

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

April 8, 2025

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session April 8, 2025 at 9:00 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Chair Polly Glynn, Vice-Chair Dan Sparks, Jerry Reinartz, Mike Ankeny and John Mueller. 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 Mueller, seconded by Commissioner Reinartz, to approve the agenda adding 1) motion to accept the resignation of the County Administrator and 2) discussion regarding filling the County Administrator position. Motion carried.

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

1. Approve Minutes of March 25 and April 1 work session
2. Acknowledge Receipt of Electronic Fund Transfer Payment Reports
3. Approve renewal agreement with Cedar Valley Services for Mail Metering and Delivery Services
4. Approve the SE MN Emergency Communications Joint Powers Board Sustainability Plan for each member to financially support Olmsted County serving as the fiscal agent/administrator (\$3,334 - additional 2025) (dues 2026 \$4,334)
5. Declare 1 Cannon CamFi camera w/touch screen & digital photo printer from the Recorder's office as surplus property for auction

Motion carried.

Veteran Service Officer Rod Streich provided a department update that highlighted the retirement of Office Technician Judy Oswald and her replacement Michelle Nelson. Also highlights of 2024 activities included the Veteran Outreach event held at the Albert Lea, MN Armory; a Spam breakfast held at the Preston home; and details of honor flights including a new one from Adams called North Star Honor Flight. The remodeled Veterans Memorial on the Government Center property should be completed by mid-summer. Veterans Court is still a viable and worthwhile program and Operation Green Light showing support of our troops and veterans are still shining green.

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Advanced Correctional Healthcare, Inc	39,409.00	Healthiest You	4,350.00
Austin Automotive LLC	2,084.88	Hodsdon/Richard D	6,177.56

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Austin Daily Herald	2,790.44	Institute for Environmental Assessment	9,066.31
Baudoin Oil Company	5,944.37	Jones Haugh & Smith Inc	6,628.30
CDW Government	6,244.80	Klein McCarthy Architects	45,463.52
CliftonLarsonAllen LLP	3,202.50	Marston Consulting Group, LLC	3,000.00
Consolidated Correctional Foodservice	20,740.62	MEI Total Elevator Solutions	38,325.00
Dave Lucas Consulting	4,962.50	Midwest Door Inc	2,229.25
Dell Marketing L P	12,057.35	Minnesota Counties Computer Cooperative	12,500.00
Development Corp Of Austin	8,000.00	Rohl Electric and Services LLC	3,309.97
Diamond Ridge Printing LLC	2,570.34	Somerset Investments LLC	2,072.91
Everett Law, L.L.C.	2,064.00	Talos Dynamics	2,176.22
Falkstone LLC	2,576.60	67 Payments less than 2000	42,638.61
Freeborn County Co-Operative Oil Co.	9,544.15		
		Final Total:	300,129.20

Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Sparks, to approve the proposal/quote for Caseguard Redaction Software for the Sheriff's office (\$4,545). Motion carried.

Under miscellaneous correspondence it was noted that the Development Corporation of Austin sent a thank you for the county's membership.

The Board recessed at 9:24 a.m. for the purpose of the Health & Human Services Board.

HEALTH & HUMAN SERVICES BOARD:

Accounting Technician Jenna Anderson provided information on the Health & Human Services warrants for payment indicating that the reimbursable amount is \$26,362.06.

Motion made by Commissioner Mueller, seconded by Commissioner Sparks, to approve the Health & Human Services accounts payable totaling \$55,786.45. Motion carried.

Public Health Division Manager Pam Kellogg informed the Board that the Minnesota Women Infants and Children (WIC) program was granted a WIC Breastfeeding Award for increasing the rate of fully breastfed infants by 5.58% in 2023. The award was equally distributed to all 56 WIC grantees. Funds can be used for breastfeeding promotion and support.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to accept the WIC Breastfeeding Bonus Award in the amount of \$1,320.00. Motion carried.

Under Health & Human Services updates it was reported that the department received notice from the Minnesota Department of Health that the Federal COVID grants from the CDC expected to be provided through March 2026 were rescinded. Mower County lost \$142,966 in expected funding. Health & Human Services Director Crystal Peterson reported that the department had received an award of \$776,000 in April 2021 and had been using it creatively and conservatively by extending expenditures over the years so funds would be available through 2026. With the notice of the grant funds rescinded, the department was able to still submit for additional expenditures for reimbursement in the amount of \$85,000 and the funds have been received.

