

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

August 11, 2026

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session August 11, 2026 at 9:00 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Chair Dan Sparks, Vice-Chair Mike Ankeny, Jerry Reinartz, John Mueller and Polly Glynn. Also in attendance were County Administrator/Clerk Matthew Verdick, Assistant County Attorney Megan Burroughs, Sheriff Sandvik and other staff.

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve the agenda adding: 1) Resolution for Towards Zero Deaths grant application 2) Table the Extension Office relocation business under Facilities. Motion carried unanimously.

Public Comment Period

Residents expressed strong support for preserving the 4-H building and opposed relocating the Extension Office into space currently used by 4-H programs, emphasizing its long-standing community importance, frequent use for meetings, and value to youth and generational farm families. Speakers encouraged exploring alternative locations, including the South Hall or other available spaces, noting that the 4-H facilities were built by and for local clubs and should remain intact. Comments also reflected appreciation for the decision to table the relocation discussion and noted more community members would have attended if not for the fair and primary election day. The Board Chair acknowledged all comments.

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

1. Approve Minutes of July 28, 2026 and August 4, 2026 work session
2. Acknowledge the Receipt of Electronic Fund Transfer Payment Reports
3. Approve Commissioner Warrants

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Advanced Correctional Healthcare, Inc	29,186.83	J & S Repair Inc	5,077.86
Austin Daily Herald	2,212.05	Joseph Company, Inc/The	2,396.00
Baudoin Oil Company	28,262.24	Marco Technologies LLC	2,566.76
Cedar Valley Services, Inc	66,887.86	Mayo Clinic Rochester	8,726.90
CliftonLarsonAllen LLP	13,650.00	MCHS SE Minnesota	26,505.90
Commissioner of Transportation	31,461.80	MEIGS Paving	75,237.85
Contegrity Group, Inc.	16,880.00	Metro Sales, Inc	2,960.79
Damel Corporation Morem Tree Service	6,475.00	Mower Soil & Water Conservation District	39,286.87
DataWorks Plus LLC	2,411.61	Office Of MNIT Services	2,739.89
Dave Lucas Consulting	2,812.50	Premier Electrical Corporation	12,392.32
Department Of Corrections	9,765.00	Reassurance Solutions LLC	94,890.00
Election Systems & Software, LLC.	3,184.68	Recovery is Happening	30,750.00
Falk Construction Co./L.R.	4,239.82	Syverson Truck Center/Dave	2,173.70
Falkstone LLC	3,518.47	Taylor Print & Visual Impressions, Inc.	14,029.62
Freeborn County Co-Operative Oil Co.	37,054.94	Thomson Reuters-West Payment Center	3,125.76
Healthiest You	4,277.00	Ulland Brothers Inc.	3,960.00

Imperial Dade	5,934.66	Ziegler, Inc	131,669.18
Institute for Environmental Assessment	3,700.00	58 Payments less than 2000	29,600.40
		Final Total:	760,004.26

4. Set 9/22/26 @ 7:30 am for the annual Employee Longevity Recognition Breakfast

5. Approve Vanguard Contract Renewal Effective June 2027-June 2032

Motion carried unanimously.

The Board recessed at 9:13 a.m. for the purpose of public hearings.

The Chair called the Public Hearing to order at 9:13 a.m. regarding Conditional Use Permit (CUP) #1008 of David & Stephanie Huse for utilization of property for short-term rentals for up to 8 people in Section 35 Austin Township.

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

The Petitioner was not present. No one spoke for or against CUP #1008.

The Chair closed the Public Hearing at 9:15 a.m. regarding CUP #1008 of Huse.

The Chair called the Public Hearing to order at 9:15 a.m. regarding amending the Zoning Ordinance to add Article X as an Accessory Dwelling (ADU) Ordinance.

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

Three persons spoke in favor the Accessory Dwelling Unit ordinance by highlighting its value for accessibility, aging in place, and maintaining rural family living arrangements. No one spoke against amending the Zoning Ordinance to add an Accessory Dwelling Ordinance.

The Chair closed the Public Hearing at 9:29 a.m. regarding amending the Zoning Ordinance to add Article X as an Accessory Dwelling (ADU) Ordinance.

The County Board reconvened its regular session at 9:29 a.m.

