REGULAR SESSION OF THE MOWER COUNTY BOARD OF COMMISSIONERS

December 12, 2023

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session December 12, 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.

The meeting was opened with the Pledge of Allegiance.

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

Date: December 12, 2023 **Res. #92-23**

RESOLUTION

On motion of Commissioner Reinartz, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 12, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, on September 12, 2023 the Mower County Board of Commissioners adopted a preliminary tax levy;

WHEREAS, on September 12, 2023 the Mower County Board of Commissioners set the public hearing on said levy and County Budget to December 11, 2023 at 6:30 p.m.;

WHEREAS, on December 11, 2023, a public annual budget and levy hearing was held;

NOW THEREFORE BE IT RESOLVED that the 2024 net property tax levy be set at $25,004,366 (5.5%); and

THEREFORE, BE IT FURTHER RESOLVED that the 2024 non-levy revenue and expenditure budgets which were used as the basis for the property tax levy certification as recommended by the County Finance Committee are hereby adopted; and that the 2024 budget for the County is as
follows:

EXPENSES

General Government	
Board of Commissioners	243,313
Courts	366,500

SOURCE of Funds

Revenues- General Government	
Tax Levy	15,941,737
State Formula Aid	3,284,813

Administration	482,451
County Auditor/Treasurer	382,188
Taxpayer Services	177,819
Elections	491,251
Data Processing	1,283,576
Human Resources	475,211
Attorney	1,741,390
Law Library	40,327
Recorder	332,486
County Assessor	804,851
GIS	387,793
Buildings & Plant	937,427
Veterans Service Officer	325,734
Land Records	195,500
Accounting & Auditing	629,441
Net Use of Reserves	211,357
Total General Government	**9,508,615**

Public Safety	
Sheriff	4,495,855
E-9-1-1	103,503
Sentence to Serve	77,715
Coroner	135,212
County Jail	4,409,182
Community Corrections	2,435,966
Civil Defense/Emergency Management	162,587
Law Enforcement Center	1,853,385
Canteen	46,500
Bailiffs & Guards	30,736
Total Public Safety	**13,750,641**

Culture & Recreation	
Historical Society	64,959
Senior Citizens	56,000
CHORE	36,000
Regional Library	330,500
Other	43,958
Total Culture & Recreation	**531,417**

Conservation of Natural Resources	
Cooperative Extension	209,660
Soil & Water Conservation	170,000
Agricultural Society	75,000
Total Conservation of Natural Resources	**454,660**

Economic Development	
Development Corporation	442,000
Total Economic Development	**442,000**
Unallocated	
Insurance	635,977
Other	609,280
Total Unallocated	**1,245,257**
Net Use of Reserves	
Total General Revenue Fund	**25,932,590**

Del Tax & Penalties, Mortgage Tax	189,600
Wind Production Tax	981,000
PILT & POWER	113,564
Special Assessments	0
License/Permits	74,165
Intergovernmental	1,825,363
Charges For Services	1,359,378
Fines & Forfeits	22,000
Investment Income	1,000,150
Miscellaneous	1,108,620
Sales	32,200
Total General Government	**25,932,590**

Public Works	
Tax Levy	3,186,380
Wheelage Tax	375,000
Local Transit Tax	2,000,000
Wind Tax	680,000
Intergovernmental	13,343,197
Permits	114,250
Charges For Services	153,000
Miscellaneous	415,000
Sales	30,000
Net Use of Reserves	0
Total Highway & Streets	**20,296,827**

Human Services & Public Health	
Tax Levy	6,427,552
Intergovernmental	10,230,236
Charges For Services	1,476,770
Miscellaneous	476,100
Net Use of Reserves	98,340
Total Human Services	**18,708,998**

Sanitation	
Special Assessments	1,175,964
Intergovernmental	162,206
Charges For Services & License	87,500
Sales	100,000
Total Sanitation	**1,525,670**

Ditch	
Special Assessments	136,000
Use of Reserves	44,225
Total Ditch Funds	**180,225**

Capital Projects Fund	
Use of Reserves	180,000
Wind Tax	100,000
Total Building Maintenance	**280,000**

