

**SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS**

November 22, 2016

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session November 22, 2016 at 8:30 a.m. at the Government Center in Austin, Minnesota.

Members present, viz: Polly Glynn, Chair
 Tim Gabrielson, Vice-Chair
 Mike Ankeny
 Jerry Reinartz
 Craig Oscarson, County Coordinator

Member absent: Tony Bennett

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to approve the agenda with the following additions: 1) appoint MCIT voting delegates for the 2016 annual meeting; 2) motion to waive fee for board of adjustment and 3) motion to approve 2017 child and teen check-up contract. Motion carried.

The Board briefly discussed the December meeting schedule due to the Austin Leadership meeting being held on the afternoon of December 8 which involves presentations from two commissioners. The Board by consensus changed the start time for the December 8 from 1:00 p.m. to 3:00 p.m.

The Board briefly discussed the March 2017 meeting schedule to insure a quorum will be reached at meetings held. Any changes to the March 2017 board meeting schedule will be determined at a future date.

Joy Kanne, Assessor, provided the Board with a department update.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny to approve the Amended Grant Agreement for Early Hearing Detection and Intervention and Birth Defects between the Minnesota Department of Health and Mower County Community Health Board (for 2017 documentation and reimbursement changes). Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to approve the 2016 revision to the Local Public Health Service Minnesota Records Retention Schedule. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to approve the Restorative Funding Amendment (\$6,751) to the Public Health Emergency Preparedness Grant Contract. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to approve Amended Early and Periodic Screening, Diagnosis and Treatment Administrative Services Contract (for 2017) with the Minnesota Department of Human Services. Motion carried.

Lisa Kocer, Health & Human Services Director, provided the Board with Community Health updates which included the information that the reimbursement rate for WIC participants has increased.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to approve the Human Services Accounts Payable. Motion carried.

A Public Hearing was held in regard to a Housing Tax Abatement request of Holly LaVallie (*Drennan*), applicant, to construct a single family home in Austin, Minnesota.

Holly noted that her name changed to LaVallie

The Applicant was present and spoke on her own behalf. No one else spoke for or against the Holly Drennan (LaVallie) housing tax abatement application.

Date: November 22, 2016

Res. #69-16

**RESOLUTION APPROVING TAX ABATEMENT
FOR CERTAIN PROPERTY PURSUANT TO MINN. STAT. 469.1813**

On motion of Commissioner Gabrielson, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 22, 2016 at the Government Center, Austin, Minnesota.

WHEREAS, Minnesota Statute 469.1813 gives authority to the County of Mower to grant an abatement of property taxes imposed by the County if certain criteria are met; and

WHEREAS, in addition to the statutory requirements, Mower County has adopted the Tax Abatement Policy for new construction of Single and Multi-family homes which includes criteria which must be met before an abatement of taxes will be granted; and

WHEREAS, Lance Pogones is the owner of certain property within Mower County, legally described as follows:

Lot 12, Block 1, Turtle Creek Estates, Lansing Township, Minnesota
(PIN 08.850.0120)

WHEREAS, Lance Pogones and Holly LaVallie have made application to Mower County for the abatement of taxes as to the above-described parcel; and

WHEREAS, Notice having been duly given, a public hearing was held on November 22, 2016 before the Mower County Board of Commissioners, on said application.

WHEREAS, Lance Pogones, property owner, and Holly LaVallie, proposed buyer, have met the statutory requirements outlined under Minnesota Statute 469.1813 Subdivision 1(1) and Subdivision 2(i) as well as Mower County's criteria for tax abatement;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MOWER COUNTY, MINNESOTA:

1. Mower County does, hereby grant an abatement of Mower County's share of real estate taxes upon the above-described parcel for the construction of a single family home.
2. The tax abatement will be for no more than five years commencing with the receipt of the Certificate of Occupancy, or not more than one year following approval of the taxing authority's resolution, whichever is first, on the first year of taxes payable for the assessed value(s) related to the capital improvements outlined in Paragraph 1.
3. The County shall provide the awarded abatement payment following payment of due real estate taxes annually. One single payment shall be made to the owner of record at the time of the payment, by December 30th of that calendar year.
4. The tax abatement shall be for up to the full amount of the real estate taxes collected from added tax base of the newly constructed housing/home annually. Land values and the current base value are not eligible and will not be abated.