Date: August 11, 2026

Res. #60-26

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 August 11, 2026 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #1008, by David Huse and Stephanie Huse Landowners, and Petitioner, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

Utilization of the property for short term rentals including VRBO rentals

Located in Mower County, Minnesota and legally described as:

TAX legal: Section 35 Township 102 Range 018 3.10AC BLDG SITE IN E465.20FT
S290FT N748.70FT NE1/4 NE1/4; DOCS#680573

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

And identified per Mower County tax records as parcel 02.032.0060; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on August 3, 2026, 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 August 11, 2026 before the Mower County Board of Commissioners, on said petition; and

WHEREAS, the County Board has received the Findings of Fact; and

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board has reviewed, accepts and adopts the findings of fact of the Mower County Planning Commission in the five required areas, which is hereby adopted by reference and kept on file in the Office of Environmental Services; and

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

1. Applicant shall follow all local, state, and federal regulations regarding the proposed use; Mower County is aware of the following specific state laws or rules which apply from the following state agencies, MN Dept of Health, MN, MN Dept of Public Safety. There may be others: it is the responsibility of the applicant to comply with all local, state and federal laws pertaining to the business they are operating. Here are some that may apply: MN Statute 299F.362 (smoke alarms); MN Statute 299F.51 (carbon monoxide detectors); MN Rules 4625.1700 insect and rodent control.
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. Mower County requires constant compliance of the septic system while being used as a lodging location. This means after the initial COC expires (June 24, 2029) a compliance inspection is required every third year thereafter. If the site resumes occupancy as a private residence in the future this requirement shall be discontinued.
5. If for any reason the septic system is deemed an imminent public health threat, use of the property as a lodging facility shall cease immediately until the matter is resolved. Examples of

- an Imminent Public Health Threat include but are not limited to; backup of sewage into the dwelling, discharge of sewage to the ground's surface, illegal connection of the septic drainfield to an agricultural drainage system.
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. The Owner/Applicant shall keep the site in a neat, orderly and aesthetically pleasing condition; and
 8. 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
 9. The Owner/ Applicant shall provide adequate area onsite to park, back-up, turn-around, etc. so as to not create a nuisance or hazard to the traveling public. Vehicles cannot be parked or backed onto the premises from the road or its right-of-way; and
 10. Any vermin, flies, or other pests shall be controlled in accordance with MN Rules; and
 11. No burning of garbage or construction debris, or burying of waste material is allowed and to do so would be in violation of MPCA Regulations and Mower County Solid Waste Ordinance; and
 12. 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.

This permit is issued in accordance with Section 14-51. (l) Campgrounds or Tourist Homes of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and adopted this 11th day of August, 2026.

Date: August 11, 2026

Ord. #04-26

ORDINANCE
Zoning Ordinance Amendment

On motion of Commissioner Ankeny, seconded by Commissioner Glynn, the following Ordinance was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held August 11, 2026, at the Mower County Government Center, Austin, Minnesota.

WHEREAS, a Notice of Intention to hold a public hearing to consider adding Article X of the Mower County Zoning Ordinance was published in Mower County's official newspaper, the *Austin Daily Herald*, on July 22, 2026 and in the Mower County Independent July 23, 2026; and

WHEREAS, the Planning Commission held a public hearing on said ordinance on August 3, 2026 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 August 11, 2026, before the Mower County Board of Commissioners at which any concerned citizen was given an opportunity to speak on the matter; and

WHEREAS, Three persons spoke in favor and no one spoke against 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 Mower County Zoning Ordinance adding **Article X, Accessory Dwelling Units**.

ARTICLE X - ACCESSORY DWELLING UNIT (ADU) ORDINANCE

SECTION 14-213 Intent:

Mower County's 2026 Comprehensive Land Use Plan identified a growing need for diverse, affordable housing, while prioritizing the preservation of its productive agricultural base. ADUs are being proposed as a flexible way to balance these two priorities and to provide opportunities for the county's aging population to stay in place, in familiar surroundings and to live independently as long as possible.

SECTION 14-214 What is an ADU?

An Accessory Dwelling Unit (ADU) is a smaller, independent residential dwelling on the same lot/parcel as a primary single-family home designed to increase housing density and flexibility.

The primary purpose is to provide affordable, long-term housing options, create rental income for landowners, and offer flexible space for multigenerational living or transitioning family farms to the next generation.

ADUs can be detached (separate cottage/garage conversion) or attached (basement/attic conversions or additions).



