estates Third, City of Grand Meadow (PIN 25.203.0030).

County Administrator Trish Harren reviewed the application and recommended approval. It was noted that the housing project has already been completed.

The applicant was not present. No one spoke for or against the Kerrins housing tax abatement application.

The Chair closed the Public Hearing at 10:05 a.m. regarding the Charles Kerrins Housing Tax Abatement application.

The Chair called the Public Hearing to order at 10:06 a.m. regarding a Housing Tax Abatement application of Michael Stier for a single-family home located in Section 24 Grand Meadow Township (PIN 07.024.0060)

County Administrator Trish Harren reviewed the application and recommended approval.

The applicant Michael Stier was not present. No one spoke for or against the Michael Stier housing tax abatement application.

The Chair closed the Public Hearing at 10:08 a.m. regarding the Michael Stier Housing Tax Abatement application.

The Chair called the Public Hearing to order at 10:08 a.m. in regard to CUP #967 of Theravada Buddhist Society of Minnesota to build a new 40ft x 80ft building to be used as a Buddhist Temple/Church and additional structures in phases; Phase 2, 5-10 years: 40ft x 40ft kitchen, dining and bathroom addition to North side of initial structure; Phase 3, 5-10 years: 28ft x 40ft Monk housing addition to North side of initial structure, located in Section 31 of Lansing Township.

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

The Petitioner was present. Two persons spoke in favor of CUP #967.

The Chair closed the Public Hearing at 10:37 a.m. in regard to CUP #967 of Theravada Buddhist Society of Minnesota.

The County Board reconvened its regular session at 10:38 a.m.

Date: November 14, 2023

Res. #81-23

**RESOLUTION APPROVING TAX ABATEMENT
FOR CERTAIN PROPERTY PURSUANT TO MINN. STAT. 469.1813**

On motion of Commissioner Glynn, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, Minnesota Statute 469.1813 gives authority to the County of Mower to grant an abatement of property taxes imposed by the County if certain criteria are met; and

WHEREAS, in addition to the statutory requirements, Mower County has adopted the Tax Abatement Policy for new construction of Single and Multi-family homes which includes criteria which must be met before an abatement of taxes will be granted; and

WHEREAS, Charles Kerrins is the owner of certain property within Mower County, legally described as follows:

Block 1 Pheasant Run Estates Third Lot 2 & 3; EXC E49FT Lot 2, Grand Meadow, MN (PIN 25.203.0030)

WHEREAS, Charles Kerrins has made application to Mower County for the abatement of taxes as to the above-described parcel; and

WHEREAS, Notice having been duly given, a public hearing was held on November 14, 2023 before the Mower County Board of Commissioners, on said application.

WHEREAS, Charles Kerrins has met the statutory requirements outlined under Minnesota Statute 469.1813 Subdivision 1(1) and Subdivision 2(i) as well as Mower County's criteria for tax abatement;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MOWER COUNTY, MINNESOTA:

1. Mower County does, hereby grant an abatement of Mower County's share of real estate taxes upon the above-described parcel for the construction of the single-family home.
2. The tax abatement will be for no more than five years commencing, in the tax year the property realizes a value increase over original value due to construction of the housing project. Partially constructed housing may result in an abatement in the first abatement year that may be significantly less than the following years. This will still be considered one of the five years of eligible abatement. In the event construction has not commenced within one year of approval, the abatement is eliminated and the property owner will need to reapply in accordance with this policy.
3. The County shall provide the awarded abatement payment following payment of due real estate taxes annually. One single payment shall be made to the owner of record at the time of the payment, by December 30th of that calendar year.
4. The real estate taxes to be abated shall be for up to the full amount of the real estate taxes collected due to the added tax base of the newly constructed housing/home annually. The current value of the property is not eligible for the abatement, will not be abated as part of this program and is further defined as the "original value." Any eligible abatement years are calculated on the tax increase due to a value increase over the original value.

