

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

June 27, 2017

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session June 27, 2017 at 8:30 a.m. at the Government Center in Austin, Minnesota.

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

Motion made by Commissioner Bennett, seconded by Commissioner Glynn to approve the agenda with the following additions: 1) 3.2 On Sale Beer/Liquor License for Chateau Raceway; 2) Follow Along Program Grant Agreement Amendment under Community Health business and 3) (a late walk-in also added a request of Disabled American Veterans Mayo SE for gambling at Deer Creek Speedway on August 19.) Motion carried.

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

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn to approve the Amended Follow Along Program Grant Agreement with the Minnesota Department of Health through June 30, 2018. Motion carried.

Community Health Business updates including information pertaining to the RN to BSN Program and the MSHO Blue Cross Audit/Fit Test.

Motion made by Commissioner Bennett, seconded by Commissioner Glynn to waive the CUP application fee for a Cedar River Watershed District capital improvement project along the Cedar River in Section 27, Austin Township. Motion carried.

A Public Hearing was held in regard to a Housing Tax Abatement request of Bigelow & Lennon Construction, applicant, to construct a single family home in the City of Austin, Section 36, Township 103N, Range 18W, Mower County, Minnesota (PIN 34.465.0015).

Craig Oscarson reviewed the application and the recommendation is to approve the application.

The Applicant was present and spoke on his own behalf. No one else spoke for or against the Bigelow & Lennon Construction housing tax abatement application.

**Date: June 27, 2017**

**Res. #42-17**

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

On motion of Commissioner Reinartz, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 27, 2017 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, Bigelow & Lennon Construction is the owner of certain property within Mower County, legally described as follows:

Lot 8, Block 1, Nature Ridge Subdivision in the N½ of the SW¼ of Section 36, TWP 103N, Range 18W, Austin, Minnesota (PIN 34.465.0015)

WHEREAS, Bigelow & Lennon Construction has 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 June 27, 2017 before the Mower County Board of Commissioners, on said application.

WHEREAS, Bigelow & Lennon Construction has 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 30<sup>th</sup> 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 27<sup>th</sup> day of June, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
**Chairperson**

By: \_\_\_\_\_  
**Clerk/Coordinator**

A Public Hearing was held in regard to a Housing Tax Abatement request of Kory Clayton & Desirae Howe-Clayton, applicants, to construct a single-family home in the City of Dexter, Section 13, Township 103, Range 16, Mower County, Minnesota (PIN *applicant requesting split from original parcel 23.005.0420*).

Craig Oscarson reviewed the application and the recommendation is to approve the application.

The Applicant was not present. No one else spoke for or against the Kory Clayton & Desirae Howe-Clayton housing tax abatement application.

**Date: June 27, 2017**

**Res. #43-17**

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

On motion of Commissioner Glynn, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 27, 2017 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

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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WHEREAS, Kory Clayton & Desirae Howe-Clayton are the owners of certain property within Mower County, legally described as follows:

The S 143 ft of the W 572 ft of the E 660 ft of the W 775 ft of Outlot 43, City of Dexter, in Section 13, Township 103, Range 16, Mower County, MN (PIN *applicant requesting split from original parcel 23.005.0420*)

WHEREAS, Kory Clayton & Desirae Howe-Clayton 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 June 27, 2017 before the Mower County Board of Commissioners, on said application.

WHEREAS, Kory Clayton & Desirae Howe-Clayton 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 30<sup>th</sup> 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 27<sup>th</sup> day of June, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
**Chairperson**

By: \_\_\_\_\_  
**Clerk/Coordinator**

A Public Hearing was held in regard to a Housing Tax Abatement request of No Reh and Su Meh, applicants, to construct a single-family home in the City of Austin, Section 33 Township 103 Range 018, Mower County, Minnesota (PIN 34.895.0251).

Craig Oscarson reviewed the application and the recommendation is to approve the application.

The Applicant was present. No one spoke for or against the Reh/Meh housing tax abatement application.

**Date: June 27, 2017**

**Res. #44-17**

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

On motion of Commissioner Bennett, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 27, 2017 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, No Reh and Su Meh are the owners of certain property within Mower County, legally described as follows:

W137.5ft E535ft N164.60ft SE¼ SE¼ EXC E57.5ft S139.80ft, City of Austin, Minnesota (Section 33 Township 103 Range 018) (PIN 34.895.0251)

WHEREAS, No Reh and Su Meh 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 June 27, 2017 before the Mower County Board of Commissioners, on said application.

WHEREAS, No Reh and Su Meh 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.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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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 30<sup>th</sup> 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 27<sup>th</sup> day of June, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
**Chairperson**

By: \_\_\_\_\_  
**Clerk/Coordinator**

Mike Adams, made a formal request to have the application fee for a variance waived to modify a former 1994 variance on his property (formerly the Ice Haus B&B) which did not allow further subdivision of the property.