SECTION 14-215 Purpose of an Accessory Dwelling Unit:

Key purposes of an ADU include:

- **Multigenerational Living & Aging in Place:** ADUs, often called "granny flats", allow families to keep loved ones close while maintaining independence or enable seniors to age in place in familiar neighborhoods.
- **Transitioning of Generational Farms:** ADUs on family farms provide flexible, secondary living spaces for aging relatives to remain on the family farm to assist adult children, grandchildren, or other relatives transitioning into the family farming operation or to oversee onsite farm workers.
- **Rental Income & Property Value:** Landowners can generate extra income by renting out the ADU, or to increase their property value.
- **Affordable Housing & Density:** ADUs provide smaller, lower-cost housing in existing, residential areas, helping to address housing shortages without significantly altering the neighborhood character.
- **Flexibility & Efficient Use of Space:** They may utilize existing infrastructure (shared well, driveway access) efficiently and can be used for guest houses, home offices, or caregivers.

SECTION 14-216 Definitions:

HABITABLE AREA: Examples of habitable (living area) include: bathrooms, bedrooms, kitchen, dining area, office/den, closets/pantry/storage areas, other undefined areas within the dwelling or directly accessible from the dwelling.

LEGALLY COMBINED: Means that two or more adjacent, individually recorded properties are officially consolidated into a single parcel by recording a new deed encompassing the subject parcels.

NON-HABITABLE AREA: Areas of a dwelling or attached to a dwelling which do not include living areas. Examples include garage, mechanical rooms, decks, and patios.

NON-PRODUCTIVE LAND OR SOIL: Means land or soil that is incapable of supporting crops, livestock or timber due to poor soil quality, contamination or extreme weather.

STUDIO ADU: A studio ADU is a small, self-contained residential unit, 200–600 sq ft., located on the same lot as a primary dwelling, featuring an open-concept layout that combines living, sleeping, and kitchen areas with a separate bathroom.

SHOUSE ADU: A shouse is a type of ADU which generally features a metal pole-barn structure blending expansive or agricultural storage with a residential living space—is a popular housing option in rural areas. Shouses demand a larger footprint for wall height, door openings, and heavy-duty storage than a residential garage.

SECTION 14-217 ADU Requirements:

1. ADUs are allowed on parcels which contain a single-family primary dwelling. ADUs are prohibited on lots or parcels which already contain more than one family dwelling unit structure.
2. An ADU requires a separate, independent exterior entrance. An ADU must be accessible from the outside—such as through a shared exterior breezeway or separate side door without requiring occupants to walk through the primary residence's main living quarters.
3. Zoning & Septic permits are required for ADUs and accessory structures/buildings. A Rural and Agricultural Homeowners Assumption of Risk Assessment Form is required to be recorded in the office of the Mower County Recorder prior to issuance of a zoning permit.
4. Principal Dwelling Unit Required. The lot or parcel proposed for an ADU must already contain an existing principal dwelling unit or is being permitted concurrently with application for the principal dwelling unit.
5. A maximum of one ADU is allowed per parcel. An ADU shall not be allowed where residential dwellings are not allowed within the zoning district or where it may violate a subdivision's private covenants or restrictions.
6. ADUs and ADU's means of ingress/egress are prohibited from affecting or impacting Type 1-8 wetlands. A wetland review must be completed by the Mower County SWCD to determine if Type 1-8 wetland exists and if there will be any impact for the construction or location of an ADU or an ADUs means for ingress/egress. Applicants shall provide one of the following from the SWCD:
 - a. A "No Loss Determination" (no wetlands on site).
 - b. Wetlands exist on site but will not be impacted by any development or access route. (no impact).
 - c. A "Wetland Exemption" (the act does not apply).
7. ADUs are prohibited in the following FEMA classified floodplain areas: 10-year (10% chance), 50-year (2% chance), 100-year (1% chance) or 500-year (0.2% chance).

