

SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

July 26, 2016

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session July 26, 2016 at 8:30 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Polly Glynn, Chair
Tim Gabrielson, Vice-Chair
Mike Ankeny
Jerry Reinartz
Tony Bennett
Craig Oscarson, County Coordinator

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to approve the agenda with the following addition: Resolution for Joint Powers Agreement & Court Services Amendment for Bureau of Criminal Apprehension data access for the County Attorney, Sheriff, Correctional Services, Human Services and Housing & Redevelopment Authority. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Gabrielson to approve the Eliminating Health Disparities Grant agreement with the Minnesota Department of Health effective July 1, 2016 through June 30, 2021. Motion carried.

Lisa Kocer provided the Board with community health updates which included information pertaining to the Super Bowl Legacy Grant Opportunity in which four community ideas have been submitted and a large Pertussis outbreak in Olmsted County.

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

The Finance Committee presented the Board with a recommendation to approve a tax abatement policy for new construction on single and multi-family housing. A proposed policy was presented to the Board. A discussion followed which included the idea to perhaps include an abatement for homeowners for repairs to blighted properties.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to adopt the following Tax Abatement Policy for new construction of single and multi-family homes effective August 1, 2016 through December 31, 2019:

Tax Abatement Policy

for new construction of Single and Multi-family homes
Effective August 1, 2016

Intent

The purpose of the Mower County Tax Abatement for new construction of single and multi-family homes is to provide incentives to encourage the construction of new owner occupied and rental residential housing units, and to encourage replacement of dilapidated housing structures within Mower County between August 1, 2016 and December 31, 2019.

Tax Abatement Availability

Minnesota Statute §469.1813 Subdivision 8 places limitations on tax abatement. In any given year, the total amount of taxes abated by a municipality shall not exceed 10% of the net tax capacity (NTC) of the political subdivision for the taxes payable year to which the abatement applies, or (2) \$200,000, whichever is greater. The Mower County Policy will limit this to five percent (5%) of net tax capacity in order to be able to provide tax abatement options for non-residential projects.

Eligible Participants

Any person who constructs a new single family home, duplex, or multi-family complex and who files application material and seeks formal approval from appropriate local jurisdiction between August 1, 2016 and December 31, 2019 may be eligible to receive 100% tax abatement of the County's share of increased real estate taxes as a result of building newly constructed housing or a home, for a period of five (5) years provided all of the following criteria are met:

1. Property is located within Mower County and zoned properly for the proposed development project.
2. The applicant shall not have received other local financial assistance (tax increment financing/TIF, Workforce Housing, SCDP).
3. Project is built to any and all applicable zoning and building codes adopted at the time the building/zoning permit is obtained.
4. Property taxes are current and paid on time and in full. Failure to keep property taxes current shall result in revocation of the tax abatement for each year taxes are not current.
5. Program approvals must be obtained prior to the start of construction of the new housing/home.

Multi-family projects of a minimum of four (4) rental units may seek approval for longer tax abatement period not exceeding the maximum defined by State Statute. Each of these multi-unit requests will be considered on an individual basis.

The real estate taxes to be abated 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. Real estate taxes collected for the value of the land or any current additional structures value are not eligible for tax abatement, and will not be abated as part of this program.

This abatement will transfer with the sale of the property for the balance of the five year abatement period.

This abatement will not include voter approved property tax referendums.

This abatement does not apply to, or include, existing and/or new assessments to the property.

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 30 for that calendar year.

Application

Statute requires the County to approve each abatement application. Thus, all applications will be considered on a "first come – first served" basis. The acceptance of new applications will be contingent upon board approval and abatement capacity as defined above.

A complete application for Abatement shall consist of the following:

- * A letter requesting abatement for eligible projects addressed to the Mower County Coordinator;
- * Legal description of the subject property, including address and property identification number;

- * A site plan and construction plans for the proposed project; and
- * Submit a copy of the building/zoning permit once received.

The County Coordinator will forward the completed application to the County Board for consideration. The County Board shall schedule a date for a public hearing on the abatement request(s) pursuant to sections 469.1812 to 469.1815 to receive public input on each abatement request and shall pass a resolution to approve or deny said application.

The County Coordinator shall also forward the completed application to the appropriate City or Township and School District in the event one or more of these taxing jurisdictions have adopted policies and procedures for property tax abatements for single family or multi-family residential construction.

Each taxing entity retains its individual authority on property tax abatements. The County is solely responsible for its share of property tax abatements and this policy does not allow the County to abate City, Township or School District property taxes.

The abatement period will commence 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, and shall continue for five years.

