REGULAR SESSION OF THE MOWER COUNTY BOARD OF COMMISSIONERS

March 26, 2024

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session March 26, 2024 at 9:00 a.m. at the Government Center in Austin, Minnesota.

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

The meeting was opened with the Pledge of Allegiance.

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

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve the consent agenda as presented:
1. Approve Minutes of March 12, 2024
2. Reappoint Susan Olson and Jason Weis as Cedar River Watershed District managers for a 3-year term each effective May 1, 2024
3. Approve Seasonal Liquor Licenses:
   Chateau Speedway 1956 LLC – Seasonal Full Liquor (No Sunday) – 5 Months - May 1 – September 30
   Adventure Bound – Seasonal Full Liquor, Off Sale, Sunday – 7 Months - April 1 – October 31
4. Declare 16 office chairs as surplus property
5. Approve late claims for expense reimbursement for employees #5256 ($6.70) and #2102 ($14.07)

Motion carried.

Registered Nurse Darr Ehmke provided the Board with information on the Mower County Tuberculosis and Refugee Health Programs. Tuberculosis (TB) information provided included definitions of the two types of tuberculosis (TB), how it is spread, what partnerships are being used to help eliminate TB, and the TB services that are offered by Mower County. The Refugee Health Program information included a definition of a refugee, the categories of immigrant populations and the role of our local public health in partnership with other health care providers and organizations in meeting the health needs of refugees.

The Board recessed at 9:37 a.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 9:37 a.m. regarding a Housing Tax Abatement application of Kathy S. Parsons for construction of a single-family home located Subdivision Cd 26500, Lot 7, Block 1 Olson Addition, LeRoy, MN (PIN 26.500.0070).

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

The Applicant Kathy Parsons was not present. No one spoke for or against the Parsons housing tax abatement application.

The Chair closed the Public Hearing at 9:39 a.m. regarding the Kathy Parsons Housing Tax Abatement application.

The Chair called the Public Hearing to order at 9:39 a.m. regarding a Housing Tax Abatement application of Tim & Sharon Meyeraan for construction of a single-family home located SubdivisionCd 26070 Outlot B River's Edge Addition, LeRoy, MN (PIN 26.070.0160 & .0320).

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

The applicant Sharon Meyeraan was present remotely and spoke on her own behalf. No one else spoke for or against the Meyeraan housing tax abatement application.

The Chair closed the Public Hearing at 9:40 a.m. regarding the Tim and Sharon Meyeraan Housing Tax Abatement application.

The Chair called the Public Hearing to order at 9:40 a.m. regarding a Housing Tax Abatement application of Bigelow & Lennon Construction for construction of a single-family home located Lot 19, Block 1, Nature Ridge Third, Austin, MN (PIN 34.468.0190).

County Administrator Trish Harren Gjersvik reviewed the application and recommended approval. It was noted that this was a reapplication due to the fact that following the approval of the first application in 2022 construction had not commenced within a year of approval.

The Applicant was not present. No one spoke for or against the Bigelow & Lennon housing tax abatement application.

The Chair closed the Public Hearing at 9:41 a.m. regarding the Bigelow & Lennon Housing Tax Abatement application.

The County Board reconvened its regular session at 9:41 a.m.

Date: March 26, 2024 **Res. #30-24**

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

On motion of Commissioner Glynn, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of

Commissioners at a meeting held March 26, 2024 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, Robert Olson (Seller) is the owner(s) of certain property within Mower County, legally described as follows:

SubdivisionCd 26500, Lot 7, Block 1 Olson Addition, LeRoy, MN (PIN 26.500.0070)

WHEREAS, Kathy S. Parson (Buyer) 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 March 26, 2024 before the Mower County Board of Commissioners, on said application.

WHEREAS, Robert Olson (Seller) and Kathy S. Parson (Buyer) 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 26th day of March, 2024.

Date: March 26, 2024 **Res. #31-24**

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

On motion of Commissioner Glynn, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 26, 2024 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, Tim and Sharon Meyeraan are the owner(s) of certain property within Mower County, legally described as follows:

SubdivisionCd 26070, Lot 16, Block 1 AND Outlot B, River's Edge Addition, LeRoy, MN (PIN 26.070.0160 and 26.070.0320)

WHEREAS, Tim and Sharon Meyeraan have 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 March 26, 2024 before the Mower County Board of Commissioners, on said application.

WHEREAS, Tim and Sharon Meyeraan 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 26th day of March, 2024.

Date: March 26, 2024 **Res. #32-24**

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

On motion of Commissioner Ankeny, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 26, 2024 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, Nature Ridge Properties of Austin Co. (Seller) is the owner of certain property within Mower County, legally described as follows:

Lot 19, Block 1, Nature Ridge Third, Austin, MN (34.468.0190)

WHEREAS, Bigelow & Lennon Construction (Buyer) 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 March 26, 2024 before the Mower County Board of Commissioners, on said application.

