

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

October 14, 2025

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session October 14, 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 Administrator Matthew Verdick and County Attorney Kristen Nelsen.

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Sparks, seconded by Commissioner Ankeny, to approve the agenda adding 1. Approve contract with the City of Austin for the County Attorney's office to provide misdemeanor prosecution services and 2. Authorize highway to make a budgeted equipment purchase. Motion carried unanimously.

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

1. Approve Minutes of September 23 and October 1 Work Session.
2. Acknowledge the Receipt of Electronic Fund Transfer Payment Reports
3. Approve the following list of surplus property for disposal and/or auction:

Quantity	Item	Department
3	Metal desks for recycling/disposal	Facilities
10	Shop Light fixtures recycling/disposal	Facilities
1	Motorola Digital UHF Portable Radio Model XPR6550) recycle/dispose	Jail
1	Motorola Digital UHF Portable Radio Model XPR7550e) recycle/dispose	Jail

4. Resolutions adopting Assessments for Septic Loans

a. **Date: October 14, 2025**

Res. #49-25

RESOLUTION ADOPTING ASSESSMENT

On motion of Commissioner Ankeny, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 14, 2025 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): Dennis L. Rice, and Deborah A. Rice, spouses

Property address: 73240 140th Street, Leroy, MN 55951

Parcel Identification No: 10.012.0020

Tax parcel legal description: Section 12 Township 101 Range 015 SW1/4 CONTRACT

Assessment amount: \$21,455.37 (Twenty one thousand four hundred fifty-five dollars 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 2026, 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 whole assessment on such property by December 31, 2025 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.

Payments will be accepted by the County 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 early 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-Treasurer 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 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 the funds from the Mower County Septic Loan program.

Passed and approved this 14th day of October, 2025.

b. **Date: October 14, 2025**

Res. #50-25

RESOLUTION ADOPTING ASSESSMENT

On motion of Commissioner Ankeny, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 14, 2025 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): Lois A. Danks, single

Property address: 60156 320th Street, Waltham MN 55982

Parcel Identification No: 19.011.0010

Tax parcel legal description: Section 11 Township 104 Range 017 S577.8FT W980FT SW1/4 SW1/4

Assessment amount: \$8,033.40, (Eight Thousand Thirty Three dollars and 40/100)

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 2026, 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 whole assessment on such property by December 31, 2025 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.

Payments will be accepted by the County 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 early 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-Treasurer 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 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 the funds from the Mower County Septic Loan program.

Passed and approved this 14th day of October, 2025.

c. **Date: October 14, 2025**

Res. #51-25

RESOLUTION ADOPTING ASSESSMENT

On motion of Commissioner Ankeny, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 14, 2025 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): Jack Dwight Mathison, a single person and DeeAnn Faye Randall, a single person

Property address: 23285 State Hwy 56, Austin MN 55912

Parcel Identification No: 16.028.0080

Tax parcel legal description: Section 28 Township 103 Range 017 S142FT E285FT NE1/4 SE1/4 LYING W OF HWY RW; DOC#688219 plus an additional 35 located west of existing property *see Recorded Doc # 688219 6/16/2025*.

Assessment amount: \$22,454.49 (Twenty-two Thousand Four Hundred fifty-four dollars and 49/100)

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 2026, 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 whole assessment on such property by December 31, 2025 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.

Payments will be accepted by the County 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 early 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-Treasurer 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 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 the funds from the Mower County Septic Loan program.

Passed and approved this 14th day of October, 2025.

d. **Date: October 14, 2025**

Res. #52-25

RESOLUTION ADOPTING ASSESSMENT

On motion of Commissioner Ankeny, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 14, 2025 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): Einar Elton Myhre and Margene Louise Myhre, spouses

Property address: 75562 State Hwy 16, Grand Meadow MN 55936

Parcel Identification No: 06.014.0050

Tax parcel legal description: Section 20 Township 103 Range 014 S1/2 SW1/4 NE1/4 S OF CREEK EXC .42 AC BK 279-147

Assessment amount: \$22,104.90, (Twenty-Two Thousand One Hundred Four and 90/100)

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 2026, 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 whole assessment on such property by December 31, 2025 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.

