

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

September 13, 2016

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session September 13, 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 revisions: Remove approval of the minutes, Add approval of a tobacco license application for GEO Travel, and modify the department head report to be given by the County Attorney instead of the County Sheriff. Motion carried.

Kristen Nelsen, County Attorney, provided the Board with a departmental update.

HUMAN SERVICES BOARD:

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

Lisa Kocer, informed the Board that Turtle Creek Industries has requested to develop a new congregate community based Day training and Habilitation program (DT&H) for persons with disabilities. They will be closing their current location which is too large and will be downsizing and moving downtown to provide greater access. Part of the requirements from DHS is that the county board approves any changes or reductions to DT&H programs.

Motion made by Commissioner Reinartz, seconded by Commissioner Bennett to approve the closure of the current site of Turtle Creek Industries on November 30, 2016 and approve the development of the new Community-based Day Training and Habilitation Program on December 1, 2016. Motion carried.

The Board was informed that effective January 1, 2017 there will be a new mandate that Child Protection will be 24 hour/7 days per week.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to authorize the Chair and the Director to sign the following Purchase of Service Agreements:

Group Residential Housing

- Cedars of Austin – renew agreement for Group Residential Housing Services, effective July 1, 2016 to June 30, 2017.

- Corcoran, Gary (Quality Community Services) – renew agreement for Group Residential Housing Services, effective July 1, 2016 to June 30, 2017. :
- Corcoran, Gary (Reflections) – renew agreement for Group Residential Housing Services, effective July 1, 2016 to June 30, 2017.
- Corcoran, Gary (WestPark) – renew agreement for Group Residential Housing Services, effective July 1, 2016 to June 30, 2017.
- St. Mark's Lutheran Home – renew agreement for Group Residential Housing Services, effective July 1, 2016 to June 30, 2017.
- Sacred Heart Care Center – renew agreement for Group Residential Housing Services, effective July 1, 2016 to June 30, 2017.
- Whispering Pines Ranch – renew agreement for Group Residential Housing Services, effective July 1, 2016 to June 30, 2017.
- Wildwood Grove – renew agreement for Group Residential Housing Services, effective July 1, 2016 to June 30, 2017.

Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Bennett to approve the Social Service Actions. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny to adjourn the Human Services Board meeting at 9:20 a.m. Motion carried.

COUNTY BOARD

The Special Session of the Board was reconvened at 9:32 a.m. for regular business items.

Commissioner Gabrielson moved and Commissioner Ankeny seconded to adopt the following resolution to move to a true county assessing method in Mower County effective January 2, 2018. Before the vote there was a lengthy Board discussion which also included public input in which several township officials and citizens spoke for and against the County's intended action. Following the discussion the Board adopted the resolution.

Date: September 13, 2016

Res. #52-16

RESOLUTION

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 September 13, 2016 at the Government Center, Austin, Minnesota.

WHEREAS, Minnesota Statute 273.052 states that any county in the State of Minnesota is authorized and empowered to provide for the assessment of all taxable property in the county by the County Assessor; and

WHEREAS, Minnesota Statute 273.055 states that the election to provide for assessment of property by the County Assessor, as provided in 275.052, shall be made by the Board of

County Commissioners by resolution to be effective at the second assessment date following the adoption of the resolution; and

WHEREAS, the Mower County Board of Commissioners finds that the assessment of all taxable property under the supervision of the County Assessor shall result in a fair and true assessment of property within Mower County,

NOW THEREFORE, BE IT RESOLVED, that the Mower County Board of Commissioners hereby elects to provide for the assessment of all property in Mower County by the County Assessor, in accordance with Minnesota Statute 273.052, et. seq.

BE IT FURTHER RESOLVED, that the effective date of this resolution shall be the second assessment date following the adoption, or January 2, 2018.

BE IT FURTHER RESOLVED, that the offices of all township and city assessors in Mower County shall be terminated 90 days before the above assessment date and shall turn over all tax records relating to property in Mower County to the County Assessor at that time.

Passed and approved this 13th day of September, 2016.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

The County Auditor-Treasurer proposed to the Finance Committee an Election Plan and Cost Allocation. The Finance Committee reviewed the plan and would recommend the adoption of the plan and cost allocation.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz to approve the Election Plan and Cost Allocation policy/procedure as follows:

MOWER COUNTY ELECTION PLAN & COST ALLOCATION

This plan will replace any and all prior agreements, both oral and written, with the parties involved.