Passed and approved this 14th day of November, 2023.

Date: November 14, 2023

Res. #82-23

**RESOLUTION APPROVING TAX ABATEMENT
FOR CERTAIN PROPERTY PURSUANT TO MINN. STAT. 469.1813**

On motion of Commissioner Glynn, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, Minnesota Statute 469.1813 gives authority to the County of Mower to grant an abatement of property taxes imposed by the County if certain criteria are met; and

WHEREAS, in addition to the statutory requirements, Mower County has adopted the Tax Abatement Policy for new construction of Single and Multi-family homes which includes criteria which must be met before an abatement of taxes will be granted; and

WHEREAS, Michael Stier is the owner of certain property within Mower County, legally described as follows:

16.67 AC SE1/4 SW1/4 S OF RR EXC 1.67 AC SW COR in Section 24 Grand Meadow Township, MN (PIN 07.024.0060)

WHEREAS, Michael Stier has made application to Mower County for the abatement of taxes as to the above-described parcel; and

WHEREAS, Notice having been duly given, a public hearing was held on November 14, 2023 before the Mower County Board of Commissioners, on said application.

WHEREAS, Michael Stier has met the statutory requirements outlined under Minnesota Statute 469.1813 Subdivision 1(1) and Subdivision 2(i) as well as Mower County's criteria for tax abatement;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MOWER COUNTY, MINNESOTA:

1. Mower County does, hereby grant an abatement of Mower County's share of real estate taxes upon the above-described parcel for the construction of the single-family home.
2. The tax abatement will be for no more than five years commencing, in the tax year the property realizes a value increase over original value due to construction of the housing project. Partially constructed housing may result in an abatement in the first abatement year that may be significantly less than the following years. This will still be considered one of the five years of eligible abatement. In the event construction has not commenced within one year of approval, the abatement is eliminated and the property owner will need to reapply in accordance with this policy.

3. The County shall provide the awarded abatement payment following payment of due real estate taxes annually. One single payment shall be made to the owner of record at the time of the payment, by December 30th of that calendar year.
4. The real estate taxes to be abated shall be for up to the full amount of the real estate taxes collected due to the added tax base of the newly constructed housing/home annually. The current value of the property is not eligible for the abatement, will not be abated as part of this program and is further defined as the "original value." Any eligible abatement years are calculated on the tax increase due to a value increase over the original value.

Passed and approved this 14th day of November, 2023.

Date: November 14, 2023

Res. #83-23

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #967, by Theravada Buddhist Society of Minnesota and Landowner(s), and Hteet Powl, Petitioner(s), who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

to build a new 40ft x 80ft building to be used as a Buddhist Temple/Church and additional structures in phases; Phase 2, 5-10 years: 40ft x 40ft kitchen, dining and bathroom addition to North side of initial structure; Phase 3, 5-10 years, 28ft x 40ft monk house addition to north side of initial structure.

Located in Mower County, Minnesota and legally described as:

That part of the South 435 feet of the North Half of the Southeast Quarter of Section 31, lying East of the center line of Turtle Creek, and the South 435 feet of the West 169.5 feet of the Northwest Quarter of the Southwest Quarter of Section 32, all in Township of 103 North, Range 18 West, all in Mower County, Minnesota 8.56 AC And identified per Mower County tax records as parcel 08.031.0010; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on November 8, 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 November 14, 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. Applicants shall follow all local, state, and federal regulations regarding the proposed use. The applicant shall be responsible for demonstrating that they are meeting all state and local requirements to obtain a zoning permit for construction. This may include, but not be limited to permits, compliance or approvals from the following: MN Building Code, MN Fire Code, MN Plumbing Code, Handicap Accessibility Code, Plan and/or plumbing review from the MN Department of Health, Lansing Township, Access Permits, 911 addressing, Zoning Permits and/or shoreland alteration permits, making sure floodplain standards are met/exceeded if applicable, erosion control plan, NPDES Stormwater permit, SWCD wetland review, etc.; and
2. 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
3. The permit is granted based on the requested 40'x80' portion of the temple facility constructed to a maximum capacity of 120-parishioners. An expansion of the temple facility to accommodate more than 120-parishioners will require a modified conditional use permit request. This application includes the Monks living area and the future proposed kitchen facilities. These additional features are included as part of this CUP and shall not affect the 120-parishioner capacity if constructed for the purposes intended in this plan as submitted; and
4. A Zoning Permit shall be obtained prior to any construction of any structure. If there are construction activities ongoing in a shoreland area or floodplain area; all permits must be obtained prior to removal of vegetation, grading, or filling on the property; and
5. An approved ISTS Design for the proposed septic system obtained and submitted prior to construction of the church/temple and/or any other structure; and
6. A 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 landowners records. The area should be preserved and protected from compaction and/or construction or other damages. If a Type I septic system primary and secondary site(s) cannot be located on the proposed parcel, a variance is required before a zoning permit can be issued, or the site is not developable for residential purposes; and
7. Petitioner must sign and notarize the "Rural and Agricultural Homeowners Assumption of Risk Assessment Form" and have it recorded at the Mower County Recorder's Office; and
8. 911 addressing is required, and 911 signage shall be displayed at the driveway in accordance with Mower County's 911 policy; and
9. Site access (ingress/egress) may require approval by the Local Road Authority; and
10. Outdoor lighting shall be deflected downward and shall not cause a nuisance to the neighboring landowners; and
11. Any signage must meet the requirements of the Mower County Ordinance; and

12. 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.
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. The Owner/Applicant shall abide by all road and bridge weight restrictions or postings that apply to roads used as an ingress/egress to the property; and
17. 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. Should this become problematic in the future; the applicant/owner may be responsible for posting road signs "no parking" which comply with "official sign requirements per MN Dot standards"; and
18. The Owner/Applicant shall be required to provide dust control (not to utilize used oil (illegal)) so as not to create a nuisance to neighboring property from the additional traffic; and
19. 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
20. 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.
21. Applicant shall actively manage stormwater runoff from the property so that it does not impact neighboring properties, specifically, the site drainage shall be assessed upon initiation of the overflow parking area and managed such that salt, sand, debris, or other material resulting from this land use does not discharge onto or impact adjoining the properties.

This permit is issued in accordance with Section Section 14.61. Conditional Uses in UE District, Item C. Churches of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 14th day of November, 2023.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to authorize the Chair to sign the FY2024 & 2025 Natural Resources Block Grant Agreement and to accept the grant funds totaling \$101,188.00 which are used to staff Septic and Shoreland programs as well as to support Soil and Water Conservation District in providing Water Planning and Wetland Compliance. Motion carried.

The Commissioners set December 12 from 2 p – 4 p for the annual Commissioner hosted Employee Cookie Party.

Realty Specialist Eric Earhart & District Manager Jon Beyer from U.S. Fish & Wildlife Services Windom Wetland Management District presented to the Board information with a request to certify for acquisition land for a habitat easement. The habitat easement is for land restoration for the benefit of wetland fowl.

Motion made by Commissioner Mueller, seconded by Commissioner Sparks, to note they were presented the request to certify the acquisition of land for a wildlife habitat easement and to authorize the Board Chair to certify U.S. Fish and Wildlife Service's acquisition of lands secured from Gary and Jan Medgaarden legally described as T103N, R18W, Section 18, Part of W 1/2 NE 1/4 & NW 1/4 SE 1/4 to be surveyed as a Grant of Easement for Wildlife Habitat Protection. Motion carried.