Payments will be accepted by the County 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 early 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-Treasurer 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 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 the funds from the Mower County Septic Loan program.

Passed and approved this 14th day of October, 2025.

Motion carried unanimously.

Correctional Services Director Steve King provided a department update alongside DOC representatives Kelly Blake and Holly VanPelt. Mr. King highlighted the success of

cognitive skills programming, with 12 groups completed in five days, and praised DOC support. Mower County's Sentence to Serve (STS) program, now county-run, has expanded under Matt Ziebell's leadership, with increased participation and diverse tasks including property cleanup and Chert quarry work. Laura Geffert was recognized as a valuable addition to the probation team. Holly VanPelt discussed staffing increases and improved workload structure, while Kelly Blake addressed supervision of high-risk offenders and challenges with the Minnesota Rehabilitation and Reinvestment Act (MRRA), including early release protocols and programming. Concerns were raised about potential state control shifts, local impacts of prison closures, and the importance of maintaining county-level decision-making.

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

HEALTH & HUMAN SERVICES BOARD:

Fiscal Services Supervisor Trisha Blaser presented Health & Human Services accounts payable for approval in the amount of \$157,750.76.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to approve the Health & Human Services accounts payable totaling \$157,750.76. Motion carried unanimously.

Motion made by Commissioner Ankeny, seconded by Commissioner Sparks, to approve the Statewide Health Improvement Partnership (*SHIP – a project that focuses on community-driven change strategies that promote Commercial Tobacco-Free living, Healthy Eating, Active Living, and Mental Wellbeing.*) project grant agreement effective November 1, 2025 to October 31, 2030, in the amount of \$160,404 for year 1 of the grant cycle. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Mueller, to approve the Cannabis and Substance Use Prevention Grant effective November 1, 2025, to October 31, 2026 with the Minnesota Department of Health in the amount of \$96,659. Motion carried.

Motion made by Commissioner Sparks, seconded by Commissioner Reinartz, to approve the reinstatement of the COVID Vaccine Implementation Grant effective October 14, 2025 to March 31, 2026 with the Minnesota Department of Health in the amount of \$28,882. Motion carried.

Under department updates new employees Jessica Laue, Nyaruot Wal and Jennifer Evenson were introduced and Whitney Wilson highlighted the Holiday Gift Giving Program to service children and families in the foster care program.

Motion made by Commissioner Sparks, seconded by Commissioner Ankeny, to approve the Social Services actions. Motion carried unanimously.

Motion made by Commissioner Mueller, seconded by Commissioner Ankeny, to adjourn the Health & Human Services Board meeting at 9:45 a.m. Motion carried unanimously.

COUNTY BOARD

The Regular Session of the Board was reconvened at 9:45 a.m. for regular business items.

Motion made by Commissioner Reinartz, seconded by Commissioner Sparks, to approve the cannabis retail registration application for MHA Alchemy Corp. d/b/a Zenith Horizon effective for 10/14/25 – 10/13/27 in LeRoy, MN. Motion carried unanimously.