8. ADUs located on parcels with Shoreland Overlay districts must meet the minimum setback from the Ordinary High-Water Level or floodplain area, whichever is greater. Variances shall not be granted to be within these setbacks.
 - a. ADUs within Shoreland Overlay Areas must meet all requirements of the zoning ordinance and State of MN Shoreland Rules 6120; whichever is more restrictive.
9. Landownership and Tenancy Required: Landowners of the ADU property shall reside in either the accessory or the principal dwelling unit.
10. Setback variances are prohibited for ADUs. (i.e. well, septic, property line, right-of-way, shoreland, feedlot, commercial outdoor cannabis grow facility and etc.)
11. An ADU must be placed within the boundaries of the existing building site.
 - a. Two contiguous, non-productive parcels under the same ownership can be legally combined to allow for accommodation of an ADU.
 - b. Two contiguous lots under the same ownership, when part of a platted residential subdivision, may be legally combined to accommodate an ADU.
 - c. Expansion/Enlargement of a building site into tilled or productive land which is or could be used for agricultural purposes for accommodation of an ADU is prohibited.
 - i. Pastureland shall be considered agricultural land.
 - d. Land that has been temporarily set aside in Federal or State Conservation program shall be considered "farmland at rest" and is prohibited from being used for accommodation of an ADU, even upon release from these programs.
 - e. When boundaries of the existing building site are not clearly defined; the zoning administrator shall use the most recent past decade's worth of aerial photos to determine the outside perimeter of the building site area. Concave and meandering parcels may be "squared up or squared off," taking as little tillable land as possible to "square the parcel, or portions of the parcel" for determining the buildable area for an ADU.
12. An ADU must be, in its entirety, located within 250 feet of the primary dwelling.
 - a. Variance from the 250-foot locational standard shall only be considered by the Board of Adjustment if there is absolutely no other option available on the property for the ADU to be located within 250 feet of the primary dwelling.
 - b. Any variance application submitted to the zoning authority must be presented to be as physically close as possible to the 250 feet locational limitation to meet the intent of ADU ordinance.
 - c. Administrative variances shall be allowed if the only available location within 250 feet slightly encroaches outside of the 250 ft locational limitation. Administrative variance is limited to ADUs projecting less than 50% beyond the 250 ft locational limitation.
 - d. Any variance request must meet variance requirements of the zoning ordinance.
13. Preconstructed, non-residential buildings or structures may be allowed as an ADU provided the structure and all modifications are approved and signed off by a structural engineer and there is documentation from the engineer stating that the conversion will adhere to the state's energy and structural building codes and that any structural modifications, such as cutting out walls for doors or windows, meet structural integrity requirements for use as a dwelling.
 - a. Examples of preconstructed non-residential type buildings and structures include, but are not limited to, tree houses, she-sheds, man-caves, storage sheds, machine sheds, shipping containers, agricultural structures, grain bins, barns, and silos.

- b. A zoning permit shall be required which reflects a “change in use” from a non-residential structure to an ADU residential structure/dwelling.
 - c. Use of a non-residential structure for an ADU will require stamped approval by a structural engineer and shall be submitted along with the zoning permit application. An as-built statement from the same engineer is required after construction verifying in writing to Mower County the structure was modified as they had previously approved in the construction plan and the structure is safe for human occupancy.
14. **Facilities.** An ADU must have an acceptable drinking water source, running water, bath and toilet, plumbing, electricity, and an approved septic system for disposal of sewage.
- An ADU shall contain no less than one bedroom, one bathroom, one kitchen (with or without eating area), one living room or combination living/dining room. Exception is granted for a studio ADU which demonstrates one multi-purpose room which has accommodations for sleeping.
15. **Screening and Orientation.** The orientation of the proposed ADU shall, to the maximum extent practical, maintain the privacy of residents of adjoining dwellings, as determined by the presence or design of landscape screening, fencing, and window and door placement.
16. **Location on Lot.** A detached ADU must be located in the side or rear yard of the principal dwelling, without exception.
- An ADU shall be separated by no less than 3 feet from all structures on the subject property unless attached.
17. **Setbacks.** The ADU shall meet or exceed the front, side and rear yard setbacks of the applicable zoning district for residential structures, without exception.
18. **Driveway.** A detached ADU shall be served by the same driveway that serves the principal dwelling.
19. **911 Address:** An ADU is required to obtain a separate 911-address from the primary dwelling. The 911 address shall be obtained prior to issuance of a zoning permit. Each residence shall have the address numbers prominently displayed, numbers shall be night visible and placed to be clearly identifiable by emergency services.
20. **Parking Area.** A minimum of two parking spaces shall be required for each ADU.
21. **ADU Septic System:** An ADU shall only be allowed to be constructed on a parcel which supports primary and secondary TYPE I septic systems.
- a. An Exception will be allowed if the primary dwelling’s only option for a septic system is a TYPE III and the two dwellings share a common TYPE III septic system and a septic professional has determined there is an available secondary site with proven soils to accommodate a replacement system in an area to support both dwelling units
22. **Primary and Secondary SSTS locations:** Before applying for a zoning or septic permit, the lot/parcel shall be reviewed by a qualified septic contractor to determine if the right type of soil is available and enough of the right-type of soil is available via soil boring logs to support primary and secondary TYPE I septic systems. Mapped locations identifying both primary and secondary drainfield locations and soil boring locations shall be clearly identified on the map for both the primary dwelling and the ADU and shall be included on the same map and be accordingly supported by soil logs as required in the Mower County SSTS Ordinance.
- a. Septic systems for the primary dwelling and ADU may be shared/combined but will require expansion of a septic system, determined to be compliant via a compliance