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

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to adjourn the Health & Human Services Board meeting at 9:35 a.m. Motion carried.

COUNTY BOARD

The Regular Session of the Board was reconvened at 9:35 a.m. for regular business items.

Under committee reports Commissioner Ankeny reported that he attended the following meetings: 4/1/25 Building Committee and Personnel Committee. Commissioner Reinartz reported that on 3/31 he attended the Strategic Planning Session. Commissioner Sparks reported the Strategic Planning meeting on 3/31; and Personnel Committee on 4/1. Commissioner Mueller reported he attended the Comprehensive Planning meeting in Grand Meadow on 3/26; the Strategic Planning meeting on 3/31; and the Building Committee meeting and the Planning Commission meeting and the Fair Board meeting on 4/1. Commissioner Glynn reported she attended the Comprehensive Planning meeting in Grand Meadow on 3/26; a Safety Committee meeting on 3/27; the Strategic Planning Session on 3/31; a SEMCAC meeting via Zoom on 4/4; and a meeting with Human Resources on 4/7

County Engineer Mitch Wenum presented several items for the boards, review, discussion and/or approval.

Motion made by Commissioner Ankeny, seconded by Commissioner Mueller, to approve the 24 month rental agreement of J&S JCB for the seasonal rental of a JCB 4220 220HP high-speed tractor effective April 15, 2025. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Sparks, to award the 2025 seasonal fuel contract for diesel and gasoline to the low bidder Baudoin Oil Co., Inc. (\$35,340). Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

Motion made by Commissioner Mueller, seconded by Commissioner Ankeny, to set the project letting date to May 8, 2025 and awarded at the County Board of Commissioner's meeting for the following County projects:

SAP 50-599-179- on T-288 (780th Ave), 1.8 Miles north of CSAH 11 in Leroy TWP. Bridge L5129 built in 1916. LPI 56/100

SAP 50-599-186- on T-107 (760th Ave), 1.7 Miles South of JCT TH 16 in Frankford TWP. Bridge E20W55 (In place pipe and construct new bridge)

SAP 50-599-189- on T-250 (330th Street), 0.5 Miles East of TH 218 in Udolpho TWP. Bridge 2476 built in 1917. LPI 50/100

SAP 50-599-188- on T-146 (525th Ave), 0.1 Miles North of TH 251 in Udolpho TWP. Bridge L5091 built in 1923. LPI 45/100

Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to discontinue the practice of the Board approving and setting the bid letting dates on highway construction projects to expedite the process due to the fact that the Board has authorization to approve or deny any bids received. Motion carried.

Motion made by Commissioner Sparks, seconded by Commissioner Ankeny, to award the CP 50-25-03 contract to low bidder Ulland Brothers, Inc. for the supply of Class 2 Aggregate (\$226,858.50 - \$13.75 per ton). 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 CP 50-25-04 contract to H.G. Meigs, LLC for the supply of bituminous materials for the 2025 construction season based on the lowest responsible quote received (\$317,380). Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

Motion made by Commissioner Mueller, seconded by Commissioner Sparks, to award the CP 50-25-05 contract to the low bidder Sir Lines-A-Lot, for pavement marking services for the 2025 construction season (\$246,050.00). Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

Date: April 8, 2025

Res. #19-25

RESOLUTION

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 April 8, 2025 at the Government Center, Austin, Minnesota.

BE IT IS RESOLVED that Mower County enter into MnDOT Agreement No. 1059357 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County for the use and maintenance of County State Aid Highway No. 12, County State Aid Highway No. 53, County State Aid Highway No. 11, and County State Aid Highway No. 14 as a detour route during the construction to be performed upon, along, and adjacent to Trunk Highway No. 63 from Iowa State Line to County State Aid Highway No. 12 under State Project No. 8826-288 (T.H. 63=059).

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

Passed and approved this 8th day of April, 2025.

The Board recessed at 10:08 a.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 10:08 a.m. in regard to Zoning Ordinance Amendment to Section 14-18.7 Special Requirements for Solar Farms and Gardens for underground electrical lines.

Angie Lipelt, Environmental Services Supervisor, reviewed the proposed modifications to the Zoning Ordinance Section 14-18.7 noting that the Planning Commission has approved these modifications and recommended approval to the County Board.

The Chair asked for public input. No one spoke for or against amending the Zoning Ordinance Section 14-18.7 Special Requirements for Solar Farms and Gardens.