WHEREAS, Nature Ridge Properties of Austin Co. (Seller) and Bigelow & Lennon Construction (Buyer) 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 26th day of March, 2024.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the Health & Human Services accounts payable totaling $170,791.10. Motion carried.

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

Vendor Name	Amount	Vendor Name	Amount
Advanced Correctional Healthcare, Inc	40,378.17	J & S Repair Inc	31,748.73
Aumentum Technologies	58,223.83	Kamphoff/Cindra	7,500.00
Austin Automotive LLC	2,462.61	Leadership Development Resources	3,785.00
Austin Automotive LLC	44,107.00	LSQ Funding Group, LLC	3,679.04
Austin Automotive LLC	48,325.82	Lumen Technologies Group	2,499.27
Austin Automotive LLC	44,107.00	Midwest Medical Physics LLC	3,800.00
Baudoin Oil Company	21,979.38	Midwest Monitoring & Surveillance	7,109.71
CDW Government	27,169.91	Minnesota Dept Of Agriculture	250,000.00
Consolidated Correctional Foodservice	20,107.34	Petroblend Corp.	2,177.55
Debtbook	10,000.00	R. G. Freight Company, LLC	2,700.00
Dell Marketing L P	4,907.33	Ronco Engineering Sales, Inc	2,223.36
Department Of Corrections	41,325.00	Squires, Waldspurger & Mace P.A.	2,162.00
Election Systems & Software, LLC.	4,738.70	TOWMASTER	169,067.32
ESRI	37,321.91	Village Ranch Inc	11,592.09
Falkstone LLC	18,452.43	Zahl Equipment Service Inc	10,358.00
Gallagher Benefit Services Inc	4,000.00	Ziegler, Inc	8,928.90
Games People Play	5,065.00	76 Payments less than 2000	41,884.58
		Final Total:	**993,886.98**

Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve and ratify (as one of the 10 participating counties in the User Group) the Master Agreement for Licensed Software, Hardware and Services between Aumentum Technologies (Manatron, Inc.) and the Minnesota Counties Computer Cooperative (MnCCC) on behalf of the Aumentum Tax User Group for the implementation, maintenance and support of the Aumentum Platform software effective March 1, 2024 through March 1, 2027 and up to three additional one-year extensions. ($449,960) Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Sparks, to approve the application of Dustin Smith for a Local Option Disaster Abatement and Credit related to the fire damage to his business, Stinger Attachments, located in Rose Creek (PIN 30.036.0020) by approving a 2023 tax abatement of $1,033.54 and a 2024 tax credit of $1,140.47. Motion carried.

County Administrator Trish Harren Gjersvik provided a summary of the activity surrounding the Board's receipt of a impassable road petition from residents in Red Rock Township regarding 228th Street and 574th Avenue. A public hearing on the petition was held on February 27, 2024 at which several residents and the developer spoke in favor of the petition and documentation from Red Rock Township was received against the petition. The comment period was left open until March 22, 2024. During that time the County Engineer provided invoices and information pertaining to work done on 228th Street and 574th Avenue in 2018 and 2019 at the request and on behalf of Red Rock Township. Also, the developer Dan Hodgman emailed the County Administrator indicating that a maintenance agreement with the Township for maintenance on 228th Street and 574th Avenue has not been found but he commented that the work done on the two streets at the Township's request shows intent to maintain. A discussion was held.

Date: March 26, 2024 **Res. #33-24**

RESOLUTION

Impassable Road Complaint – 228th St. and 574th Avenue, Red Rock Township

On motion of Commissioner Ankeny, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 26, 2024 at the Government Center, Austin, Minnesota.

WHEREAS, a petition was filed pursuant to Minn. Stat. by an appropriate number of interested parties alleging that 228th St. and 574th Ave are impassable roads; and

WHEREAS, the Mower County Board of Commissioners held a public hearing on this matter and left the record open for further information to be submitted; and

WHEREAS, the Mower County Board of Commissioners has reviewed the criterion listed in the statute and the information provided in the public hearing and by the Red Rock Township via letter, they hereby make the following Findings:

1) That 228th Street and 574th Ave are considered township roads ***BECAUSE*:**

   a. For greater than 10 years they have been maintained by the township as township roads. They have been plowed, surfaced and generally managed in a way that would lead a landowner to believe it is a township road. In 2018, the Mower

County Highway Department seal coated them and in 2019, crack filled them on behalf of and at the request of the township.

2) That 228th Street and 574th Ave are impassable roads ***BECAUSE:***

   a. They are no longer being plowed or maintained by the Township.