inspection by a qualified septic inspector, to accommodate the additional flows being added to the system by the ADU.

- b. If using a shared septic system - A qualified septic system contractor must determine that primary and secondary septic locations contain adequate soils, in soil type and area, to support the additional septic system expansion and the additional investment being made by the landowner to sustain both dwelling units.

23. **Further Subdivision Prohibited.** A detached ADU shall not be subdivided or otherwise separated in ownership from the principal dwelling unit. The ADU is prohibited from being sold to another separate individual but may be used as rental income by the primary dwelling (parcel) landowner.

Exception: An ADU may be sold to another individual if it is being removed from this lot/parcel and an elimination/expiration of Deed Restriction of the subject ADU has been recorded.

24. **Deed Restriction.** Before securing approval for zoning permit of an ADU, the landowner of the property shall record against the property, a Deed Restriction, (*document to be provided by Mower County Environmental Services*), limiting ownership of both the principal dwelling unit and ADU to the legally recorded landowner of the property.

25. **Maximum Number of Residents.** The number of occupants of the ADU shall not exceed three people.

26. **Elimination/Expiration of Deed Restriction.** Mower County will provide a document that may be used for elimination of an ADU. Elimination of an ADU shall be accomplished by the landowner recording an "Elimination/Expiration of ADU Deed Restriction" in the Office of the Mower County Recorder which states that the accessory dwelling no longer exists on the property. The Expiration of the ADU document must be signed by a representative of Mower County Environmental Services attesting that the ADU is no longer present on the property; or that the landowner has re-permitted a change-in-use of the ADU to a structure that no longer allows for human habitation, and that the plumbing has been permanently severed and/or removed from the structure [in accordance with MN Rule 4714.0713] and the septic system has been properly abandoned, if applicable.

27. **Landowner Responsibility.** ADU landowner is responsible for functionality (usability) and maintenance of structures, real property and certain other components, including, but not limited to lawn, driveway, well, septic, HVAC systems and major appliances including but not limited to, stove, oven, refrigerator/freezer, built-in microwaves, washer & dryer (if they exist), and carbon monoxide/smoke detectors and fire extinguishers and pest control.

- a. If a landowner fails to maintain the ADU as functional and it is determined that the structure and/or other components do not support human habitation, the County Board has the authority to execute Expiration of ADU Deed Restriction and discontinue its use as an ADU. The landowner shall be responsible for abandonment of the septic system and removal of ADU structure and plumbing components at their own cost.
- b. If an Imminent public health threat exists; Mower County must notify the landowner in writing of the issue. The landowner shall have 10 days to abate the public health threat. Should the landowner fail to do so, the Mower County Board has the authority to abate the issue via MN Statute 145 and may assess any and all related cost to the landowner by placing an assessment against the subject property.

28. **Due Diligence:** Mower County encourages all ADU landowners to consider the following issues and consult their own attorney to discuss and establish tenant agreements, even if the ADU is intended for use by family members.

Items for consideration, include, but are in no way limited to such things as: house rules, responsibilities, shared utilities, amenities, liability, insurance, clearly defined expectations, dispute resolution, financial responsibilities such as rent/deposits, length of occupancy, parking, yard maintenance, protection of investment, noise or other points of possible conflict - parties, pets, guests, indoor cannabis growing (to prevent mold, humidity or water damage and control excessive electrical use) or outdoor growth (distinct odor during flowering/harvest), waste/garbage/recycling management, accumulation of other waste, outdoor storage of vehicles, toys or other items, construction or other alterations allowed/prohibited, chemicals or other materials prohibited from going into a septic system to prevent damage and to help maintain longevity of the system.