The Commissioners voted as follows: Commissioner Gabrielson aye, Commissioner Ankeny aye, Commissioner Reinartz nay, Commissioner Bennett nay, and Commissioner Glynn aye. Motion carried 3-2.

The Building Committee provided a brief update on current building projects which included the fair grounds and public works.

Tim Penny of the Southeast Minnesota Initiative Foundation provided the Board with an annual update and funding request for 2017.

The Board recessed at 10:06 .m. and reconvened at 10:15 a.m.

Mike Hanson, Public Works Director, presented bid information received by the City of Austin for the shared projects SP 104-020-014/SAP 050-623-003.

Motion made by Commissioner Bennett, seconded by Commissioner Ankeny to award the bid on SP 104-020-014/SAP 060-623-003 to the low bidder Ulland Brothers, Inc. with a low bid of \$1,739,578.05 and have the project commence. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director. The County's financial obligation to the project related to the SAP 050-623-003 portion of the project is \$770,983.61. Motion carried.

The Public Works Director provided a brief update on the bids received for the Oakland Avenue bridge. No action on awarding this bid at this time.

Tony Warkma, citizen and landowner in Grand Meadow, presented to the Board a request / an intention to acquire the Mower County's Grand Meadow property adjacent to him.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Motion made by Commissioner Ankeny, seconded by Commissioner Gabrielson to table Mr. Warmka's request to purchase Mower County property in Grand Meadow to the August 9, 2016 Board meeting and refer the request to Finance for review and recommendation. It was noted that any sale of County owned property cannot be sold directly to a citizen but shall be declared as surplus and opened for a bidder process.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to approve the minutes of July 12, 2016. Motion carried.

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
3D Specialties Inc	3,209.19	Mayo Clinic Health System-Albert Lea &	12,779.63
Boe Brothers Tiling Inc	3,249.56	Metro Sales Inc	3,282.77
Cedar Valley Services, Inc	30,824.77	Mower County Agric Society	6,642.56
Cps Technolgy Solutions	3,550.00	Office Of Mn It Services	3,400.00
Derby Industries	3,435.90	Pomp's Tire Service, Inc	4,063.44
Emergency Automotive Technologies, Inc	9,016.42	Road Machinery & Supplies Co.	2,505.06
Emerson Network Power	3,100.00	Rochester Sand And Gravel, Inc	19,726.85
Eo Johnson Company Inc	7,153.17	Ronco Engineering Sales, Inc.	3,205.60
Erickson Engineering Co., Llc	2,532.00	Sea Change	11,348.03
Freeborn County Environmental Services	5,098.00	Sgts Inc	2,863.50
Hancock Concrete Products, Llc	4,972.08	Syverson Truck Center/Dave	2,803.96
Jones Haugh & Smith Inc	6,844.00	Ulland Brothers Inc.	29,908.50
Klouse Concrete Construction	6,000.00	90 Payments less than 2000	38,371.56
Mark Lang Construction	7,042.19	Final Total:	236,928.74

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to approve the following journal entries to write off payroll insurance liabilities for the years 2011 through 2014:

Acct #	Debit	Credit
11-000-000-0000-2005	276.27	
11-000-000-0000-2006	14.02	
11-420-000-0000-2030		13,170.05
11-420-000-0000-2247	132.40	
11-420-000-0000-2248	886.86	
11-420-000-0000-2249	13,159.80	
11-420-600-4800-2246		34.61
11-420-600-4820-2246	1,892.04	
11-420-640-4800-2246		1,600.01
11-430-000-0000-2030	8,635.75	
11-430-000-0000-2247		2,408.53
11-430-000-0000-2248	1,638.10	
11-430-000-0000-2249	1,628.13	
11-430-700-4800-2246	40.27	
11-449-000-0000-2005	1,354.32	
11-449-000-0000-2030		456.09
11-449-000-0000-2246	1,125.26	
11-449-000-0000-2247		5,455.40
11-449-000-0000-2248	904.77	
11-449-000-0000-2249		729.48
	31,687.99	23,854.17
11-003-000-0000-5830		7,833.82

Acct #	Debit	Credit
01-000-000-0000-2005	0.10	
01-000-000-0000-2006	1,179.76	
01-000-000-0000-2030		15,702.65
01-000-000-0000-2246	6,756.63	
01-000-000-0000-2247	2,538.55	
01-000-000-0000-2248	8,269.97	
01-000-000-0000-2249	8,955.66	
	27,700.67	15,702.65
01-003-000-0000-5830		11,998.02

13-000-000-0000-2005	184.75	
13-000-000-0000-2030	5,132.77	
13-000-000-0000-2246		5,703.83
13-000-000-0000-2247	1,331.20	
13-000-000-0000-2248		670.44
13-000-000-0000-2249	1,880.63	
	8,529.35	6,374.27
13-003-000-0000-5830		2,155.08