General Business

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Advanced Correctional Healthcare, Inc	39,409.00	Language Line Services	3,069.09
Advanced Drainage Systems, Inc.	4,871.24	Marco Technologies LLC	2,602.81
Andersen, Inc./Earl F.	2,935.00	Mayo Clinic -Rochester	34,182.49
Arvig Enterprises Inc	220,684.70	Mayo Clinic Ambulance Services	2,272.00
Austin Electric Inc.	12,095.50	MCHS SE Minnesota	17,906.40
Baudoin Oil Company	17,472.56	Med City Painting & Decorating, Inc	8,740.00
Bauer Built Tire	4,525.84	Metro Sales, Inc	3,737.61
CDW Government	6,531.05	Minnesota Counties Computer Cooperative	6,724.35
Cedar Valley Services, Inc	58,191.00	MN Department Of Corrections	34,500.00
Commissioner of Transportation	9,746.26	Mower Soil & Water Conservation District	5,000.00
Dell Marketing L P	12,057.35	Northland & Companies	3,469.72
Diamond Drugs, Inc.	9,160.50	Office Of Mn It Services	3,222.89
Ecolab Inc	2,325.16	Old 218	4,828.40
Election Systems & Software, LLC.	7,081.31	Regents Of The University Of Minnesota	64,913.00
Erickson Engineering Co., LLC	11,705.50	Rochester Sand And Gravel, Inc	22,259.33
Fox Electric Company	7,730.18	Rohl Electric and Services LLC	2,768.58
Freeborn County Co-Operative Oil Co.	9,669.15	RRT Design & Construction	8,700.00
Fresh Baby, LLC	4,328.61	SE Minnesota EMS	50,173.51
Harty Mechanical Inc	3,846.00	Sheriff Houston County	7,604.17
Healthiest You	4,262.50	Southern Lock & Glass	12,105.08
Heartland Girls Ranch	10,779.90	True North Psychology & Consulting LLC	9,413.48
ISD #500 - Southland	2,719.80	Ziegler, Inc	24,160.34
KRIS Engineering Inc	5,401.14	72 Payments less than 2000	39,736.72
		Final Total:	839,619.22

Motion carried unanimously.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to extend housing tax abatement program three years effective January 1, 2026 through December 31, 2028. Motion carried unanimously.

The Board recessed at 9:59 a.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 10:00 a.m. regarding CUP #997 request of Roger & Janet Weness, landowners and petitioners, to subdivide by plat to create two parcels less than 10 acres. Variance needed for LOT 1, lot depth due to existing parcel development

Angela Lipelt, Environmental Services Director, reviewed the application and Planning Commission recommendations with nine conditions noting that findings of fact are not necessary.

The Petitioner was not present. No one spoke for or against CUP #997.

The Chair closed the Public Hearing at 10:04 a.m. regarding CUP #997.

The Chair called the Public Hearing to order at 10:04 a.m. regarding CUP #996 request of Craig & Kacie Sayles, landowners and Cody Sayles, petitioner to operate a "custom exempt" meat processing facility. Custom meat processors process meat on behalf of the animal owner and are inspected periodically by MDA. Meat cannot be sold or donated; only consumable by the animal owner, household members or guests.

Angela Lipelt, Environmental Services Director, reviewed the application and Planning Commission recommendations.

The Petitioner was not present. No one spoke for or against CUP #996.

The Chair closed the Public Hearing at 10:06 a.m. regarding CUP #996.

The Chair called the Public Hearing to order at 10:06 a.m. regarding CUP #995 request of Mark Ellif, landowner and MKA LLC, applicant to construct a 60' x 144' building onsite to be used as a commercial cannabis grow facility located in Section 25 Lansing Township.

Angela Lipelt, Environmental Services Director, reviewed the permit and Planning Commission recommendations.

The Petitioner Mark Ellif was present and spoke on his own behalf. No one else spoke for or against CUP #995.

The Chair closed the Public Hearing at 10:12 a.m. regarding CUP #995

The County Board reconvened its regular session at 10:12 a.m.

Date: October 14, 2025

Res. #53-25

RESOLUTION

On motion of Commissioner Sparks, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 14, 2025 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #997, by Roger Weness and Janet Weness Landowners, and Petitioners, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

Subdivision by plat to create 2 parcels less than 10 acres. Variance needed for LOT 1, lot depth due to existing parcel development.

Located in Mower County, Minnesota and legally described as:

Tax Legal: Section 02 Township 101 Range 016 NW1/4 *(Full legal description on file in the office of Environmental Services.)*

And identified per Mower County tax records as parcel 01.002.0030; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on September 29, 2025, 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 October 14, 2025 before the Mower County Board of Commissioners, on said petition; and

BE IT RESOLVED, that said petition is hereby approved, as recommended by the Mower County Planning Commission with 9 conditions as follows:

1. Applicants shall follow all local, state, and federal regulations regarding the proposed use; and
2. All necessary easements need to be completed before the plat is recorded or within 90 days within recording of the plat if not legally possible to do so but must be completed prior to the sale or transfer of any property so the new owners are legally bound by existing recorded easements. This shall include septic system locations, electrical easements/agreements for operation of the septic system, ingress/egress of shared accesses, well and any other shared amenities.
3. A Zoning Permit shall be obtained prior to any construction of any structure on the property; and
4. 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 landowner's records. The area shall be preserved and protected from compaction and/or construction or other damage. The owner of Lot 2, Block one shall be placed on notice of the primary and secondary site locations, easement, and requirements to protect those areas from damage or construction.
5. The landowner shall sign and record a Homeowner's Assumption of Risk form prior to recording of the plat. The landowner shall provide a recorded copy of the document should the dwelling be sold or transferred to another party.
6. The Owner/Applicant shall keep the site in a neat, orderly, and aesthetically pleasing condition; and
7. 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
8. 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.
9. Mower County grant variance for parcel to be less than 250 feet in depth as shown on the plat provided as "Tenancy Subdivision" in accordance with the Mower County Subdivision ordinance Section 13-130.

This permit is issued in accordance with Section Mower County Sudivision Ordinance of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 14th day of October, 2025.

Date: October 14, 2025

Res. #54-25

RESOLUTION

On motion of Commissioner Mueller, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 14, 2025 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #996, by Craig Sayles and Kacie Sayles Landowners, and Cody Sayles, Petitioner, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

To operate a "custom exempt" meat processing facility. Custom meat processors process meat on behalf of the animal owner and are inspected periodically by MDA. Meat cannot be sold or donated ; only consumable by animal owner, household members or guests.

Located in Mower County, Minnesota and legally described as:

Tax Legal:

Section 10 Township 101 Range 017 W680FT N316FT S1368FT W1/2 NW1/4 4.93

AC (Full legal description on file in the office of Environmental Services.)

And identified per Mower County tax records as parcel 13.010.0010; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on September 29, 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 October 14, 2025 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 25 conditions as follows:

1. Applicants shall follow all local, state, and federal regulations regarding the proposed use; 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, slabs, foundation, posts, walls, or other portions of a building. Site preparation, land clearing or the installation of utilities shall not constitute construction; and
3. A Zoning Permit shall be obtained prior to any construction of any structure on the property; and
4. An approved holding-tank system for the meat plant waste, the permit shall be obtained and completed prior to use of the property as a meat processing facility; and
5. 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 homeowner's records. The area should be preserved and protected from compaction and/or construction or other damage. If a Type I septic system primary and secondary site(s) cannot be located a TYPE III system will be an option as this is a predeveloped site for residential purposes; and
6. 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
7. Access to the site via 590th Avenue must be approved by the Local Road Authority.
8. Any new construction may require wetland review: 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.
9. The Owner/Applicant shall keep the site in a neat, orderly, and aesthetically pleasing condition; and
10. The Owner/Applicant shall contain any blowing or loose garbage/debris onsite by any means necessary which may include perimeter fencing; and
11. 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
12. 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
13. The Owner/ Applicant shall provide adequate area onsite to park, back, turn-around or etc so as to not create a nuisance or hazard to the traveling public. Vehicles cannot be parked or backed onto the premises from the road or its right-of-way; and
14. The Owner/Applicant may be required to provide dust control (not to utilize used oil (illegal)) so as not to create a nuisance to neighboring properties from additional traffic generated to/from this site should this become a nuisance issue; and