SECTION 14-218 LOT SIZE REQUIREMENTS

Minimum Lot Size for Attached ADUs. An attached ADU may be developed on a lot or parcel meeting the minimum size for primary dwellings within the respective zoning district provided that zoning setbacks and sewage treatment system requirements of the SSTS Ordinance can be met for both the primary dwelling and the ADU.

Minimum Lot Size for Detached ADUs.

A Studio ADU may be located on a lot or parcel that is equal to or larger than 1.5 acres in area provided that all zoning setbacks and sewage treatment system requirements of the SSTS Ordinance can be met for both the primary dwelling and the ADU.

A detached one-bedroom ADU may be located on a lot or parcel that is equal to or larger than 2.0 acres in area provided that all zoning setbacks and sewage treatment system requirements of the SSTS Ordinance can be met for both the primary dwelling and the ADU.

A detached two-bedroom ADU may be located on a lot or parcel that is equal to or larger than 2.0 acres in area provided that all zoning setbacks and sewage treatment system requirements of the SSTS Ordinance can be met for both the primary dwelling and the ADU.

SECTION 14-219 ADU DWELLING SIZE REQUIREMENTS.

An ADU habitable area is prohibited from being less than 200 sq feet.

A studio ADU habitable area is prohibited from exceeding 600 sq feet.

A one-bedroom ADU habitable area is prohibited from exceeding 800 sq feet.

A two-bedroom ADU habitable area is prohibited from exceeding 1200 sq feet.

Other Enclosed areas: Enclosed three-season and four-season porches or sunrooms shall be calculated and counted as part of the habitable area.

Other Unenclosed Areas: A deck or patio shall not exceed 40% of the ADU permitted area. The deck or patio shall be unenclosed; however, these structures may have a retractable awning, structural feature or roof immediately over the area or extending from the dwelling for shade. Unenclosed decks and patios are not counted towards ADU habitable area.

SECTION 14-220 SHOUSE ADUs.

Shouse ADUs must meet all of the following:

1. Shouse ADUs are limited to areas which are zoned as Agricultural or Rural Management. All other zoning districts shall be prohibited from utilizing a shouse ADU.
2. Shouses are limited to a maximum of two-bedrooms.

3. Shouse ADUs shall be prohibited in Agricultural or Rural Management zones where platted, residential subdivisions, or in denser, populated areas where the character of the vicinity is residential in nature where there are 3 or more adjacent, smaller lots which are less than 5-acres in area, regardless of the size of the subject parcel requesting the shouse ADU.
 - i. The above-mentioned adjacent lots/parcels could be located on either side of a public road or privately held access.
 - ii. The intent of this provision is to maintain the “residential character” of the immediate vicinity.
 - iii. Other ADU opportunities exist but shall prohibit a shouse ADU in this situation.
4. A shouse ADU shall be located on a lot or parcel that is equal to or larger than 5.0 acres in area provided that all zoning requirements can be met by the ADU and sewage treatment system requirements of the SSTS Ordinance can be met for both the primary dwelling and the ADU.
5. A maximum of one shouse (dwelling) structure is allowed per lot or parcel.
6. The dwelling unit portion of the shouse is subject to ADU dwelling size requirements of this ordinance. The shed portion of the Shouse is not limited in area.

SECTION 14-221 GARAGE:

1. A garage/carport shall be considered optional and is not required by this ordinance.
2. A garage shall not contain habitable space.
 - a. Exception: When an ADU space is located above or below a garage. The habitable portion above or below the garage shall be counted towards the square foot limitation requirements of an ADU.
3. A garage affiliated with and/or supporting an ADU shall not exceed 576 sq ft (IE a 24’x 24’ 2-car garage).
4. A garage or portion of a garage that is used for the housing of automobiles, storage, and HVAC systems that support the ADU shall not be counted as part of the habitable/livable area square footage.

SECTION 14-222 MECHANICAL SPACE:

Non-exclusive mechanical area: Up to a 50-sq ft deduction will be allowed for mechanical room housing HVAC, water heater, water softener, air exchanger or plumbing components when located within the ADU dwelling unit so that it does not count towards habitable area as determined by the zoning official.

- The purpose of this paragraph is to allow a reasonable deduction for mechanical components when there is also storage area included as part of the mechanical room area. The storage area shall be considered as habitable area of the ADU.