Public Works	
Administration	749,308
Maintenance	5,052,719
Construction	11,480,537
Equipment Maintenance & Shop	1,268,989
Building & Grounds	272,326
Planning & Zoning	196,116
Environmental Health	298,399
Agricultural Inspector	4,905
Feedlot	116,660
Addition to Reserves	856,868
Total Highways & Streets	**20,296,827**
Human Services	
Income Maintenance	5,729,427
Social Services	10,700,611
Unallocated-ARPA	98,340
Total Human Services	**16,528,378**
Health	
Community Health Services	593,314
State Health Improvement Plan	45,487
MSHO	0
Womens,Infant & Children	3,900
Disease Prevention	594,242
Family Health	943,677
Total Health	**2,180,620**
Sanitation	
Recycling	1,494,393
Addition to Reserves	31,277
Total Sanitation	**1,525,670**
Capital Projects Fund	
Countywide Projects/Maintenance	280,000
Total Capital Projects Fund	**280,000**
Ditch	
Repairs & expenses	180,225
Total	**180,225**
Sewer Loan	
Contracted Services	275,000
Return of Principal	250,000
Total County Expenses	**67,449,310**

Sewer Loan	
Revenue	
Interest on Specials	
Special Assessments - Princ	175,000
Use of Reserves	350,000
Total Revenue	**525,000**

Total County Revenues/Sources	**67,449,310**

IT IS FURTHER RESOLVED:

1. Departmental expenditures, except Personnel items, shall not exceed the approved budget. To provide flexibility to the department, the County Administrator is authorized to approve department budget amendments up to $10,000 with an annual maximum of $50,000. All other budget amendments shall require County Board approval.

2. Personnel line items are based on position authorization listings and estimates of staffing needs developed during the budget preparation process. Any changes in payroll shall be subject to County Board approval through one of the following actions:

i. General salary adjustments authorized by the County Board;
ii. Salary adjustments pursuant to union contract provisions or statutory requirements;
iii. Specific authorization to fill a vacancy, add a new position or change a position classification.

3. Expenditure of funds budgeted shall be subject to applicable statutory procedures requiring proposals or bidding and any proposed expenditure in excess of $25,000 shall be subject to prior approval of the County Board.

4. Department heads shall be responsible for maintaining sufficient internal departmental expenditure and receipt records to conform to requirements of this budget policy.

Passed and approved this 12th day of December, 2023.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve the consent agenda as presented:
1. Approve Minutes of November 14 and November 28, 2023
2. Approve Resolutions adopting Assessments for Septic Loans for the following:
a. Kenneth D. and Louise M. Hrabek (PIN 22.025.0040): $22,606.59 loan assessment

Date: December 12, 2023 **Res. #93-23**

RESOLUTION ADOPTING ASSESSMENT

On a motion from Commissioner Glynn, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at meeting held December 12, 2023, at the Government Center, Austin, Minnesota.

WHEREAS, pursuant to the policies of the Mower County Septic Loan program the owner of property has requested a loan from Mower County for replacement of a failing septic system on the below-listed property and has requested to pay back that loan by assessment to the subject property, to Mower County, over a ten-year term.

Property owner(s): Kenneth D. Hrabek and Louise M. Hrabek, spouses

Property address: 16966 520th Avenue, Austin MN 55912

Parcel Identification No: 02.025.0040

Tax parcel legal description: Section 28 Township 102 Range 018 W220.5FT N227FT S420.5FT SW1/4 SW1/4 1.15 AC

Assessment amount: $22,606.59, (Twenty Two Thousand, Six Hundred Six dollars and 59/100)

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

1. Such proposed assessment, made part hereof, is hereby accepted and shall constitute the special assessment against the lands named herein, and each tract of land herein included is hereby found to be benefitted by the proposed improvement and the amount of the assessment levied against it.
2. Such assessment shall be payable in simple decreasing installments extending over ten (10) years. The first of the installments shall be payable along with the first half taxes when due, as reflected on the tax statement payable year 2024, and shall bear interest at the rate of three percent per annum. Each payment including interest thereafter will be paid with taxes payable, until the assessment obligation is satisfied.

3. The owner of any property, so assessed, may pay the entire assessment on such property by December 31, 2023, without interest accrued.