It should be noted: there are currently 7 Townships and 7 Cities that share a polling location, i.e. 1 township and 1 city = 1 polling location, and 3 Cities that are mail ballot only. This factor has been taken into account when determining the number of assistive voting machines (AVM) and precinct counters in the plan details.

In 2006 Mower County acquired State-certified Precinct Based Optical Scan equipment (precinct counters) for use in all polling locations within the County. This equipment is used in all Federal and State Elections. In 2016 the County added a new model (DS200) for mail and absentee voting. Current model for all polling locations is the M100.

ASSOCIATED ITEMS

An equipment plan was put into place when the County purchased the M100's in 2006.

- 1.) Mower County has insured all assistive voting machines and precinct counters while they are stored in the facility.
- 2.) The serial numbers of each unit have been recorded in the County's Fixed Asset System.
- 3.) Municipalities are responsible for insuring each AVM and precinct counter while those units are in the physical possession of the municipality or its agents.

STORAGE

- 1.) The County will provide storage for all AVM's and precinct counters, exception for those units assigned to the City of Austin.
- 2.) The municipalities are responsible for storage and maintenance of the precinct counter ballot box.

MAINTENANCE AND SUPPLIES AGREEMENT

- 1.) Mower County shall be responsible for the execution and administration of all maintenance agreements or contracts.
- 2.) Jurisdictions shall be fiscally responsible for repairs or replacement of M100's and AVM's not covered by the maintenance agreement or insurance.
- 3.) Mower County shall make all repair requests on behalf of all jurisdictions.
- 4.) Mower County shall pay maintenance agreement fees on 3 AVM's and 3 precinct counters.
- 5.) After expiration of the initial equipment warranty (3 years), Mower County will pay the equipment vendor's maintenance agreement fee, and bill the municipalities (townships and cities) for reimbursement.
- 6.) Reimbursement shall be based on the number of units individually acquired or shared by all municipalities.
- 7.) The County will order consumable operating supplies for all AVM's and precinct counters stored in a County facility.

TRANSPORTATION OF EQUIPMENT AND SUPPLIES

- 1.) Jurisdictions will be responsible for transporting the programmed AVM's and precinct counters, ballots, and election supplies for any particular election from the County Auditor's office to the polling location, and returning all after the polls have closed.
- 2.) Pick up of supplies shall only be available the Saturday or Monday before the election except for the City of Austin per prior agreement.

PROGRAMMING PROCEDURES

The County Auditor will coordinate the programming of all AVM and precinct counter memory cards for all elections conducted within Mower County.

- 1.) Mower County shall be responsible for programming costs for Federal, State, and County offices and/or questions. Municipalities, school districts and other entities which may appear on a ballot will be responsible for their share of the programming costs for the offices on the ballot.
- 2.) Mower County will pay all programming costs for each election held within the county, and bill municipalities and/or school districts for their share.
- 3.) For elections other than the State Primary and General, municipalities and school districts will pay full programming costs.

SCHOOL DISTRICTS

- 1.) For elections other than the State Primary and General, the Municipality will "rent" to a school district as many AVM's and precinct counters the school district wishes to use.
- 2.) The "rent" per unit will be at the municipality's discretion. Payments from the school district will be directly paid to the municipality and used only to reduce the yearly maintenance fee for that municipality.
- 3.) Special elections programming and ballots will be coordinated with the County Auditor's office and the school district will be responsible for all costs.

TRAINING AND TESTING

- 1.) Training on the AVM's and precinct counters shall be in addition to the required certification training for election judges, and shall be coordinated by the County Auditor through the Public Accuracy Testing (PAT). Exception is the City of Austin which conducts a PAT separately.
- 2.) All jurisdictions (including mail ballot precincts) will be required to assign a clerk and head judge to receive the training on the AVM's and precinct counters.

BREAKDOWN OF ELECTION COSTS FOR MUNICIPALITIES/SCHOOL DISTRICTS

*Billing will be processed within the fiscal year and/or after each election cycle within 30 days.