The Chair closed the Public Hearing at 10:14 a.m. in regard to amending Section 14-18.7 of the zoning ordinance.

The Chair called the Public Hearing to order at 10:14 a.m. in regard to Zoning Ordinance Amendment to Land Use Zoning Cannabis - Article VIII - an ordinance which incorporates portions of the Cannabis Ordinance into Land Use regulations.

Angie Lipelt, Environmental Services Supervisor, reviewed the proposed modifications to the Zoning Ordinance Land Use Zoning Cannabis - Article VIII noting that the Planning Commission has approved these modifications and recommended approval to the County Board.

The Chair asked for public input. No one spoke for or against the Land Use Zoning Cannabis - Article VIII zoning ordinance amendment.

The Chair closed the Public Hearing at 10:16 a.m. regarding amending Land Use Zoning Cannabis - Article VIII section of the Zoning Ordinance

The County Board reconvened its regular session at 10:16 a.m.

Date: April 8, 2025

Ord. #01-25

ORDINANCE
Zoning Ordinance Amendment

On motion of Commissioner Ankeny, seconded by Commissioner Reinartz, the following Ordinance was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held April 8, 2025 at the Government Center, Austin, Minnesota.

WHEREAS, a Notice of Intention to hold a public hearing to consider amending Sections of the Mower County Zoning Ordinance was published in Mower County's official newspaper, the *Austin Daily Herald*, on March 19, 2025 and in the Mower County Independent on March 20, 2025; and

WHEREAS, the Planning Commission held a public hearing on said amendment on April 1, 2025 at 5:30 p.m. in the Mower County Government Center, Board Room, before the Mower

County Planning Commission at which any concerned citizen was given an opportunity to speak on the matter; and

WHEREAS, the Mower County Planning Commission recommended by a majority vote to revise sections of the Mower County Zoning Ordinance; and

WHEREAS, Notice having been duly given, a public hearing was held on April 8, 2025, before the Mower County Board of Commissioners at which any concerned citizen was given an opportunity to speak on the matter; and

WHEREAS, No one spoke in favor or opposed to the proposed change;

BE IT ORDAINED those revisions incorporating all previously approved amendments, and including minor corrections, of the Mower County Zoning Ordinance effective 1/1/2003 and amended henceforth, shall be incorporated and adopted in their entirety; and

BE IT FURTHER ORDAINED that the following revision to Division 3. General Regulations Section 14-18.7 Special Requirements for Solar Farms and Gardens, relating to Underground Electrical Lines, of the Mower County Zoning Ordinance shall be incorporated and adopted in entirety.

CURRENT LANGUAGE SHALL BE STRUCK AND REMOVED:

~~Underground Electrical Lines shall be at least one foot below existing drain tile lines.~~

LANGUAGE TO REPLACE PRIOR AND TO BE INCLUDED:

All electrical lines shall be underground on the solar array (project) site shall be underground to the point of connecting to essential services. Essential Services are governed by Section 14-8.2 of this ordinance.

Underground electric lines shall be buried at a depth required by the National Electric Code and shall be no less than 12-inches from existing tile lines. This zoning requirement shall not prevent a landowner from requiring a greater depth as part of their agreement with a solar company, however in all circumstances the buried electrical lines must maintain no less than 12- inches from existing tile lines.

Any underground electric lines buried less than 3 feet deep shall be removed at the time of decommissioning of the solar project.

Any underground electric lines buried at 3 feet or greater, may remain buried in-place at the time of decommissioning. This zoning requirement shall not prevent a landowner from requiring removal of underground lines as part of their agreement with a solar company.

Low voltage Electrical Lines required depth:	18-inches if in conduit*
Low voltage Electrical Lines required depth:	2.5-feet if direct buried*
Medium Voltage Electrical Lines required depth:	3-feet*
*All underground electrical lines shall be no less than 12 inches from existing tile lines	

; and

BE IT FURTHER ORDAINED that Ordinance #01-25 shall be effective upon publication in the Legal Newspaper of Mower County, the "Austin Daily Herald." (*Published 4/16/2025*)

A copy of the entire Mower County Zoning Ordinance is on file in the Mower County Public Works Office, at the Mower County Auditor-Treasurer office, and online at the Mower County website.

Passed and approved this 8th day of April, 2025.