THEREFORE, BE IT RESOLVED based upon the above Findings of Fact the Mower County Board of Commissioners hereby orders Red Rock Township to correct the impassable road situation by:

1) Maintaining the road so that it will be considered passable.

Passed and approved this 26th day of March, 2024.

SMART Transit Manager Kirk Kuchera provided the Board with an operations update through 2023 as the service is celebrating a ten-year milestone. Annual ridership is approximately 230,000 to 265,000. SMART surpassed the 2 million mark in the total number of passengers who have ridden a SMART bus. SMART has a fleet of 34 buses having driven over 6 million miles. Even though staffing is a challenge 11 of the original 42 staff still work with SMART and currently employ about 30 full and part-time staff. Another challenge is vehicle replacement both due to availability and costs. Hopefully MnDOT will approve the use of vans for transit service and then the organization hopes to provide more rural services outside the City of Austin. SMART was included in a documentary regarding COVID response in its partnerships in providing meals. In addition, SMART has partnered with the Hormel Foundation in providing rides to Albert Lea for dialysis patients.

Public Works Director Mike Hanson requested the Board to authorization Public Works in cooperation with GIS to apply for a grant to update Public Land Survey (PLSS) Section Corners. It is a pilot grant project that is competitive and the interest in the grant is about double the available funding.

Date: March 26, 2024 **Res. #34-24**

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 26, 2024 at the Government Center, Austin, Minnesota.

Whereas, in 2023 the Minnesota Legislature, through MN Statute §381.125, directed the Minnesota IT Services Office of Minnesota Geospatial Information (Mn Geo) to develop a grant program for the perpetuation of Public Land Survey System (PLSS) monuments; and

Whereas, Mower County is responsible for maintaining the PLSS; and

Whereas, Mower County has identified Austin Township, which will include 133 PLSS corners, as the area to be prioritized for this Project; and

Whereas, the total cost and request will be $140,000 (including $133,000 for the PLSS corner work to be completed by the Registered Land Surveyor assigned to the Project and $7,000 for the County GIS Department to compile, organize, and update the County data).

Therefore, be it resolved:

1. That the Mower County Board authorizes the GIS Administrator and Public Works Director to submit a proposal to Mn Geo for the Minnesota PLSS Monument Grant Program to update; and

2. That if awarded the funds to restore, maintain and update PLSS land corners in Austin Township, the appropriate county officials are authorized to accept the grant and enter into the necessary agreements beginning upon the grant award in 2024 and running through March 31, 2026; and

3. That State Funds received for this project will be receipted into the General Fund and will be designated for the Project.

Passed and approved this 26th day of March, 2024.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to award the $34,290 low bid of Baudoin Oil 2024 fuel delivery. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to award the $260,110.00 low bid of Stussy Construction, Inc. for project CP 50-24-04 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 Ankeny, to award the $459,370.00 low bid of HG Meigs LLC for project CP 50-24-02 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 Ankeny, seconded by Commissioner Reinartz, to approve an amendment to the 2024 staffing levels with an additional 1.0 FTE grant funded position of Community Health Educator in Health & Human Services to focus on population health activities related to our foundational public health responsibilities with legislative funding provided by the 2023 legislation to help all Minnesotans to receive the same services regardless of their zip code. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve an amendment to the 2024 staffing levels with an additional .8 FTE Women Infant

& Children (WIC) Competent Professional Authority with temporary grant funds available for 2024. The need for additional staffing for the WIC program was identified following a state review of the program. Options to fund the position beyond 2024 will be analyzed further along with the impact the additional staff time has on delivering the program's services in accordance with state guidelines. Motion carried.

Under Committee Reports Commissioner Glynn reported that she attended a Chert Quarry presentation at the Grand Meadow schools. It is hopeful that the interpretive trail will be ready for the public later this year. Commissioner Mueller reported that he and Commissioner Reinartz attended a Personnel Committee meeting on 3/12. Commissioner Mueller also attended an Extension Committee meeting on 3/13 and a Building Committee meeting on 3/20 which was a tour of the fairgrounds with the new Deputy County Administrator. Commissioner Mueller also attended the Township Association meeting along with Commissioner Glynn on 3/21. Commissioner Reinartz reported that in addition to Personnel as mentioned by Commissioner Mueller he attended the Senior Center Board meeting on 3/15 and the Community Health Services Advisory Committee meeting on 3/19.

The Commissioners welcomed Deputy County Administrator Matthew Verdick.

The Chair adjourned the meeting at 11:15 a.m. The next meeting is scheduled for April 2, 2024 at 1:00 p.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: ______________________ **Chairperson**

Attest:

By: ______________________
Clerk/Administrator