- 1.) Each municipality (including mail ballot precincts) will pay a yearly fee of \$200.00 per set of the AVM's and precinct counters for the supplies and maintenance. If a shared polling location is involved the cost will be divided.
- 2.) Absentee voting is handled for all precincts by the county. There will be a flat rate postage fee of \$20.00 per precinct each election cycle.
- 3.) Online training per Judge (user) will be charged \$4.00 per yearly sign up.
- 4.) Each election cycle for ballot processing/setup the fee will be \$55.00 for each municipality.
- 5.) Each election cycle for Extracted UOCOVA PDF files processing/setup the fee will be \$5.40 for each municipality.

- 6.) Each election cycle for OSS Samples/Web File Creation processing/setup the fee will be \$5.40 for each municipality.
- 7.) Mower County will be responsible for the Primary Election cost for Federal, State, and County offices and questions.
- 8.) General election – Mower County will pay the ballot vendor and bill accordingly. The ballots will be charged at 50% of unit price multiplied by the amount of ballots ordered for each municipality (including mail ballot precincts). (Per state requirements: Each precinct must be provided with at least 100 ballots for every 85 individuals who voted in that precinct at the previous election for the same office or on similar questions, or in an amount at least 10 percent greater than the number of votes which are reasonably expected to be cast in that precinct, whichever supply of ballots is greater.)
- 9.) Mail ballot precincts will be charged a set fee of \$1.00 per registered voter for postage. Per election – Primary & General.
- 10.) Township elections held in March of each year with over 500 registered voters will be charged full price of ballots per unit. (ballot numbers will be chosen by the municipality)
- 11.) Primary election - the election systems software setup will be covered by the County.
- 12.) General election - the election systems software setup will be charged at 50% of unit price multiplied by the amount of cards set up for each municipality (including mail ballot precincts).
- 13.) School district costs: Municipalities are responsible for billing costs to the school districts if they so choose. Billing cannot exceed 50% of the municipality's total election costs.
- 14.) For elections other than the State Primary and General, municipalities and school districts will pay full ballot/election costs.

*This plan is subject to change per approval from the County Board based on Auditor requirements, costs, and unexpected events. Should major expenditures such as new voting equipment be mandated by the State of Minnesota or by the Federal Government, these costs will be apportioned appropriately based upon State or Federal Government funding and county distribution.

Motion carried.

Commissioner Gabrielson, on behalf of the Finance Committee, reported to the Board that the Finance Committee has reviewed the 2017 funding requests from the county department heads and outside agencies and has received the recommendations from the County's Personnel Committee for staff changes related to the 2017 budget. In reviewing the requests, the preliminary levy for 2017 would be \$20,341,574 which results in a tax levy increase in the amount of 5.7%. The main changes to the budget are mainly in the personnel area and are further highlighted as:

1. 9 new positions to the 2017 budget plus a job modification to one position in the highway department which resulted in a salary chart increase for that position. Four of the new positions have already been approved in 2016 but will need to be in the budget for 2017. Of the 9 new positions, 2 and 2/3 are paid from non-tax levy revenues and the other 6 and 1/3 will need new tax levy dollars. All the positions recommended are the result of increases in caseloads to our existing staff or for public safety needs including staffing for a metal detector door system at the Justice Center. The net cost to the tax levy is \$374,060.
2. Estimated implementation cost for the compensation study. While the study has not been completed or approved by the Board, the budget impact to implement the study is \$325,000 based on the process used in prior compensation studies. This is the estimated growth in payroll costs as the consultant's fees are included in the 2016 budget.
3. Use of \$450,000 in highway reserves for two of our projects in lieu of increasing the tax levy for the local share of these projects.
4. Increase in County Program Aid in the amount of \$186,231.
5. Increase requested by the Mower County Historical Society in the amount of \$11,000 over the 2016 allocation.
6. Increase to the Mower County Senior Center in the amount of \$5,000.
7. Increase to the Mower County SWCD in the amount of \$18,000. They will receive an additional \$18,000 in matching state funds with this allocation.

Commissioner Gabrielson indicated that the committee will continue to meet to look at the budget for other areas we can adjust before we make our final recommendation to the full board on September 27.

