

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

December 1, 2022

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session December 1, 2022 at 9:00 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Chair Jeff Baldus, Vice-Chair Mike Ankeny, John Mueller, Jerry Reinartz and Polly Glynn. Also in attendance were County Attorney Kristen Nelsen, County Administrator Trish Harren, Executive Assistant Denise Barthels,
REMOTE: Adam

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve the agenda with the addition 1) Review & Approve Resolution for 2023 AIS budget and work plan. Motion carried.

There were not any items or meetings to report under Committee Reports.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to approve the minutes of November 22, 2022. Motion carried.

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Anoka County Corrections	7,531.52	Minnesota Counties Computer Cooperative	22,393.25
Bustad Dozing & Excavating Inc	2,250.00	Office Of Mn It Services	2,801.77
Compass Minerals	29,099.17	The Master's Touch, LLC	4,544.81
Election Systems & Software, LLC.	6,419.13	47 Payments less than 2000	22,620.07
		Final Total:	97,659.72

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn, to approve amending the Housing Tax Abatement policy and application effective January 1, 2023 by including on the application a City of Austin notice concerning application approval prior to obtaining a building permit and amending the following sections of the policy language pertaining to shouse's as follows:

Qualifying Units of Housing

Eligible units of housing include a single-family house or multi-family complexes. A house may be new construction, modular, or manufactured provided it is on a permanent foundation and is valued and assessed as real property for property tax purposes. Shouses qualify, but only the tax on the value of the area dedicated and occupied as a residence **plus 1000 square feet for garage** is eligible for abatement.

And under Frequently Asked Questions:

1. Is a shouse eligible for a housing abatement?

- a. A shouse is a personal workshop and/or storage space that is connected to or includes a space dedicated as a living quarters. Shouses qualify for a tax abatement, however, only the taxes on the value of the shouse that is a dedicated and ~~as~~ occupied living quarters **plus 1000 square feet for garage** is eligible for abatement.

Motion carried.

Date: December 1, 2022

Res. #141-22

**RESOLUTION
For Agreement to State Transportation Fund
Local Bridge Replacement Program
Grant Terms and Conditions
SP 050-646-006**

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 December 1, 2022 at the Government Center, Austin, Minnesota.

WHEREAS, Mower County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 50601, Bridge No. 50K97, and Bridge No. 50K98; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, Mower County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 50601, Bridge No. 50K97, and Bridge No. 50K98; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$1,027,355.84 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Mower County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the project but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

Passed and approved this 1st day of December, 2022.

The Board recessed at 9:19 a.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 9:19 a.m. regarding CUP #952 of Adam Thoen for an exemption from platting for the sale of an existing building site of 3.67 acres in size to be split from the larger tillable tract, located in Section 6, Waltham Township.

Valerie Sheedy, Assistant Environmental Services Supervisor, reviewed the permit and Planning Commission recommendations.

The Petitioner Adam Thoen was present remotely. No one spoke for or against CUP #952.

The Chair closed the Public Hearing at 9:27 a.m. regarding CUP #952 of Adam Thoen.

The County Board reconvened its regular session at 9:27 a.m.

Commissioner Glynn left the room for personal business.

Date: December 1, 2022

Res. #142-22

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 December 1, 2022 at the Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #952, by Darrell Thoen Rev. Trust, with Adam Thoen, Stephanie Steele and Kristin Romeo Trustees and Landowner(s), and Adam Thoen, Petitioner, who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

an exemption from platting for the sale of an existing building site of 3.67 acres in size to be split from the larger tillable tract

Located in Mower County, Minnesota and legally described as:

The Southeast Quarter and the East 2.22 acres of the Southwest Quarter of Section 6, Township 104 North, Range 17 West.

And identified per Mower County tax records as parcel 19.006.0040; and

WHEREAS, Notice having been duly given, a public hearing was held on the matter on 11/29/2022, 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 December 1, 2022 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; and
2. A conditional use permit shall become void two (2) years from the date of approval by the County Board if use has not been established, i.e. if the split has not been completed; and
3. A Property Adjustment application is required to be completed and submitted by the applicant in order to conduct the split of the properties; and
4. A Zoning Permit shall be obtained prior to any construction of any structure on the property; and
5. The current septic system servicing the house is a Type III system which requires an Operating Permit and compliance with all of the reporting requirements thereof in accordance with Mower County's SSTS Ordinance. Any property sustained by a Type III system shall record the Type III Assumption of Risk document so that any future owner is aware of the risk and requirements of owning a Type III septic system; 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. 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 Article II, Section 14-51 of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 1st day of December, 2022.

Human Resources Director Kris Kohn presented a request for the approval of an updated IT Director job description and classification as reviewed and recommended by David Drown and Associates.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the revised job description for IT Director with a DMB rating change from D61 to D62. Motion carried.

Date: December 1, 2022

Res. #143-22

RESOLUTION

On motion of Commissioner Ankeny, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held December 1, 2022, at the Government Center, Austin, Minnesota.

WHEREAS, 2014 Session Law Chapter 308 enacted by the Legislature provides Minnesota counties a County Program Aid grant for Aquatic Invasive Species (AIS) prevention. The amount designated for each county is based on the number of watercraft trailer launches as well as the number of watercraft trailer parking spaces within each county; and

WHEREAS, the legislation requires that Mower County must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds which are to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county; and

WHEREAS, the County may appropriate the proceeds directly or may use any portion of the proceeds to provide funding for a joint powers board or cooperative agreement with another political subdivision, a soil and water conservation district in the county, a watershed district in the county, or a lake association located in the county. Any money appropriated by the county to a different entity or political subdivision must be used as required under this section; and

WHEREAS, the County utilizes the 2014 AIS Prevention Aid Funds and sequential years as intended and described by state statute; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of Mower County adopt the following 2023 Aquatic Invasive Species work plan and budget using 2023 County Program Aid AIS funds and, if necessary, designated AIS reserves from prior year AIS allocations:

- | | |
|---|----------|
| 1. AIS Coordinator staffed by Mower Soil & Water Conservation District | \$ 2,000 |
| 2. AIS Awareness / Prevention advertising in various media and at events | 2,450 |
| 3. Canoemobile programming with land- and water-based AIS education for 4 th -6 th graders from Mower County public and private school districts and two out-of-county school districts that serve Mower County residents | 10,550 |

2023 Adopted Work Plan and Budget	<u>\$15,000</u>
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Passed and approved this 1st day of December, 2022.

The Chair adjourned the meeting at 9:32 a.m. The Public Budget and Levy Hearing will be held on December 12, 2022 at 6:30 p.m. The next regularly scheduled Board meeting is scheduled for December 13, 2022 at 9:00 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Administrator

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