Adam Gracia NextEra Senior Project Manager provided the Board with a Timberwolf Solar Project update. Mr. Gracia is the new senior project manager on the project. The project is estimated to consist of approximately 250,000 solar panels on approximately 460 acres with the total project area to be approximately 525 acres which includes fencing. The goal is to start construction on the project in May 2025 with it fully operational by August 2026. The company is working with the county to develop land use agreements. In response to questions by the Commissioners, Mr. Gracia noted that there plans for decommissioning of the project after the expected 30-year usefulness of the project. It is estimated that the county should receive approximately \$800,000 per year in annual production tax revenue.

Date: November 14, 2023

Res. #84-23

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 050-614-012 completed by Asphalt Surface Technologies Corporation has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 804,519.92
Final Amount: \$ 801,509.56 [99.63%]
Final Payment: \$ 40,075.48

Passed and approved this 14th day of November, 2023.

Mike Hanson, Public Works Director, presented bid information received for projects SAP 050-599-169, SAP 050-599-177, and SAP 050-599-183.

Motion made by Commissioner Mueller, seconded by Commissioner Sparks, to award the bid on project SAP 050-599-169 to the low bidder Fitzgerald Excavating with a low bid of \$445,101.25 and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to award the bid on project SAP 050-599-177 to the low bidder Fitzgerald Excavating with a low bid of \$292,317.50 and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to award the bid on project SAP 050-599-183 to the low bidder Fitzgerald Excavating with a low bid of \$150,777.50 and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

Date: November 14, 2023

Res. #85-23

**RESOLUTION
Local Road Improvement Program Grant Agreement
Grant Terms and Conditions
SAP 050-599-183**

On motion of Commissioner Glynn, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, Mower County has applied to the Commissioner of Transportation for a grant from the Local Road Improvement Fund for construction of Bridge No. 50L00; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, the amount of the grant has been determined to be \$140,777.50 by reason of the lowest responsible bid;

NOW THEREFORE, BE IT RESOLVED that Mower County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Local Road Improvement Fund any amount appropriated for the project but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

Passed and approved this 14th day of November, 2023.

Date: November 14, 2023

Res. #86-23

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, project number CP 50-23-11 completed by Subsurface, Inc. has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 434,665.00
Final Amount: \$ 434,665.00 [100%]
Final Payment: \$ 4,346.65

Passed and approved this 14th day of November, 2023.

Date: November 14, 2023

Res. #87-23

RESOLUTION

On motion of Commissioner Mueller, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 050-599-176 completed by Fitzgerald Excavating & Trucking, has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 665,016.00
Final Amount: \$ 661,192.18 [99.43%]
Final Payment: \$ 33,059.61

Passed and approved this 14th day of November, 2023.

Date: November 14, 2023

Res. #88-23

RESOLUTION

On motion of Commissioner Sparks, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 050-599-180 completed by Fitzgerald Excavating & Trucking, has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 338,719.00
Final Amount: \$ 335,662.92 [99.10%]
Final Payment: \$ 16,783.15

Passed and approved this 14th day of November, 2023.

Date: November 14, 2023

Res. #89-23

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 050-599-182 completed by Fitzgerald Excavating & Trucking, has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 324,379.00
Final Amount: \$ 323,443.00 [99.71%]
Final Payment: \$ 16,172.15

Passed and approved this 14th day of November, 2023.

Date: November 14, 2023

Res. #90-23

RESOLUTION

On motion of Commissioner Mueller, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 14, 2023 at the Government Center, Austin, Minnesota.

BE IT RESOLVED that Mower County enter into MnDOT Agreement No. 1054618 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the County to the State of the County's share of the costs of the traffic control signal system construction and other associated construction to be performed upon, along, and adjacent to Trunk Highway 90 from 350 feet west of TH 105 to 1,300 feet east of TH 218S/21st Street within the corporate limits of the City of Austin under State Project 5080-170 (TH 90=009).

BE IT FURTHER RESOLVED that the Mower County Chair and the County Administrator are authorized to execute the Agreement and any amendments to the Agreement.

Passed and approved this 14th day of November, 2023.

