REGULAR SESSION OF THE MOWER COUNTY BOARD OF COMMISSIONERS

December 28, 2021

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session December 28, 2021 at 9:00 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Chair Polly Glynn, Vice-Chair Jerry Reinartz, Mike Ankeny, Jeff Baldus, and John Mueller. Also in attendance were HR Director Kris Kohn, Extension Regional Director Lisa Dierks, County Administrator Trish Harren, Executive Assistant Denise Barthels, and Austin Daily Herald Editor Eric Johnson.

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to approve the agenda adding 1) request for a Letter of Support for a Good Jobs Challenge Grant and 2) Discussion on OSHA Emergency Temporary Standard (ETS). Motion carried.

Human Resources Director Kris Kohn provided a department update. The department has worked at filling 57 vacancies throughout the year. Human Resources has been working with departments on succession planning due to the fact there are 25 employees eligible to retire in 2022. The department has been "rebranding" to present a positive empowering and welcoming environment for employees with a focus on service. The Safety and Wellness Committee is branching out from a narrow focus on fitness and nutrition to include a 360 degree look at wellness.

Ms. Kohn presented several items for review and possible action by the County Board. She noted that the Federal Government had increased the maximum amount an employee can place into medical flexible spending and requested the County match the Federal limit.

Motion made by Commissioner Mueller, seconded by Commissioner Ankeny, to increase the medical flexible spending limit to $2850 for 2022. Motion carried.

Ms. Kohn requested approval for a change in classification for Captain position from C45 to D61 following review by David Drown. The main reason for the recommendation is that at a classification of C45, the Captain, an exempt salaried position, would earn less than the employees the position would supervise who are non-exempt and earn overtime. This means that eligible internal candidates would experience a pay cut if promoted to the position of Captain. The second request is to move the Chief Deputy from a D61 to a D62 as the Chief Deputy is the designated supervisor of the Captain position and cannot supervise a person in the same pay grade. A discussion followed.

Motion made by Commissioner Ankeny, to change the classification for the Captain position from a DMB rating of C45 to D61
MOTION FAILED FOR LACK OF A SECOND.

The request to change in classification of Captain and Chief Deputy will be reviewed by the Personnel Committee for board recommendation.

Motion made by Commissioner Baldus, seconded by Commissioner Reinartz, to maintain the use of Policy B130, Recruitment and Selection, and to approve the annual staffing levels for 2022 for all departments as on file in Human Resources and summarized as follows:

2022 Staffing Levels					
Department	Total FTE	Department	Total FTE	Department	Total FTE
Commissioners	5.00	Auditor/Treasurer	4.00	Public Works	36.00
Administration	17.80	Corrections	12.75	Recorder	4.60
Assessor	7.00	HHS	100.50	Sheriff	85.00
Attorney	16.00	Human Resources	4.00	Taxpayer Services	2.00
				TOTAL FTE ALL DEPARTMENTS 2022	**294.65**

Motion carried.

Lastly, Ms. Kohn requested approval of new job description of Office Coordinator in HHS department. The new job description replaces the former position of Office Services Supervisor and the change results in no change in FTE or the budget.

Motion made by Commissioner Reinartz, seconded by Commissioner Baldus, to replace the Office Services Supervisor job description with a new job description of Office Coordinator in Health & Human Services. There is no change in DMB rating, FTE or budget. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny, to approve Addendum to the 2022-2024 Agreement with the University Of Minnesota-Extension for Mower County extension programs with the addendum pertaining to a custodian for the 4-H Hall at the fairgrounds. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to reappointment Darrell Ingvaldson as an adult representative on the Extension Committee for a 3 year term effective 1/1/22 through 12/31/24 (2nd term). Motion carried.

Emergency Manager Amy Lammey presented a Storm Damage Report pertaining to the Wind and Tornados on December 15, 2021. It was a historic windstorm with wind gusts in excess of 60 – 80 mph. There was extensive damage in the county to structures, downed trees with power companies such as Dairyland Power experiencing many downed power lines. Power was lost to several communities. Preliminary damage survey results indicate that there was and EF-1 tornado with winds of 110 mph near Racine. There were no injuries or deaths reported in Mower County.

Motion made by Commissioner Reinartz, seconded by Commissioner Mueller, to ratify the following Resolution #120-21 enacted by the Chair on December 17, 2021 Declaring a State of Emergency due to the December 15, 2021 storms:

Dated: December 17, 2021 **Res. #120-21**

Resolution Declaring a State of Emergency

WHEREAS severe storms and high wind impacted the population of Mower County and its cities, townships, public utilities, and electric cooperatives; and

WHEREAS the storm event has caused a significant amount of debris and power distribution systems damage; and

WHEREAS the Mower County Department of Emergency & Risk Management requests the Mower County Board of Commissioners to declare Mower County in a STATE OF EMERGENCY for the December 15 event of 2021;

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Chair declares Mower County in a State of Emergency for conditions resulting from the severe storms and wind event of December 15, 2021 and continuing.