15. Carcass waste shall be properly contained and disposed of according to state standards; and
16. The Owner/Applicant shall be liable for any road damages as a result of this operation as stated under MN Statute 169.88; and
17. Any vermin, flies, or other pests shall be controlled; and
18. No burying of waste material, including carcasses and viscera is allowed and to do so would be in violation of MPCA Regulations and Mower County Solid Waste Ordinance; and
19. No retail sales of processed meat shall be allowed, without an amendment to this CUP; and
20. Fulltime and part time employees shall be limited to 6, unless an amendment to this CUP is sought and allowed; and
21. Additional buildings or expansion to the existing structure permitted via this CUP shall require an amendment; and
22. Signage, parking, and loading shall comply with the Mower County Zoning Ordinance; and
23. Business amenities shall comply with MN Building code standards which may include but not be limited to handicap accessibility, plumbing, electrical, and fire code. The applicant shall be required to provide documentation that these codes have been met or exceeded by a contracted party on behalf of the applicant. Confirmation documentation shall be placed in the CUP file by Mower County after receipt by the applicant. The purpose of this condition is to protect the health and safety of the staff, employees and public which utilize this facility; and
24. Petitioners and future operators shall obtain and maintain all licenses, permits and satisfactory plan review of the MN Dept. of Agriculture, Board of Animal Health, Minnesota Department of Labor, and Industry, MPCA, and other permits for rendering, by-products and wastewater generated from the site. The petitioner must comply with all relevant regulations and standards.
25. This permit is based upon representation given by the applicant during the public hearing process and is limited exclusively to a custom exempt meat processing facility, as applied for, and any misrepresentation presented in this process may be grounds for revoking the permit.

This permit is issued in accordance with Section Section 14-51 item (m) agriculturally oriented businesses. Ag-oriented business includes custom meat processors (see definitions Sec 14-7) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 14th day of October, 2025.

Date: October 14, 2025

Res. #55-25

RESOLUTION

On motion of Commissioner Ankeny, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 14, 2025 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #995, by MKA LLC, Landowners, and, Mark Ellif, Petitioner, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

to construct a 60ft x 144ft building onsite to be used as a (commercial) cannabis grow facility.

Located in Mower County, Minnesota and legally described as:

Tax Legal: Section 25 Township 103 Range 018 APPROX E330' N214' S636' SE1/4 NW1/4 DOC 549980 1.61AC *(Full legal description on file in the office of Environmental Services.)*

And identified per Mower County tax records as parcel 08.025.0021; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on September 29, 2025 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 October 14, 2025 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 20 conditions as follows:

1. Applicants shall follow all local, state, and federal regulations regarding the proposed use; 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, slabs, foundation, posts, walls, or other portions of a building. Site preparation, land clearing or the installation of utilities shall not constitute construction; and
3. A Zoning Permit shall be obtained prior to any construction of any structure on the property; and
4. Primary and secondary Type I system sites shall be located for future placement and placed on a map and kept on file in the CUP file and landowner's records. The area should be preserved and protected from compaction and/or construction or other

- damage. If a Type I septic system primary and secondary site(s) cannot be located a TYPE III system will be an option as this is a predeveloped site; and
5. Access to the site via 555th Avenue must be approved by the Local Road Authority.
 6. Any new construction may require wetland review: Petitioner must contact the Mower County SWCD regarding the Wetland Conservation Act and provide the County a copy of one of the following:
 - d. A "No Loss Determination" (no wetlands on site).
 - e. A "Wetland Exemption" (the act does not apply).
 - f. A "Wetland Replacement Plan" approval.
 7. The Owner/Applicant shall keep the site in a neat, orderly, and aesthetically pleasing condition; and
 8. The Owner/Applicant shall contain any blowing or loose garbage/debris onsite by any means necessary which may include perimeter fencing; and
 9. 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
 10. 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
 11. The Owner/ Applicant shall provide adequate area onsite to park, back, turn-around or etc. so as to not create a nuisance or hazard to the traveling public. Vehicles cannot be parked or backed onto the premises from the road or its right-of-way; and
 12. The Owner/Applicant shall be liable for any road damages as a result of this operation as stated under MN Statute 169.88; and
 13. Any vermin, flies, or other pests shall be controlled; and
 14. 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
 15. Additional buildings, expansion, or change in uses not specified by this permit shall require an amendment; and
 16. Signage, parking, and loading shall comply with the Mower County Zoning Ordinance; and
 17. Business amenities shall comply with MN Building code standards which may include but not be limited to handicap accessibility, plumbing, electrical, and fire code. The applicant shall be required to provide documentation that these codes have been met or exceeded by a contracted party on behalf of the applicant. Confirmation documentation shall be placed in the CUP file by Mower County after receipt by the applicant. The purpose of this condition is to protect the health and safety of the staff, employees and public which utilize this facility; and
 18. Petitioners and future operators shall obtain and maintain all licenses, permits and satisfactory plan review of any of the following applicable departments: the MN Dept. of Agriculture, Office of Cannabis Management, Minnesota Department of Labor, and Industry, MPCA, and other permits for by-products and/or wastewaters generated from the site. The petitioner must comply with all relevant regulations and standards.
 19. This permit is based upon representation given by the applicant during the public hearing process and is limited exclusively, as applied for, and any misrepresentation presented in this process may be grounds for revoking the permit.
 20. All lighting shall be deflected downward