Human Resource Director Kris Kohn reported to the Board that Aging Services is the fastest growing area of public health. The caseload has increased by 20% just in the last year alone. The current Public Health Supervisor has 20 direct reports. There are an additional four employees reporting directly to the Public Health Manager due to the lack of capacity for one Public Health Supervisor. The state legislature made a significant investment in public health during the 2023 legislative session for a public health reorganization at the county level to increase capacity in public health emergency preparedness, foundational public health, and Cannabis education. This means additional expectations from existing staff. There is a request to create a new position that will allow the long term care coordinators to be reorganized into an Aging Services Unit with their own supervisor. By creating this position, the county can add the care coordinator position to the time study and be eligible for reimbursement for a percentage of their time. The estimated revenue is \$172,506 which exceeds the amount needed to fully cover the salary and benefits of the requested additional FTE Aging Services Supervisor position.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to approve creating an Aging Services Unit in Health & Human Services public health staffed by the long term care coordinators and authorize adding one FTE position of Public Health Aging Services Supervisor. Motion carried.

Human Resource Director Kris Kohn reported that the Emergency Manager job description has been reviewed and revised to include 1) a change in supervision from Administration to Sheriff's Office, and 2) a title change to Emergency Manager/Operations Manager. This change is part of enhancements to the PSAP Division. The job description has been reviewed by David Drown & Associates and no change to the classification is recommended. There is no cost to this change.

Motion made by Commissioner Sparks, seconded by Commissioner Glynn, to approve modifying the job description of Emergency Manager to 1) a change in supervision from Administration to Sheriff's Office, and 2) a title change to Emergency Manager/Operations Manager Job Description. Full job description as modified on file in Human Resources. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to approve up to 2-month unpaid leave of absence for employee #5238 per Personnel Policy D130. Motion carried.

Human Resources Generalist Rochelle Klavig presented a request to re-allocate one of the unfilled Correctional Officer FTE's to a new position of Public Safety Tech II. This request is a result of the Department of Corrections requirement for jail security footage review and audits. This requirement takes approximately 120 hours of time each month. The Assistant Jail Administrator has been doing these duties, which means he is unable to complete other duties that are essential to the running of the Correctional Facility. This position would also take on a number of other duties to provide relief for correctional officers, including providing requested digital information including facility footage, body worn camera data, communication logs, facility booking logs and other info to law enforcement partners. This request was reviewed by the Personnel Committee and recommended for approval by the Board.

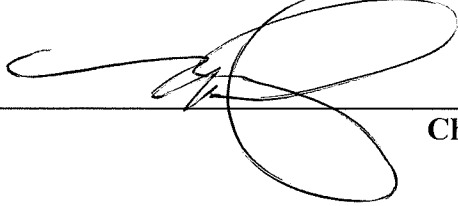
Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to reallocate one full-time open union position of a Correctional Officer to a new non-union position of Public Safety Tech II and the job description for the new position. Motion carried.

Under Committee Reports Commissioner Glynn reported attending the SWCD meeting on 11/8 and the SEMCAC meeting on 11/13. SEMCAC has hired a new director. Commissioner Mueller reported that on 11/6 he attended a personnel committee meeting and a fair board annual meeting. On 11/8 he attended the planning commission meeting. Commissioner Sparks reported on attending the One Watershed One Plan meeting on 11/1 and the annual budget was reviewed. Commissioner Mueller reported that the SWCD had finished the retention project in Red Rock township. Commissioner Glynn and County Administrator Trish Gjersvik reported that efforts are being made to acquire letters of support for the Arvig border to border application by sending out letters to businesses and residents in the project area and by attending local township and school board meetings.

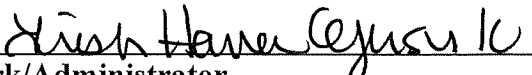
The Chair adjourned the meeting at 11:55 a.m. The next regular meeting is scheduled for November 28, 2023 at 9:00 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____


Chairperson

Attest:

By: 
Clerk/Administrator