Date: April 8, 2025

Ord. #02-25

ORDINANCE
Zoning Ordinance Amendment

On motion of Commissioner Reinartz, seconded by Commissioner Sparks, the following Ordinance was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held April 8, 2025 at the Government Center, Austin, Minnesota.

WHEREAS, a Notice of Intention to hold a public hearing to consider amending Sections of the Mower County Zoning Ordinance was published in Mower County's official newspaper, the *Austin Daily Herald*, on March 19, 2025 and in the Mower County Independent on March 20, 2025; and

WHEREAS, the Planning Commission held a public hearing on said amendment on April 1, 2025 at 5:30 p.m. in the Mower County Government Center, Board Room, before the Mower County Planning Commission at which any concerned citizen was given an opportunity to speak on the matter; and

WHEREAS, the Mower County Planning Commission recommended by a majority vote to revise sections of the Mower County Zoning Ordinance; and

WHEREAS, Notice having been duly given, a public hearing was held on April 8, 2025, before the Mower County Board of Commissioners at which any concerned citizen was given an opportunity to speak on the matter; and

WHEREAS, No one spoke in favor or opposed to the proposed change;

BE IT ORDAINED those revisions incorporating all previously approved amendments, and including minor corrections, of the Mower County Zoning Ordinance effective 1/1/2003 and amended henceforth, shall be incorporated and adopted in their entirety; and

BE IT FURTHER ORDAINED that the following summary is the revision to Mower County Zoning Ordinance for establishment of Article VIII an ordinance which incorporates portions of the Cannabis Ordinance into Land Use regulation shall be incorporated and adopted in its entirety; and

Article VIII Zoning Cannabis Ordinance

Notation: Mower County Cannabis Ordinance was approved by the Mower County Board of Commissioners as Resolution No. 06-24, Date: 12/17/2024. This Section reflects the land use portion ordinance.

DIVISION 1 Background, Intent and Purpose

Section 14-182 – Findings and Purpose

Section 14-183 – Authority and Jurisdiction

DIVISION 2 Definitions

Section 14-184 – Definitions

DIVISION 3 Registration of Cannabis Businesses & Licensure by the Office of Cannabis Management

Section 14-185 – Registration of a Cannabis Business

Section 14-186 – Location Changes

Section 14-187 – Requirements For Cannabis Businesses

Section 14-188 – Minimum Buffer Requirements

Section 14-189 – Zoning and Land Use

Section 14-190 – Hours of Operation

Section 14-191 – Advertising

BE IT FURTHER ORDAINED that Ordinance #02-25 shall be effective upon publication in the Legal Newspaper of Mower County, the “Austin Daily Herald.” *(Published 4/16/2025)*

A copy of the entire Mower County Zoning Ordinance is on file in the Mower County Public Works Office, at the Mower County Auditor-Treasurer office, and online at the Mower County website.

Passed and approved this 8th day of April, 2025.

Motion made by Commissioner Ankeny, seconded by Commissioner Sparks, to approve Verizon’s request for a 12-month extension to CUP 959 to April 10, 2026. Motion carried.

The County Board received a notice of Resignation from the County Administrator Trish Harren Gjersvik.

Motion made by Commissioner Mueller, seconded by Commissioner Ankeny, to accept the resignation of the County Administrator effective April 26, 2025. Motion carried.

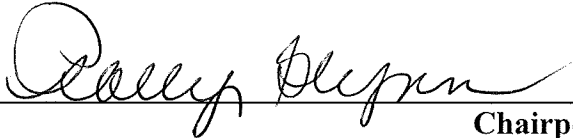
The Board held a discussion on how to proceed with filling the position of County Administrator.

Motion made by Commissioner Reinartz, seconded by Commissioner Mueller, to accept County Administrator applications from both internal and external applicants to be opened until filled with a priority deadline of April 18, 2025. Motion carried.

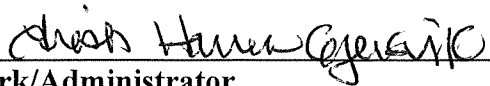
Motion made by Commissioner Mueller, seconded by Commissioner Ankeny, to have Personnel and Human Resources to interview the top qualified applicants and then schedule the top three applicants for second interview before the full Board. Motion carried.

The Chair adjourned the meeting at 10:45 a.m. The next meeting is scheduled for April 22, 2025 at 9:00 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY:  Chairperson

Attest:

By: 
Clerk/Administrator