This permit is issued in accordance with Section Section 14-51 (Ord Amend 06-24) CUP - Cannabis cultivation of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 14th day of October, 2025.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve pre-contract terms as outlined by the County Attorney and authorize the County Attorney to present the terms to the City of Austin for the County Attorney department to serve as the legal prosecutor for the City of Austin. Motion carried unanimously.

Motion made by Commissioner Ankeny, seconded by Commissioner Mueller, to authorize staff to submit a Grant Application to the State of Minnesota for Solar on Public Buildings program to install solar on the Recycling Center Building and accept any funds, if awarded. Motion carried unanimously.

Motion made by Commissioner Ankeny, seconded by Commissioner Sparks, to approve the purchase of 4 new garage doors for Public Works Outshops (2 in Grand Meadow and 2 in LeRoy) (\$26,990). Motion carried unanimously.

Motion made by Commissioner Reinartz, seconded by Commissioner Sparks, to approve the Towards Zero Deaths Grant Agreement with the MN Department of Public Safety for 2026 enforcement effective October 1, 2025 – September 30, 2026 (\$13,800). Motion carried unanimously.

Dan Leshner of Great River Energy and Mike Frank of ITC Midwest provided an overview of the PowerOn Midwest project, a proposed 765-kV transmission line spanning approximately 410 miles from eastern South Dakota through southern Minnesota to Wisconsin. The project, jointly developed by Great River Energy, ITC Midwest, Otter Tail Energy, and Xcel Energy, aims to enhance grid reliability and accommodate growing energy demands through access to renewable sources like wind and solar. The permitting process has begun with the Minnesota Public Utilities Commission, though specific route plans are still under development. Discussion included transmission efficiency, environmental resilience, right-of-way considerations, and security measures. The project is expected to be constructed between 2025 and 2034, with more information available at <http://poweronmidwest.com>. More locally the line will connect the Lakefield, Pleasant Valley and North Rochester substations in Jackson, Mower and Olmsted counties.

Assistant County Administrator Valerie Sheedy provided an update regarding the MPCA leak site on the Adams shop property. The county purchased the land with outstanding environmental remediation. The seller, as the original responsible party, has been non-responsive. The \$10,000 in escrow has been released to the county. The County has been working with MPCA and Chosen Valley for the clean-up of the site. The MPCA has reached out to the county with notification that this contaminated site may qualify for a fund finance program when there isn't an identifiable responsible party. The state can clean the site with no cost to the county.

County Engineer Mitch Wenum provided quote information for class 2 aggregate rock stock piles in two county locations.

Motion made by Commissioner Mueller, seconded by Commissioner Ankeny, to award the low quote of Bruening Rock Products for providing approximately 7,500 tons of Class 2 aggregate (rock stockpile) to the Adams Shop at \$13.649 per ton. (Estimated cost \$102,367.50) Full quote files are available in the office of the County Engineer. Motion carried unanimously.

Motion made by Commissioner Sparks, seconded by Commissioner Reinartz, to award the low quote of Bruening Rock Products for providing approximately 7,500 tons of Class 2 aggregate (rock stockpile) to the Austin Shop at \$13.99 per ton. (Estimated cost \$104,925.00) Full quote files are available in the office of the County Engineer. Motion carried unanimously.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the Erickson Engineering Co. LLC Engineering Services Agreement 25058 for engineering services for the Bridge L8597 replacement design (40,600). Motion carried unanimously.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to approve the purchase of a set of six mobile lifts from High Forest Bobcat (\$78,000) to replace the unusable / unsafe lifts and also approve floor repairs in the shop for the new lifts (\$20,000). Motion carried unanimously.