This resolution shall become effective upon its passage and without further publication.

Approved by the Mower County Chair this 17th day of December, 2021 and will be fully ratified by the Board of Commissioners on Tuesday, December 28, 2021.

Motion carried and Resolution ratified this 28th day of December, 2021.

Motion made by Commissioner Ankeny, seconded by Commissioner Mueller, to approve the Health & Human Services accounts payable totaling $368,363.83. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to approve the minutes of December 14, 2021 subject of final review by the Administrator and the Chair. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the following Commissioner warrants for payment on December 30, 2021:

Vendor Name	Amount	Vendor Name	Amount
180 Degrees, Inc.	6,982.20	Fox Electric Company	2,043.75
Advanced Correctional Healthcare, Inc	11,637.40	J & S Repair Inc	3,075.56
Ancom Technical Center, Inc.	3,627.00	Joseph Company, Inc/The	19,900.00
Anoka County Corrections	26,814.00	Laacke & Joys Company, LLC	5,845.00
Baudoin Oil Company	3,394.65	Mayo Clinic	4,116.00
Bishop Excavating Inc	22,501.23	Nexus-Mille Lacs Family Healing	6,197.19
Cedar Valley Services, Inc	53,450.60	Office Of Mn It Services	5,760.20

City Of Austin	40,000.00	Riverside Psychological Services	7,500.00
CliftonLarsonAllen LLP	25,462.50	Slowinski Flooring	5,160.00
Commissioner Of Transportation	12,484.12	Syverson Truck Center/Dave	2,116.38
Consolidated Correctional Foodservice	15,791.46	US Imaging, Inc.	11,032.76
Dave Lucas Consulting	3,288.25	Veolia Environmental Services Inc	11,596.97
Department Of Corrections	6,900.00	Village Ranch Inc	22,942.63
Diamond Drugs, Inc.	3,120.65	70 Payments less than 2000	30,758.44
Faegre Drinker Biddle & Reath LLP	2,002.00	**Final Total:**	**375,500.94**

Motion carried.

Motion made by Commissioner Baldus, seconded by Commissioner Mueller, to amend Combination of Parcels Policy effective December 28, 2021 by adding/inserting a new Section B Definitions as follows:

B. Definitions

"Combination" means to take one or more parcels that lie within the same TAG and share common ownership and are contiguous and put them together into one parcel.

"Contiguous" means parcels that share a common border.

"Owner" or "Taxpayer" means the person or entity who has or claims fee title to a parcel of land and pays the property taxes on said parcel.

"Parcel" means any land owned by one or more persons, the boundaries of which are set forth in a single deed, series of deeds, or similar transfer document.

"Property Tax" means the annual amount paid by a land owner to the local government or the municipal corporation of the area. The property includes all tangible real estate property, the house and other structures.

"Section" means an area of one square mile (give or take), containing 640 acres, with 36 sections making up one township.

"Subdivision" means the act of dividing land into pieces that are easier to sell or otherwise develop, usually via a plat.

"TAG" or "Tax Authority Group," sometimes called a tax district, is a geographic area shared by a group of tax authorities. Property in a TAG is taxed by the same taxing units and at the same total rate. For example: A parcel with the TAG LANSING TWP/756/CR, the tax payments would be disbursed to the following districts: Lansing Township, Independent School District #756, and Cedar River Watershed District.

"TIF" or "Tax Increment Financing" is a method of financing real estate development costs to encourage developers to construct buildings or other private improvements, or to pay for public improvements. TIF is generally used to redevelop blighted areas or build housing for low to moderate-income families.

"Taxes Payable" means the property was assessed the previous year and you are paying taxes based on that value in the following year.