For this deduction to be calculated the zoning official shall need a layout of the structure, drawn to scale, to determine the square footage of the allowable deduction, if requested for deduction.

Exclusive mechanical area (no storage contained within): If the mechanical room is less than 50-sq feet; actual size of the room will be deducted from the total ADU habitable area.

Mechanical area in Garage: If the mechanical room is located within the garage there shall be no deduction.

BE IT FURTHER ORDAINED that Ordinance #04-26 shall be effective upon publication in the Legal Newspaper of Mower County, the "Austin Daily Herald." (*published 8/15/2026*)

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 adopted this 11th day of August, 2026.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to amend the Housing tax Abatement policy to exclude Accessory Dwelling Units from eligibility for an abatement. Motion carried unanimously.

The Board recessed at 9:32 a.m. for the purpose of the Health & Human Services Board.

HEALTH & HUMAN SERVICES BOARD:

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve the Health & Human Services board agenda. Motion carried unanimously.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve the Health & Human Services consent agenda as presented:

1. Approve Health & Human Services Accounts Payable totaling \$110,064.20
2. Approve Opioid Advisory Council Grant for Bright Life House \$42,995.36
3. Approve Housing Support Renewal Agreement with KSMS, Our House effective July 1, 2026, to June 30, 2027

Motion carried unanimously.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve University of Minnesota Agreement of Internship Affiliation effective 9/14/2026 effective for up to 3 years. Motion carried unanimously.

In Health & Human Services updates, the Board received an overview of the Child Support Program, noting strong performance metrics, reduced wait times, and effective cooperation with the County Attorney's Office. Staff highlighted upcoming statewide policy changes, modernization efforts, and ongoing work to improve guidelines and processes. Updates also included mention of a new Deputy Director, Megan Boysen, who will oversee Public Health and Child & Family Services.

Motion made by Commissioner Ankeny, seconded by Commissioner Mueller, to adjourn the Health & Human Services Board meeting at 9:47 a.m. Motion carried unanimously.

COUNTY BOARD

The Regular Session of the Board was reconvened at 9:48 a.m. for regular business items.

Date: August 11, 2026

Res. #61-26

RESOLUTION
CALLING PUBLIC HEARING ON CAPITAL IMPROVEMENT PLAN AND
ISSUANCE OF GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN
BONDS

On motion of Commissioner Mueller, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 11, 2026 at the Government Center, Austin, Minnesota.

WHEREAS, Mower County (the "County") has prepared or will cause to be prepared its Five-Year Capital Improvement Plan (the "CIP"), as a multi-year guide to the construction and/or improvement of county roads, county ditches, county facilities, county parks and the acquisition of capital equipment and technology; and

WHEREAS, the CIP will be developed in accordance with the provisions of Minnesota Statutes, Section 373.40, and (i) cover the five-year period beginning with the date of its adoption; and (ii) set forth the estimated schedule, timing, and details of specific capital improvements by year, together with the estimated cost, the need for the improvement, and sources of revenues to pay for the improvement; and

WHEREAS, the CIP and annual amendments to the CIP are not effective until approved by the County Board of Commissioners (the "Board") after public hearing; and

WHEREAS, the County intends to issue its general obligation capital improvement plan bonds (the "Bonds") on a tax-exempt basis, to the extent allowable, in an amount not to exceed \$23,595,000 to finance and / or reimburse the costs of construction of various capital improvements, as described in the CIP, pursuant to Minnesota Statutes, Section 373.40 and Chapter 475; and

WHEREAS, the Board, following a published notice in the official county newspaper, will conduct a public hearing at 9:00 a.m. on September 8, 2026, in the Board Room of the Mower County Government Center, 201 1st Street NE, Austin, MN 55912, to receive public comment on the CIP and the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED, the Clerk to the Board is hereby authorized and directed to cause notice of the public hearing in substantially the form of Exhibit A "Notice of Public Hearing on Approval of the Capital Improvement Plan and the Issuance of General Obligation Capital Improvement Plan Bonds Pursuant to Minnesota Statutes, Section 373.40 and Chapter 475" (*Exhibit A on file in County Finance and Administration*) to be published in the *Austin Daily Herald* at least ten (10) days nor more than twenty-eight (28) days prior to the date of the hearing.

Passed and adopted this 11th day of August, 2026.