   Thereafter the owner of property, so assessed, may pay the annual assessment amount, or any amount exceeding the annual assessed amount so listed on the tax statement, with any unpaid interest accrued to December 31 of the year in which such payment is made.

   The County will accept payments up until the close of business day December 31 in the year of payment. If December 31st is a weekend or holiday; payment must be received in advance of closing of the last business day in the year payment is made.
4. There shall be no penalty for advance payment or pay-off of the full balance of the assessment.
5. The County Administrator / clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax list of the County and such assessment shall be collected and paid over the same manner as other municipal taxes.
6. This assessment must be paid in full at the time of property transfer to any other owner, owners, heirs, assigns or entity.

BE IT FURTHER RESOLVED that the Mower County Board Chair is hereby authorized to execute the Promissory Note on behalf of the County for the loan of funds from the Mower County Septic Loan program.

Passed and approved this 12th day of December, 2023.

b. Donald & Karen Sundberg (PIN 08.025.0041): $21,545.37 loan assessment

Date: December 12, 2023 **Res. #94-23**

RESOLUTION ADOPTING ASSESSMENT

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 December 12, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, pursuant to the policies of the Mower County Septic Loan program the owner of property has requested a loan from Mower County for replacement of a failing septic system on the below-listed property and has requested to pay back that loan by assessment to the subject property, to Mower County, over a ten-year term.

Property owner(s): Donald Ricky Sundberg and Karen Lucille Sundberg, spouse

Property address: 23835 555th Avenue, Austin MN 55912

Parcel Identification No: 08.025.0041

Tax parcel legal description: Section 25 Township 103 Range 018 N461.5FT S706.5FT N1/2 NW1/4 E OF RR

Assessment amount: $21,545.37, (Twenty one Thousand Five Hundred Forty five and 37/100)

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

1. Such proposed assessment, made part hereof, is hereby accepted and shall constitute the special assessment against the lands named herein, and each tract of land herein included is hereby found to be benefitted by the proposed improvement and the amount of the assessment levied against it.
2. Such assessment shall be payable in simple decreasing installments extending over ten (10) years. The first of the installments shall be payable along with the first half taxes when due, as reflected on the tax statement payable year 2024, and shall bear interest at the rate of three percent per annum. Each payment including interest thereafter will be paid with taxes payable, until the assessment obligation is satisfied.
3. The owner of any property, so assessed, may pay the entire assessment on such property by December 31, 2023, without interest accrued.

Thereafter the owner of property, so assessed, may pay the annual assessment amount, or any amount exceeding the annual assessed amount so listed on the tax statement, with any unpaid interest accrued to December 31 of the year in which such payment is made.

The County will accept payments up until the close of business day December 31 in the year of payment. If December 31st is a weekend or holiday; payment must be received in advance of closing of the last business day in the year payment is made.

4. There shall be no penalty for advance payment or pay-off of the full balance of the assessment.
5. The County Administrator / clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax list of the County and such assessment shall be collected and paid over the same manner as other municipal taxes.
6. This assessment must be paid in full at the time of property transfer to any other owner, owners, heirs, assigns or entity.

BE IT FURTHER RESOLVED that the Mower County Board Chair is hereby authorized to execute the Promissory Note on behalf of the County for the loan of funds from the Mower County Septic Loan program.

Passed and approved December 12, 2023.

c. Gregory & Kathy Hulst (PIN 19.010.0040): $21,901.41 loan assessment

Date: December 12, 2023 **Res. #95-23**

RESOLUTION ADOPTING ASSESSMENT

On a motion from Commissioner Glynn, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at meeting held December 12, 2023, at the Government Center, Austin, Minnesota.

WHEREAS, pursuant to the policies of the Mower County Septic Loan program the owner of property has requested a loan from Mower County for replacement of a failing septic system on the below-listed property and has requested to pay back that loan by assessment to the subject property, to Mower County, over a ten-year term.