AND modifying the language in paragraphs 1. 3. 5 and 7. in Section C. Guidelines as indicated in the following excerpts of policy language:

1. Must lie within the same taxing district (TAG); ~~e.g.: CLAYTON TWP/500/FD1/LEROY~~; this includes,
3. **All parcels being combined must be in the same TIF District, if applicable; i.e. cannot combine one PIN in a TIF with one PIN not in a TIF;**
5. If parcels lie **within the** ~~outside of~~ city limits **of the City of Austin or within two miles of its city limits**, must obtain approval from **the City of Austin's** Planning & Zoning; **outside of this area must obtain approval from the County's Planning & Zoning Department;**
7. Same subdivision or same section; see Minn. Stat. §272.46, Subd. 2;

a. There are mitigating circumstances that *may allow* the combination of certain lands that do not follow these guidelines; however, this is at the discretion of the Planning Commission for review and recommendation to the County Board for approval. **If this situation does apply, then the following must occur:**
   - **A new deed must be created and recorded encompassing all legal descriptions that describe the parcels to be combined prior to the County combining the PINs;**
   - **Note that numbers 1 through 6 indicated above still apply—no exceptions to these rules whatsoever.**

The entire policy is on file in the office of County Administration. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Baldus, to set the 2022 mileage reimbursement rate at $.585/mile. Motion carried.

Date: December 28, 2021 **RES. # 121-21**

RESOLUTION ESTABLISHING AN ABSENTEE BALLOT BOARD FOR THE 2022 ELECTION YEAR (ENCOMPASSING ALL ELIGIBLE ELECTIONS)

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 December 28, 2021 at the Government Center, Austin, Minnesota.

WHEREAS, Mower County is required by Minnesota Statutes 203B.121, Subd. 1 to establish an Absentee Ballot Board effective December 28, 2021 for the full 2022 Election year for all eligible elections; and

WHEREAS, this board will bring uniformity in the processing of accepting or rejecting returned absentee ballots in Mower County; and

WHEREAS, the Absentee Ballot Board would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy county auditors trained in the processing and counting of absentee ballots;

THEREFORE, BE IT RESOLVED THAT, the Mower County Board of Commissioners hereby establishes an Absentee Ballot Board that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy auditors to perform the task.

Passed and approved this 28th day of December, 2021.

Date: December 28, 2021 **Res. #122-21**

RESOLUTION ADOPTING ASSESSMENT

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 28, 2021 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): Brandon Learn and Katie Bambrick

Property address: 2618 4th St SE, Austin MN 55912

Parcel Identification No: 02.012.0420

Tax parcel abbreviated description: Section 15 Township 102 Range 018 E2AC N5AC S35.56AC E1/2 NE1/4

Assessment amount: $21,450.75 (Twenty One Thousand Four Hundred Fifty dollars and 75/100)

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 2022, 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, (year of installation) 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 28th day of December, 2021.

Date: December 28, 2021 **Res. #123-21**

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 December 28, 2021 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 Kelly

Property address: 53970 174th St, Austin MN 55912

Parcel Identification No: 02.056.0010

Tax parcel abbreviated description: Subdivision Name KELLY ADDITION Lot 001 Block 001 SubdivisionCd 02056

Assessment amount: $35,325.00 (Thirty Five Thousand Three Hundred Twenty-Five dollars and no/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 2022, 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.

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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 28th day of December, 2021.

Workforce Development, Inc. is submitting an application for Good Jobs Challenge Grant and is requesting a Letter of Support.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the letter of support for Workforce Development, Inc.'s application for the Good Jobs Challenge Grant and authorize Commissioner Baldus to sign the letter. Motion carried.

Under Miscellaneous Correspondence, it was noted that the County Assessor had reported to the Board that the department had not made any clerical in nature changes to the tax records since the County Board of Equalization. The County Assessor has informed the Board that Board of Equalization training needs to be completed before February 1, 2022.

Human Resource Director Kris Kohn requested direction and guidance from the Board pertaining to the projected mandate that large employers will be required to meet certain vaccine guidelines under MN OSHA. The Director is working on a policy and procedure to comply with any regulations stipulated by MN OSHA. A discussion followed and the Board provided guidance to have the department request that employees voluntarily turn in their Covid-19 vaccination records. Employees not vaccinated may need to be tested weekly and wear a mask. Research is still being done on who pays for any required testing.

Under Committee Reports Commissioner Reinartz and Commissioner Ankeny reported on having a Solid Waste Committee meeting on December 21. Rose Creek curbside pickup is being considered and recycling pickup at Adams is considered to be reduce d to every other week. Commissioner Reinartz reported on attending the Senior Center meeting. Commissioner Ankeny reported on attending the Statewide Community Health Services Advisory Committee meeting on the December 21. Commissioner Glynn attended the SWCD meeting on December 15. Commissioner Baldus reported attending the Minnesota Rural Counties meeting and noted that transportation funding may be received for critical road or bridge projects and will be submitting a request for funding for Oakland Avenue. Commissioner Mueller reported on attending the extension committee meeting on December 16 and staff evaluations were conducted.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny, to adjourn the meeting at 11:22 a.m. Motion carried. The next meeting is scheduled for January 4, 2022 at p.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY:____
Chairperson

Attest:

By:__________________________________
Clerk/Administrator

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