Passed and approved this 22nd day of November, 2016 with a vote of 3-1. The Commissioners voted as follows: Commissioner Gabrielson aye, Commissioner Ankeny aye, Commissioner Reinartz nay, and Commissioner Glynn aye.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Reinartz, seconded by Commissioner Gabrielson to approve the minutes of November 8, 2016. Motion carried.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
180 Degrees Inc	6,750.92	Noedel/Matthew	2,428.75
Anoka County Human Services	14,570.00	Prairie Lakes Youth Programs	7,995.00
Cedar Valley Services, Inc	48,108.32	Rochester Sand And Gravel, Inc	12,211.70
Dave Lucas Consulting	6,305.52	Rupp,Anderson,Squires & Waldspurgen Pa	2,447.28
Davidson Septic Service LLC	2,490.66	Thomson Reuters-West Payment Center	2,279.87
Department Of Corrections	4,495.00	Tiny's Body Shop	5,500.00
Falk Construction Co./L.R.	4,645.52	Ulland Brothers Inc.	4,535.78
Gerard Treatment Program	8,487.18	Village Ranch Inc	16,089.00
Mathy Construction Company	10,312.55	Ziegler, Inc	2,211.92
Mayo Clinic	2,080.84	85 Payments less than 2000	40,307.59
Mille Lacs Academy	8,997.75	Final Total:	213,251.55

Motion carried.

The Board by consensus set the December meetings as follows: December 8 at 3:00; December 20 and 27 at 8:30 a.m. The Board set December 22 from 2:00 to 4:00 for the Commissioners Annual Employee Cookie Party.

Date: November 22, 2016

Res. #70-16

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 22, 2016 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-701-002 completed under contract number 21604 by Ulland Brothers, Inc. has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 119,299.70
Final Amount: \$ 131,019.20 [109.82%]
Final Payment: \$ 6,550.96

Passed and approved this 22nd day of November, 2016.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: November 22, 2016

Res. #71-16

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 November 22, 2016 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-599-091 completed under contract number 21501 by Fitzgerald Excavating & Trucking, Inc. has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 352,744.00
Final Amount: \$ 323,293.00 [91.65%]
Final Payment: \$ 16,164.65

Passed and approved this 22nd day of November, 2016.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Date: November 22, 2016

Res. #72-16

RESOLUTION

On motion of Commissioner Reinartz, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 22, 2016 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-612-011 completed under contract number 21603 by Ulland Brothers, Inc. has in all things been completed and the County Board being fully advised in the premise.

NOW THEN BE IT RESOLVED that we do hereby accept said completed project for and on behalf of the County of Mower and authorize final payment as specified herein:

Contract Amount: \$ 87,593.56
Final Amount: \$ 90,715.68 [103.56%]
Final Payment: \$ 4,535.78

Passed and approved this 22nd day of November, 2016.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Angie Knish, Environmental Services Supervisor, informed the Board that a mistake had been made in 2012 regarding a zoning permit for Mr. Mike Bibus. The mistake was discovered when Mr. Bibus applied for a variance. The request is being made for the Board to consider waiving the Board of Adjustment fees.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to waive the \$500 Board of Adjustment Fee required to process both the Michael Bibus (PID 02.042.0080) new zoning permit application request dated October 19, 2016 (permit # TBD) AND a correction to the Michael Bibus (PID 02.042.0080) zoning permit #6136 dated October 30, 2012 which permit included a County error in permitting. Motion carried.

Scott Delaney, from The Bridge, provided the Board with a program update. Mr. Delaney and other members of The Bridge expressed their appreciation for the Board's support of the program.

Date: November 22, 2016

Res. #73-16

RESOLUTION

On motion of Commissioner Reinartz, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held November 22, 2016 at the Government Center, Austin, Minnesota.

BE IT RESOLVED by the Mower County Board of Commissioners that Mower County enter into a **Grant Contract** with the Minnesota Department of Veterans Affairs (MDVA) to conduct the following Program: **County Veterans Service Office Operational Enhancement Grant Program**. The grant must be used to provide outreach to the county's veterans; to assist in the reintegration of combat veterans into society; to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans; to reduce homelessness among

veterans; and to enhance the operations of the county veterans service office, as specified in Minnesota Laws 2015 Chapter 77, Article 1, Section 37, Subdivision 2. This Grant should not be used to supplant or replace other funding.