Property owner(s): Gregory S.Hulst and Kathy Jo Hulst, spouses

Property address: 32130 STATE HWY 56, WALTHAM MN 55982

Parcel Identification No: 19.010.0040

Tax parcel legal description: Section 10 Township 104 Range 017 S1/2 S1/2

Assessment amount: $21,901.41, (Twenty One Thousand Nine Hundred One dollar and 41/100)

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

1. Such proposed assessment, made part hereof, is hereby accepted and shall constitute the special assessment against the lands named herein, and each tract of land herein included is hereby found to be benefitted by the proposed improvement and the amount of the assessment levied against it.
2. Such assessment shall be payable in simple decreasing installments extending over ten (10) years. The first of the installments shall be payable along with the first half taxes when due, as reflected on the tax statement payable year 2024, and shall bear interest at the rate of three percent per annum. Each payment including interest thereafter will be paid with taxes payable, until the assessment obligation is satisfied.
3. The owner of any property, so assessed, may pay the entire assessment on such property by December 31, 2023, without interest accrued.

   Thereafter the owner of property, so assessed, may pay the annual assessment amount, or any amount exceeding the annual assessed amount so listed on the tax statement, with any unpaid interest accrued to December 31 of the year in which such payment is made.

The County will accept payments up until the close of business day December 31 in the year of payment. If December 31st is a weekend or holiday; payment must be received in advance of closing of the last business day in the year payment is made.

4. There shall be no penalty for advance payment or pay-off of the full balance of the assessment.
5. The County Administrator / clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax list of the County and such assessment shall be collected and paid over the same manner as other municipal taxes.
6. This assessment must be paid in full at the time of property transfer to any other owner, owners, heirs, assigns or entity.

BE IT FURTHER RESOLVED that the Mower County Board Chair is hereby authorized to execute the Promissory Note on behalf of the County for the loan of funds from the Mower County Septic Loan program.

Passed and approved this 12th day of December, 2023.

d. Monica L. Nigon and Henry Zamarron (PIN 05.004.0020): $20,091.38 loan assessment

Date: December 12, 2023 **Res. #96-23**

RESOLUTION ADOPTING ASSESSMENT

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 December 12, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, pursuant to the policies of the Mower County Septic Loan program the owner of property has requested a loan from Mower County for replacement of a failing septic system on the below-listed property and has requested to pay back that loan by assessment to the subject property, to Mower County, over a ten-year term.

Property owner(s): Monica L. Nigon, single, and Henry Zamarron, single

Property address: 27827 650th Avenue Sargeant MN 55973

Parcel Identification No: 05.004.0020

Tax parcel legal description: Section 04 Township 103 Range 016 E535FT N1325FT NE1/4

Assessment amount: $20,091.38, (Twenty Thousand Ninety one dollars and 38/100)

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

1. Such proposed assessment, made part hereof, is hereby accepted and shall constitute the special assessment against the lands named herein, and each tract of land herein included is hereby found to be benefitted by the proposed improvement and the amount of the assessment levied against it.
2. Such assessment shall be payable in simple decreasing installments extending over ten (10) years. The first of the installments shall be payable along with the first half taxes when due, as reflected on the tax statement payable year 2024, and shall bear interest at the rate of three percent per annum. Each payment including interest thereafter will be paid with taxes payable, until the assessment obligation is satisfied.
3. The owner of any property, so assessed, may pay the entire assessment on such property by December 31, 2023, without interest accrued.

   Thereafter the owner of property, so assessed, may pay the annual assessment amount, or any amount exceeding the annual assessed amount so listed on the tax statement, with any unpaid interest accrued to December 31 of the year in which such payment is made.

   The County will accept payments up until the close of business day December 31 in the year of payment. If December 31st is a weekend or holiday; payment must be received in advance of closing of the last business day in the year payment is made.
4. There shall be no penalty for advance payment or pay-off of the full balance of the assessment.

5. The County Administrator / clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax list of the County and such assessment shall be collected and paid over the same manner as other municipal taxes.
6. This assessment must be paid in full at the time of property transfer to any other owner, owners, heirs, assigns or entity.

BE IT FURTHER RESOLVED that the Mower County Board Chair is hereby authorized to execute the Promissory Note on behalf of the County for the loan of funds from the Mower County Septic Loan program.

Passed and approved this 12th day of December, 2023.

Motion carried.