Angie Knish, Environmental Services Supervisor, provided a synopsis to the Board of what has occurred since October 2015 in relation to the Northern Country Coop request for a rural service center, to rural management, with rail loop. An EAW was requested and completed. After a review of the comments received and addressing specific concerns, the Environmental Services Supervisor recommended that the Board adopt a resolution declaring a negative declaration.

Date: September 13, 2016

Res. #53-16

RESOLUTION APPROVING A NEGATIVE DECLARATION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE NORTHERN COUNTRY COOPERATIVE GRAIN STORAGE AND HANDLING FACILITY INCLUDING THE CONSTRUCTION OF A TRAIN LOOP TRACK
IN SECTION 10, LANSING TOWNSHIP, MOWER COUNTY

On a motion of Commissioner Gabrielson, seconded by Commissioner Ankeny, the following Resolution, Finding of Fact and Conclusions were adopted by the Mower County Board of Commissioners at a meeting held September 13, 2016 at the Government Center, 201 1st Street NE, Austin, Minnesota.

WHEREAS, Mower County ("County"), acting pursuant to Minnesota Rules 4410.1100, Subp. 6. prepared an Environmental Assessment Worksheet ("EAW") to determine if the proposed Northern Country Cooperative grain storage and handling facility including construction of a train loop track, located in Section 10, Lansing Township, Mower County has the potential for significant environmental effects; and

WHEREAS, The County distributed the EAW for review by governmental agencies and the public in accordance with the requirements of Minnesota Statutes Chapter 116D and Minnesota Rules Chapter 4410; and

WHEREAS, the 30-day comment period ended on August 31, 2016; and

WHEREAS, the County acknowledges the comments received during the 30-day comment period from the Minnesota Department of Natural Resources, the Minnesota Department of Transportation, and the Minnesota Pollution Control Agency; and

WHEREAS, the County has carefully reviewed the comments on the EAW, and has prepared specific responses to them in accordance with the requirements of Minnesota Rules 4410.1700; and

WHEREAS, the County finds that an Environmental Impact Statement ("EIS") for the Project is not necessary because (1) the Project does not fall within a mandatory EIS category as set forth in Minnesota Rules 4410.4400; and (2) the Project does not have the potential for significant

environmental effects according to the criteria and procedures set forth at Minnesota Rules Part 4410.1700;

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board of Commissioners makes a Negative Declaration finding the preparation of an EIS is **not** necessary for the proposal of Northern Country Cooperative, adopts the Findings of Fact and Conclusions supporting the decision on file in the office of Environmental Services, and directs staff to distribute the Resolution and Record of Decision within five days and publish a notice of decision in the EQB Monitor in accordance with Minnesota Rules Part 4410.1700, Subpart 5.

Passed and approved this 13th day of September, 2016. Commissioner Bennett abstained.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Advanced Correctional Healthcare Inc	13,267.64	Falkstone Llc	11,892.65
Ami Imaging Systems Inc	8,070.00	Freeborn County Co-Operative Oil Co.	18,599.12
Bob Barker Company Inc.	3,107.21	KaiserComm Inc	43,991.52
Brock White Co Llc	5,001.36	Meigs Paving Asphalts & Emulsions	64,410.45
Cdw Government Inc	3,059.85	Office Of Mn It Services	3,913.68
Cedar Valley Services, Inc	31,987.80	Rochester Sand And Gravel, Inc	35,641.09
Commissioner Of Transportation	4,210.31	Sgts Inc	4,189.50
Donnelly Law Firm/Daniel	3,088.29	Ulland Brothers Inc.	21,539.76
Election Systems & Software	4,087.43	57 Payments less than 2000	23,071.11
		Final Total:	303,128.77

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to amend the County Attorney 2016 budget to purchase standing work stations with funding from the attorney contingency reserves in the amount of \$3300. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Bennett to approve the tobacco license effective July 1, 2016 through June 30, 2017 for GEO Travel Plaza LLC. Motion carried.

Craig Oscarson informed the Board that he had received a notice of resignation from Arlen Schamber to resign from the Turtle Creek Watershed District board at the end of his term.

Motion by Commissioner Ankeny, seconded by Commissioner Gabrielson to adjourn the meeting at 10:41 a.m. Motion carried. The next meeting is scheduled for September 27, 2016 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

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