County Engineer Mitch Wenum presented bid information received for project SAP 050-605-018 to replace Bridge 89212 with new Bridge 50L03 on County Road 5 near the Freeborn County line. Five competitive bids were received.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to award the low bid of Jensen Excavating (\$566,034.06) for project SAP 050-605-018 to replace Bridge 89212 with new Bridge 50L03 on County Road 5 near the Freeborn County line and

have the project commence. Full bid abstract on file in the office of the County Auditor-Treasurer and at Public Works. Motion carried unanimously.

Human Resources Director Amanda Shoff reported that three tentative agreements had been reached during on-going union negotiations and are ready for the Board's acceptance.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the LELS #81 (detention deputies) Tentative Agreement for contract effective 7/1/2026 - 6/30/2029 and the new contract reflecting the negotiated terms upon finalization. Motion carried unanimously.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve the LELS #83 (deputy) Tentative Agreement for contract effective 7/1/2026 - 6/30/2029 83 and the new contract reflecting the negotiated terms upon finalization. The Commissioners voted as follows: Commissioner Ankeny aye; Commissioner Reinartz aye; Commissioner Mueller abstained; Commissioner Glynn aye; Commissioner Sparks aye. Motion carried with a majority vote.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve the AFSCME (Health & Human Services) Tentative Agreement for contract effective 7/1/2026 - 6/30/2029 and the new contract reflecting the negotiated terms upon finalization. Motion carried unanimously.

Date: August 11, 2026

Res. #62-26

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 11, 2026 at the Government Center, Austin, Minnesota.

BE IT RESOLVED, that Mower County apply for a grant with the Minnesota Department of Public Safety, for traffic safety enforcement projects during the period from October 1, 2026 through September 30, 2027 and if the application is approved with a grant award to enter into a grant agreement; and

BE IT FURTHER RESOLVED Mower County Board Chair is hereby authorized to execute such agreements and amendments necessary for Mower County to implement the project(s) and to serve as the fiscal agent and administer the grant upon its award.

Passed and adopted this 11th day of August, 2026.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve Primary Election Recount Agreement with Minnesota Secretary of State's Office. Motion carried unanimously.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve General Election Recount Agreement with Minnesota Secretary of State's Office Motion carried unanimously.

The Chair adjourned the meeting at 10:13 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: DAN SPARKS
Chairperson

Attest:
By: Matt W. Vane
Clerk/Administrator

COMMITTEE OF THE WHOLE OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

August 11, 2026

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Committee of the Whole Session August 11, 2026 at 10:22 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Chair Dan Sparks, Vice-Chair Mike Ankeny, Jerry Reinartz, John Mueller and Polly Glynn. Also in attendance were County Administrator/Clerk Matthew Verdick, Assistant County Attorney Megan Burroughs, Sheriff Sandvik and other staff.

IT Department Update – Cameron Heard, IT Director

Cameron Heard reported that with the welcomed addition of new supervisor, the IT team continues to support more than 300 staff. Over the past 12 months, the department handled approximately 4,000 service tickets and reduced average resolution time from 40 hours to 18 hours, a 57% improvement. Service Desk performance under the new supervisor's direction has exceeded 90% since March.

2027 Budget Discussions

Land Records Taxpayer Services (LRTS) presented initial 2027 budget information, noting internal absorption of discontinued Environmental Services contracts, adequate funding for major equipment and software needs, and continued strong performance in electronics recycling. GIS remains essential for internal support, and recycling contracts expiring in 2028 may require adjustments. Fee structures are reviewed annually based on staff time, and passports continue to generate revenue and reduce workload. Transportation budget updates showed higher state aid for road maintenance, stable equipment funding, and minor decreases in buildings and grounds, along with an overview of planned projects. The General Fund review indicated manageable staffing impacts and ongoing concerns regarding contracted cleaning services. Budget development continues, with Sheriff and HHS reviews forthcoming and preliminary levy discussions planned for late September. The Board also reviewed draft Committee of the Whole procedures, with potential adoption before November, and discussed next steps regarding placement of the Narcan vending machine.

Under Committee Reports Commissioner Mueller reported attending SEMN Emergency Communications Board on 8/10. Commissioner Glynn reported attending the Historic Bluffs Scenic Byway and the Cedar Wapsipinicon one watershed one plan meetings on 8/5 and a SEMCAC meeting on 8/10.

The Chair adjourned the meeting at 11:48 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY:

DAN SPARKS

Chairperson

Attest:

By:

Matthew Verdick

Clerk/Administrator