County Attorney Kristen Nelsen provided a department update. Ms. Nelsen's report focused on the hard work the county attorney's team does in diligently seeking justice in having criminals (especially of violent crimes) convicted and sentenced. The team is often successful but disappointingly the criminals only serve a fraction of their sentence and the department unjustly receives complaints that a particular person is no longer in jail. The department will continue to do everything for justice and public safety but once the trial is completed and sentencing carried out the department has no control on when the convicted person will be later released. The department is also working on emergency and non-emergency protection orders where firearms can be removed from a home when there have been threats made by a person in the home for bodily harm to themselves or others. The details of these actions are still being developed.

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

Vendor Name	Amount	Vendor Name	Amount
180 Degrees, Inc.	2,877.60	Hanson Tire Of Austin Inc	4,093.92
Advanced Correctional Healthcare, Inc	35,275.23	Marston Consulting Group, LLC	5,000.00
Austin Automotive LLC	2,521.20	MCHS SE Minnesota	3,431.00
Baudoin Oil Company	19,128.73	Minnesota Counties Intergov'tal Trust	8,749.00
Beckleys	36,294.77	Petroblend Corp.	3,680.60
Cedar Valley Services, Inc	56,277.00	Rochester Sand And Gravel, Inc	4,504.50
City Of Austin	2,000.00	Skyline Salt Solutions	56,920.48
CliftonLarsonAllen LLP	30,135.00	Stantec Consulting Services Inc.	11,803.50
Commissioner of Transportation	8,715.94	Uline	5,242.32
Dave Lucas Consulting	4,480.00	Ulland Brothers Inc.	29,246.32
DDA Human Resources, Inc.	7,500.00	Village Ranch Inc	8,670.57
Donnelly Law Firm, PLLC	3,782.93	Ziegler, Inc	51,124.38
Freeborn County Co-Operative Oil Co.	9,744.40	90 Payments less than 2000	47,065.93
Gallagher Benefit Services Inc	4,000.00	**Final Total:**	**462,265.32**

Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to accept the Department of Natural Resources Off Highway Vehicle Education and Enforcement Grant 2024-2025 ($4,149 annually). Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to accept the Homeland Security Emergency Management Outdoor Antenna Grant Agreement effective 12/1/23 – 8/31/24 ($240,000). Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to authorize the Sheriff's office to made application to Minnesota Department of Public Safety for the DWI / Traffic Safety Officer Grant. If awarded the grant amount could be $112,500 in 2024 and would be used to fund the hiring of a full-time deputy to work specifically in DWI detection and enforcement.) Motion carried.

The Board recessed at 9:39 a.m. for the purpose of the Health & Human Services Board.

HEALTH & HUMAN SERVICES BOARD:

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve the Health & Human Services accounts payable totaling $131,731.67. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the Child & Teen Check-up Services Grant effective 1/1/2024 – 12/31/2026 in the amount of $101,912. Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Sparks, to approve the County Child Support Program Interagency Cooperative Agreement with the State of Minnesota effective 1/1/2024-12/31/2026. Motion carried.

Motion made by Commissioner Sparks, seconded by Commissioner Reinartz, to approve the COVID Grant Implementation Amendment with the Minnesota Department of Health to extend the project agreement through 12/31/26. Motion carried.

Motion made by Commissioner Glynn seconded by Commissioner Mueller, to approve the contract with Cross-Cultural Communications, LLC effective 12/6/2023 for outlining Train the Trainer community interpreter training materials and procedures. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the Response Sustainability Grant with the Minnesota Department of Health effective 07/01/23 - 06/30/24, in the amount of $105,525.95. Motion carried.

Health & Human Services Director Crystal Peterson introduced to the Board the new Child Support Officer Chelsie Wehner. Ms. Peterson then provided the Board with information pertaining to the Public Health Foundational Capabilities Funding Allocation. The State Advisory Committee has established a new formula for the allocation and the County will be receiving a larger allocation over the base allocation of $115,000 due to its higher social vulnerability index. Criteria considered in determining a vulnerability index include percent of population over 65, percent of population under 17, percentage of population unemployed, etc.