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Acct #	Debit	Credit
17-000-000-0000-2030		125.81
17-000-000-0000-2246	9.00	
17-000-000-0000-2247	169.75	
17-000-000-0000-2248	599.00	
17-000-000-0000-2249	337.67	
	1,115.42	125.81
17-003-000-0000-5830		989.61

Acct #	Debit	Credit
70-000-000-0000-2006	1,254.62	
70-000-000-0000-2030		487.31
70-000-000-0000-2247	1,478.90	
70-000-000-0000-2248	328.91	
70-000-000-0000-2249	32.16	
	3,094.59	487.31
70-003-000-0000-5830		2,607.28

Motion carried.

Motion made by Commissioner Bennett, seconded by Commissioner Gabrielson to approved transient merchant license application of Clothing Concepts, Inc. for sales at the Holiday Inn Event Center on August 18, 2016. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to approve the on sale liquor and Sunday license of Lansing Corners Supper Club, LLC effective July 1, 2016 through June 30, 2017. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to approve the Bylaws and an Amended and Restated Joint Powers Agreement with the Minnesota Counties Computer Cooperative (MnCCC). Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to approve the reappointment of Don Adams to the Planning Commission and Board of Adjustment effective January 1, 2016 through December 31, 2018. Motion carried.

Date: July 26, 2016

Res. #39-16

**RESOLUTION
RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS
AGREEMENTS AND COURT SERVICES AMENDMENTS WITH THE COUNTY
OF MOWER ON BEHALF OF ITS
COUNTY ATTORNEY, SHERIFF, CORRECTIONAL SERVICES, HUMAN
SERVICES AND HOUSING AND DEVELOPMENT AUTHORITY**

On motion of Commissioner Gabrielson, seconded by Commissioner Bennett, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held July 26, 2016 at the Government Center, Austin, Minnesota.

WHEREAS, the County of Mower on behalf of its County Attorney, Sheriff, Correctional Services, Human Services and Housing and Redevelopment Authority desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreements further provide the County with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Mower, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Mower on behalf of its County Attorney, Sheriff, Correctional Services, Human Services and Housing and Redevelopment Authority are hereby approved.
2. That the State of Minnesota Court Data Services Subscriber Amendment To CJDN Subscriber Agreements by and between the State of Minnesota, acting through its Department of Public Safety, Bureau of Criminal Apprehension, ("BCA") and the County of Mower on behalf of its Sheriff's Office, County Attorney's Office and Correctional Services Office, are hereby approved.
3. That the County Sheriff is authorized to sign any subsequent amendments or agreements that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the County Sheriff with the administration of the agreement, the Chief Deputy Sheriff is appointed as the Sheriff's authorized designee.

4. That the County Attorney is authorized to sign any subsequent amendments or agreements that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the County Attorney with the administration of the agreement, the Chief Deputy Attorney is appointed as the County Attorney's designee.

5. That the Correctional Services Director is authorized to sign any subsequent amendments or agreements that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.
6. That the Health & Human Services Director is authorized to sign any subsequent amendments or agreements that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Health & Human Services Director with the administration of the agreement, the Assistant Health & Human Services Director is appointed as the Health & Human Services Director's designee.

7. That the Mower County Housing and Redevelopment Director is authorized to sign any subsequent amendments or agreements that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

8. That the Chair of the County of Mower and the County Coordinator, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and approved this 26th day of July, 2016.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to adjourn the meeting at 11:03 a.m. Motion carried. The next meeting is scheduled for August 1, 2016 at 6:00 p.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

INDEX

A

adjourn, 145
agenda as amended, 139
award bid
 SP 104-020-014/SAP 060-623-003 Ulland Brothers,
 141

B

Board of Adjustment
 reappoint D. Adams, 143

E

Eliminating Health Disparities Grant agreement, 139

H

Human Services Accounts Payable, 139

J

journal entries – write off payroll insurance liabilities,
 142

L

liquor license
 on-sale and Sundays
 Lansing Corners, 143

M

minutes 7-12-16, 142
MnCCC Joint Powers Agr & By-Laws, 143

P

payroll insurance liabilities
 journal entries to write-off, 142
Planning Commission
 reappoint D. Adams, 143

R

Res. #39-16 BCA JPA & Court Services Amts for
 Attorney, Sheriff, Corrections, Human Services and
 Mower HRA, 143

T

Tax Abatement Policy for new construction of Single &
 Multi-family homes, 139
transient merchant license
 Clothing Concepts, Inc., 143

W

Warmka request to purchase County property
 referred to finance, 142
 tabled to 8-9-16, 142
warrants
 Commissioner, 142