BE IT FURTHER RESOLVED that the Board Chair and the Veteran's Service Officer of Mower County be authorized to execute the Grant Contract for the County Veterans Service Office Operational Enhancement Grant Program on behalf of Mower County.

Passed and approved this 22nd day of November, 2016.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion by Commissioner Ankeny, seconded by Commissioner Gabrielson to approve the following list as surplus property for disposal, donation and/or auction:

Quantity	Item	Department
1	2003 Dodge Caravan (unit #255) 1D4GP24323B165117	Public Works
1	Metal cabinet	Maintenance
8	8-drawer stackable index card file drawers	Aud-Treas.
5	Locking index card files	Aud-Treas.
4	2-drawer index card files	Aud-Treas.
8	Large light fixtures from the old courtrooms	Maintenance
1	Easy-Lam II Roll Laminator	Extension
1	Medical Cart	Jail
1	Large cabinet for 8 1/2" x 11" forms storage	Aud-Treas.
1	Handicap commode	Jail
1	Cutting torch with cart	Sheriff
1	Industrial size air compressor	Sheriff
1	Large generator on trailer	Sheriff
1	1989 Featherlite Trailer (unit #221) 1FPL16207LA050205	Solid Waste / Recycling
1	2001 Dodge Gr Caravan (unit #237) 1B4GP443X1B160640	Public Works
	<u>Miscellaneous Parts & Equipment from the Adam's Shop:</u>	Public Works
	Floor Jack, Torch Cart, Drill Press, Portable Scale, 8' Pickup Topper,	
	Large Radiators (3), Auxiliary Electrical Load Box, Misc Engine Parts	
	Misc Electric Motors	

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to appoint Craig Oscarson, County Coordinator, and Commissioner Tim Gabrielson as the MCIT voting delegates for the 2016 Annual Meeting. Motion carried.

Commissioner Ankeny on behalf of the Personnel Committee presented a proposed Tobacco Use Policy. The Personnel Committee has reviewed the proposed Tobacco Use policy. The purpose of the policy is for being in compliance with both the City of Austin's ordinance and Minnesota Statutes regarding tobacco.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to replace Personnel Policy H100 Smoking Policy with Personnel Policy C105 Tobacco Use Policy effective December 19, 2016 by deleting all current language in Policy H100 and replacing it with the following new language as Personnel Policy C105 as follows:

SECTION C105
Tobacco Use Policy

Policy Statement:

A. Purpose

Mower County is committed to providing employees with a safe and healthy working environment. This policy is in compliance with the Minnesota Clean Indoor Air Act (M.S. 144.411 - 144.417) as well as Austin City Ordinance 628, 6.6 Regulation of Secondhand smoke.

B. Policy

The use of tobacco products is not permitted in any county building, vehicle or equipment or within 15 feet of entrances, exits, garage doors, windows (unsealed) or ventilation intakes. The county will provide waste receptacles for cigarette "butts" that will meet the 15 foot perimeter distance. "Tobacco Use" means the act of smoking, the use of smokeless tobacco, or the use of any other tobacco product in any form, including the use of electronic delivery devices. Signage will be posted at strategic locations to notify employees and visitors of this policy.

C. Applicability

This policy applies to all visitors and Mower County employees.

D. Cessation

Contact Human Resources to learn of available smoking cessation programs through our insurance carrier.

E. Compliance and Enforcement

The success of this policy depends on the consideration and cooperation of both tobacco-users and non-users. Enforcement of this policy is a shared responsibility of all staff. Individuals acting in violation of this policy will be reminded and asked to comply. Employees found to have violated this policy may be subject to disciplinary action. Visitors who violate this policy may be asked to leave the property.

and have all smoking receptacles relocated by December 19, 2016 so as to be in compliance with this revised policy. The Commissioners voted as follows: Commissioner Gabrielson nay, Commissioner Ankeny aye, Commissioner Reinartz aye, Commissioner Glynn aye. Motion carried 3-1.

Under Solid Waste Committee business it was reported that work is progressing on the new ordinance. There was a discussion on also establishing the fees associated with the solid waste ordinance. The Committee will continue to review while working on the new

ordinance and bring back to the Board a recommendation on the solid waste fee schedule along with the new ordinance.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to adjourn the meeting at 10:30 a.m. Motion carried. The next meeting is scheduled for December 8, 2016 at 3:00 p.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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