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

Motion made by Commissioner Glynn, seconded Commissioner Mueller, to approve the following Purchase of Service (renewal) Agreements effective 1/1/24 – 12/31/24 *unless noted*:

Case Management	**Guardianship**	**Mental Health**
Thomas Allen, Inc.	Alternative Resolutions	Teya Dahle
Child Care Licensing	Independent Management Services	Independent Management Services
Freeborn County Human Services (to 12/31/25)	Norma Olson	LGC Services (The Bridge)
	Serenity Services	LGC Services (dba Quality Case Management)
	Barb Tindal	
Employment Services	**Training**	Todd Moran
Cedar Valley Services (extended)	Safety Gal (car-seat training)	Pam Retterath
Workforce Center (MFIP & DWP)		South Central Human Relations Center (SCHRC)
Semi-Independent Living Services		
Cenneidigh, Inc.		Southeast Regional Crisis Center (SERCC) Governance Agreement Amendment- extend 2023 agreement through June 30, 2024.
Independent Management Services		

Motion carried

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to adjourn the Health & Human Services Board meeting at 9:58 a.m. Motion carried.

COUNTY BOARD

The Regular Session of the Board was reconvened at 10:00 a.m. for regular business items.

The Board recessed at 10:00 a.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 10:00 a.m. regarding a Housing Tax Abatement application of Oscar Acosta Jimenez and Julia Rozo Montejo for the construction of a new single-family home located at Lot 1, Block 2 Southside Addition, Dexter, MN (PIN 23.018.0210)

County Administrator Trish Harren Gjersvik reviewed the application and recommended approval.

The applicant was not present. The Chair closed the Public Hearing at 10:01 a.m. regarding the Acosta Jimenez Housing Tax Abatement application.

The Chair called the Public Hearing to order at 10:01 a.m. for Public Input on the proposed Cannabis Interim Ordinance.

County Administrator Trish Harren Gjersvik reviewed the proposed Cannabis Interim Ordinance.

No one spoke for or against the proposed Cannabis Interim Ordinance.

The Chair closed the Public Hearing at 10:03 a.m. in regard to the proposed Cannabis Interim Ordinance.

The Chair called the Public Hearing to order at 10:03 a.m. for Public Input on the proposed Cannabis Use in Public Spaces Ordinance.

County Administrator Trish Harren Gjersvik reviewed the proposed Cannabis Use in Public Spaces ordinance.

No one spoke for or against the proposed Cannabis Use in Public Spaces Ordinance.

The Chair closed the Public Hearing at 10:04 a.m. in regard to the proposed Cannabis Use in Public Spaces Ordinance.

The County Board reconvened its regular session at 10:04 a.m.

Date: December 12, 2023 **Res. #97-23**

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 December 12, 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, Oscar Hernando Acosta Jimenez and Julia Leonor Rozo Montejo are the owner(s) of certain property within Mower County, legally described as follows:

Lot 1, Block 2 Southside Addition Subdivision Cd 23018, Dexter, MN (PIN 23.018.0210)

WHEREAS, Oscar Hernando Acosta Jimeniz 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 December 12, 2023 before the Mower County Board of Commissioners, on said application.

WHEREAS, Oscar Hernando Acosta Jimenez and Julia Leonor Rozo Montejo have 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 12th day of December, 2023.

Date: December 12, 2023 RES. #98-23

RESOLUTION ESTABLISHING AN ABSENTEE BALLOT BOARD FOR THE 2024 ELECTION YEAR (ENCOMPASSING ALL ELIGIBLE ELECTIONS)

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 December 12, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, Mower County is required by Minnesota Statutes 203B.121, Subd. 1 to establish an Absentee Ballot Board effective December 12, 2023 for the full 2024 Election year for all eligible elections; and

WHEREAS, this board will bring uniformity in the processing of accepting or rejecting returned absentee ballots in Mower County; and

WHEREAS, the Absentee Ballot Board would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy county auditors trained in the processing and counting of absentee ballots;

THEREFORE, BE IT RESOLVED THAT, the Mower County Board of Commissioners hereby establishes an Absentee Ballot Board that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy auditors to perform the task.

Passed and approved this 12th day of December, 2023.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to approve the 2024-2028 capital improvement plan. Motion carried.