Human Resources Director Kristina Kohn informed the Board that Memorandums of Agreement regarding necessary contract language changes due to the new Paid Family Medical Leave Act have been negotiated with all seven unions. The seven union Memorandum of Agreement were presented for Board approval.

Motion made by Commissioner Sparks, seconded by Commissioner Reinartz, to approve the Memorandum of Agreements for contract language changes to incorporate 1) a 50/50 split in the premium (payroll tax) required to fund the mandatory Paid Family Medical Leave Act (PFML) program and 2) an employee's ability to supplement their PFML payments with accrued Paid Time Off (PTO) with the unions of AFSCME, LELS Local No. 81, LELS Local No. 83, LELS Local No. 74, MNPEA, UAW, and Local 663. Motion carried unanimously.

Motion made by Commissioner Mueller, seconded by Commissioner Sparks, to establish for non-union employees the same PFML parameters agreed upon with the unions of 1) a 50/50 split in the premium (payroll tax) required to fund the mandatory Paid Family Medical Leave Act (PFML) program and 2) an employee's ability to supplement their PFML payments with accrued Paid Time Off (PTO). Motion carried unanimously.

Motion made by Commissioner Ankeny, seconded by Commissioner Sparks, to approve amending the 2026 plan year ancillary benefits (employee electable options)

previously approved on September 23, 2025 for all benefits to be provided by MetLife and now amended to be provided as follows:

Ancillary Benefit	Carrier
Dental	Equitable
Accident Insurance	Standard
Hospital Insurance	Standard
Life Insurance	Securian

Ancillary Benefit	Carrier
Vision	Avesis
Critical Illness Insurance	Standard
Long-Term Disability	MetLife

Employer Sponsored	Short-term Disability & Paid Family Medical Leave	MetLife
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Individual employee monthly rate information dependent upon available options is available and on file in Human Resources. Motion carried unanimously.

Motion made by Commissioner Mueller, seconded by Commissioner Ankeny, to approve the following medical plan rates and contributions for the 2026 plan year (SelfFund):

Mower County Health Plan 2 - Health Plan Options	2026 Contributions (Monthly)					
	Single Plan / Employee only		Employee+Child(ren)		Family Plan	
	Employee	County	Employee	County	Employee	County
2600/5200 80% - With VEBA County Contribution to VEBA	\$ 0.00	\$1,128.41 108.33	\$ 358.35	\$2,238.09 216.67	\$ 672.41	\$3,052.08 216.67
Monthly Total Contribution	\$ 0.00	\$1,236.74	\$ 358.35	\$2,454.76	\$ 672.41	\$3,268.75
2600/5200 80% - Without VEBA	\$ 0.00	\$1,128.41	\$ 141.68	\$2,454.76	\$455.74	\$3,268.75
Monthly Total Contribution	\$ 0.00	\$1,128.41	\$141.68	\$2,454.76	\$455.74	\$3,268.75

Motion carried unanimously.

Motion made by Commissioner Reinartz, seconded by Commissioner Sparks, to approve the Flexible Spending Account (FSA) annual rate limits for employee voluntary election for the 2026 plan year (as established by the IRS) as follows:

Dependent Care \$7,500

Medical \$3,400

Motion carried unanimously.

Motion made by Commissioner Mueller, seconded by Commissioner Sparks, to continue the Healthiest You plan/virtual health program available to all employees and their families at an employer annual cost estimated at \$51,000. Motion carried unanimously.

Under Committee Reports Commissioner Ankeny reported attending Personnel Committee on 10/7. Commissioner Sparks reported attending Personnel Committee on 10/7. Commissioner Mueller reported attending a Fair Board meeting on 10/7 and Building Committee as well as the SE Emergency Communications Board meeting on 10/13. Commissioner Glynn reported attending Emergency Medical Services meeting as well as an SWCD meeting on 10/0 and a SEMCAC meeting on 10/13.

The Chair adjourned the meeting at 11:46 a.m. The next meeting is scheduled for October 28, 2025 at 9:00 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY:  Chairperson

Attest: 
By: _____
Clerk/Administrator