The Human Resource Director presented for Board consideration several proposed changes to the Personnel Policies.

Motion made by Commissioner Sparks, seconded by Commissioner Reinartz, to delete Personnel Policy A170 Personnel Board of Appeals. Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Glynn, to amend Personnel Policy B200 Dispute Resolution to remove references to Policy A170 and to establish new procedures due to the deletion of Personnel Policy A170 Personnel Board of Appeals. Amendments are as follows:

Amend the last paragraph in the Section "Limitations" as follows:

> Employees or appointing authorities with complaints under Minnesota Statutes 375.56 to 375.71 should present their complaint directly to the ~~Personnel Board of Appeals, as outlined in policy A170~~ Human Resources Director.

AND Amend the paragraphs in "Step IV" under "Procedures" as follows:

> Step IV:
> An employee who has been terminated from the county may appeal his or her case to the ~~Personnel Board of Appeals~~ County Board of Commissioners by submitting a written request to the ~~Human Resource Director's~~ County Administrator's office within seven (7) calendar days of the receipt of the written decision from the Human Resources Director.
>
> A hearing before the ~~Personnel Board of Appeals~~ County Board of Commissioners will be held ~~within fifteen (15) calendar days~~ at the next regularly scheduled meeting from the day of receipt of such request~~; please see policy A170 for any exceptions to this timeline~~. Other than cases involving the termination of a veteran or merit system employee, ~~the findings, recommendations, and reports made by the Personnel Board of Appeals shall be submitted to~~ the County Board of Commissioners will take ~~for consideration and~~ action as deemed appropriate by the ~~County~~ Board.

Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to amend Personnel Policy D183 On Call Pay – Sheriff's Office to Personnel Policy D183 On Call Pay – Salaried Employees effective 12/12/23 and by modifying the language in D183 as follows:

> ON CALL PAY – ~~SHERIFF'S OFFICE~~ EXEMPT EMPLOYEES
>
> In order to provide adequate coverage outside the normal work week to meet the needs of our constituents and employees ~~public safety services~~ it is necessary to have properly trained employees available to be able to make technical and leadership decisions when required. ~~in the absence of on call sergeants to make these leadership decisions, the Chief Deputy Sheriff shall be assigned to the on call rotation~~ To accomplilsh this, exempt

employees may need to participate in their department's weekly on-call rotation which covers a seven (7) day period.

When an exempt employee is required to participate in the on-call rotation, they ~~and~~ shall receive compensation of $100 for the seven (7) day assignment. ~~The Chief Deputy~~ These positions shall be required to follow the department policy as to response time and availability as it exists and as it changes. In no case shall more than one employee receive compensation for on call duty or be assigned this duty during the same seven (7) day period.

This policy does not cover exempt employees receiving and/or responding to communications outside of their regularly scheduled hours when they are not assigned specifically to be in the on-call rotation.

Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to amend D170 to add Juneteenth (June 19) to the list of Mower County observed holidays. Motion carried.

Review with possible action regarding creation of Personnel Policy F140 Small Appliance Usage

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to adopt new Personnel Policy F140 Small Appliance Usage:

Personnel Policy F140
Small appliance usage

Introduction:
Mower County recognizes the value of employees being able to make their working spaces as comfortable as possible. Often, this involves the addition of small personal appliances being brought into the County for personal or area usage. Mower County also recognizes the need to maintain a safe and comfortable working environment for all employees and is therefore establishing a consistent, equitable policy involving small appliance usage on County property. Facility managers and supervisors are often at odds with employees who want to bring personal electrical appliances into the workplace. The presence of personal appliances such as coffee pots, space heaters, small refrigerators, fans, lamps, humidifiers, and decorative lights may make the workplace more comfortable for an individual employee; however, they may not be in the best interest of the employer or other employees.

Some appliances may create safety hazards, significant noise pollution or potential property damage. In addition, they may pose potential disruptions to the workplace, such as interference with lighting and building power. They may even create odors to which other employees may be sensitive. To control such negative exposures, we are implementing a policy restricting or at a minimum limiting and controlling the use of personal home appliances in the workplace.

Scope:
This policy is applicable to all employees, independent contractors and volunteers or any individual representing the County in any capacity. Questions regarding the policy should be referred to the Human Resource Director.

Policy Statement:
The policy outlines which appliances are deemed acceptable, require leadership approval or are not acceptable.
All approved appliances shall be:

- Compliant with Underwriters Laboratory (UL) or other nationally recognized testing laboratory safety standards for the intended use and must not pose potential disruptions to the workplace.
- Subject to routine office safety inspections by department heads or Facilities staff.
- Required to be powered down at the end of the day for fire safety and energy conservation.
- Kept clean and maintained by the owner.
- Operated according to the manufacturer's instructions.
- Plugged directly into a permanent electrical outlet. Cubicle and wall outlets are rated for this purpose. Power strips and extension cords are NOT to be used with household appliances.
- Removed immediately when there is any sign of damage to appliance components.

The County is not responsible for theft or damage to personal property. (Note: personal property of employees may not be covered under the MCIT Coverage Document.)

Appliance Types:
Appliances that are acceptable for use outside designated breakrooms:

- Personal-use fans, smaller than 6 inches in diameter.
- Plug-in air fresheners
- Coffee cup warmers.

Appliances used outside designated breakrooms that require Leadership approval:

- Coffee Pots
- Pod-type coffee makers
- Microwaves
- Refrigerators
- Box fans
- Oscillating fans
- Space Heaters

Should you feel your situation warrants an appliance at your workstation, please obtain authorization from your department head.

Appliances that are prohibited from use outside designated breakrooms:

- Dehumidifiers
- Humidifiers
- Air purifiers
- Potpourri burners / incense pots

Anyone who has worked in an office environment knows it is difficult to heat and cool the workplace satisfactorily for every employee. Space heaters pose fire and electrical hazards and typically are not energy efficient. Space heaters placed near a building's heating, ventilation, and air conditioning (HVAC) systems' thermostat will counteract the building's system, which could cause an entire section of a building to become excessively hot or cold. Additionally, space heaters can overload and trip circuit breakers thus disrupting normal operations.

The above list is non-exhaustive. Any personal item not listed above will be subject to Leadership approval. Employees may be required to remove an approved personal appliance if it is deemed to be a safety hazard, is not being used in accordance with this policy, becomes disruptive to the department or unit, or is needed to avoid negative effects on other employees.

Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to set the employee allowable flexible spending contributions in line with the annual established IRS rates. Motion carried.

Public Works Director Michal Hanson recommended that the Board approve a letter of support for Northern Country Coop's grant application for a 2023 Minnesota Rail Service Improvement Program Application.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to approve a letter of support for the 2023 Minnesota Rail Service Improvement Program application of Northern Country Coop. Motion carried.

Public Works Director Michal Hanson presented a Memorandum of Understanding between Mower County and Dodge County Wind regarding the possible transmission line route through Mower County. The Memorandum of Understanding indicates Mower County's preferred route.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the Memorandum of Understanding between Mower County and Dodge County Wind LLC which indicates the transmission line/pole route that is acceptable to the parties. Motion carried.

Under Committee Reports Commissioner Glynn reported she had attended a Finance Committee meeting on 11/30, the Cindra Kamphoff presentation to employees on 12/6, and met with the Mn Department of Health on 12/6 and will again today. Commissioner Sparks attended the Association of Minnesota Counties annual conference on 12/4. Commissioner Reinartz reported he attended a Personnel Committee meeting on 12/11. Commissioner Mueller reported he attended the Association of Minnesota Counties annual conference on 12/4 & 12/5. Also on 12/5 he attend a fair board meeting and on 12/11 he attended the SE MN Communications Board meeting and the Personnel Committee meeting. Commissioner Ankeny attended a SEMREX meeting on 12/1, Finance Committee meeting on 11/30, the Association of Minnesota Counties annual conference on 12/4 & 12/5, and the Fair board Christmas party. All the commissioners were in attendance at the 2024 Budget and Levy hearing held on 12/11/23.

The Chair adjourned the meeting at 11:02 a.m. The next meeting is scheduled for December 26, 2023 at 9:00 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY:______________________________
Chairperson

Attest:

By: Trish Harren Cejerson IC
Clerk/Administrator