Motion made by Commissioner Bennett, seconded by Commissioner Glynn to waive the variance after-the-fact application fee of \$1500 for Mike Adams for property located in Section 34, Dexter Township, Mower County, Minnesota. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to approve the minutes of June 12, 2017 Board of Appeal and Equalization and June 13, 2017 County Board. Motion carried.

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Anoka County Human Services	10,527.00	Independent Emergency Services	8,311.21
Baudoin Oil Company	14,922.14	Jones Haugh & Smith Inc	14,485.78
Beckleys	2,400.00	Mayo Clinic Health System-Albert Lea &	26,017.42
Bob Barker Company Inc.	2,093.68	Midwest Monitoring & Surveillance	3,174.00
Cedar Valley Services, Inc	46,962.90	Mille Lacs Academy	10,347.49
Dalco	3,857.35	Paragon Printing & Mailing Inc	5,596.36
Department Of Corrections	9,610.00	Regents Of The University Of Minnesota	15,260.05
Emergency Automotive Technologies, Inc	3,036.13	Thomson Reuters-West Payment Center	2,121.64
Etterman Enterprises	2,346.05	Ulland Brothers Inc.	6,695.56
Freeborn County Co-Operative Oil Co.	6,327.48	Village Ranch Inc	18,693.94
Holiday Ford Lincoln Mercury	20,004.09	85 Payments less than 2000	33,493.41
		<b>Final Total:</b>	<b>266,283.68</b>

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to approve the solid waste facility licenses effective July 1, 2017 through June 30, 2018 for the following facilities: Hillier Composting, Waste Management, SKB Environmental LF and WCI Austin LF (formerly VONCO IV). Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett to approve the solid waste hauler licenses effective July 1, 2017 through June 30, 2018 for the following haulers: Freeborn County Co-Op Oil, Sunshine Sanitation, Thompson Sanitation, Waste Management, Y Waste Removal, ACE Solid Waste Inc. and Skjeveland Enterprises. Motion carried.

**Date: June 27, 2017**

**Res. #45-17**

**RESOLUTION**

On motion of Commissioner Reinartz, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 27, 2017 at the Government Center, Austin, Minnesota.

**WHEREAS**, on June 27, 2017 St. John the Baptist Church presented a request for a Minnesota Lawful Gambling License for gambling to be conducted at the St. John the Baptist Church on September 10, 2017.

**BE IT RESOLVED THAT**, the Mower County Board of Commissioners do hereby approve the issuance of a Minnesota Lawful Gambling License to St. John the Baptist Church for gambling at St. John the Baptist Church on September 10, 2017.

Passed and adopted this 27<sup>th</sup> day of June, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

**By:** \_\_\_\_\_  
**Chairperson**

**By:** \_\_\_\_\_  
**Clerk/Coordinator**

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to approve the On Sale and Sunday liquor license effective July 1, 2017 through June 30, 2018 for Lansing Corners Supper Club. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett to approve the 3.2 Beer On Sale liquor license effective July 1, 2017 through June 30, 2018 for Chateau Raceway. Motion carried.

The City of Dexter made a request to acquire tax forfeited property parcel 23.001.0180 for public purposes.

**Date: June 27, 2017**

**Res. #46-17**

**RESOLUTION**

On motion of Commissioner Reinartz, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 27, 2017 at the Government Center, Austin, Minnesota.

**WHEREAS**, the City of Dexter has submitted a request to acquire parcel #23.001.0180, a tax forfeited property, to allow for the expansion of the City's maintenance building; and

**WHEREAS**, M.S. 282.01 authorizes the County to convey tax forfeited properties to governmental subdivisions of the state for public use;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mower County Board of Commissioners finds the request of the City of Dexter to be in compliance with the provisions of M.S. 282.01; and

**BE IT FURTHER RESOLVED**, that the Mower County Board of Commissioners approve the conveyance of parcel #23.001.0180 legally described as Lots 48, 49 and 50 Original Village of Dexter, Mower County, Minnesota to the City of Dexter free of charge and instructs and authorizes the Mower County Auditor-Treasurer to convey said parcel at no cost except normal recording fees.

Passed and approved this 27<sup>th</sup> day of June, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
**Chairperson**

By: \_\_\_\_\_  
**Clerk/Coordinator**

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz to approve the request of the County Coordinator to temporarily increase the hours of the part-time Account Clerk from 20 hours per week to 40 hours per week for a duration of three weeks effective June 26, 2017 through July 14, 2017 and amend the Coordinator's budget for the associated payroll costs due to the temporary increase in hours. Motion carried.



The Board recessed at 9:38 a.m. and reconvened at 9:49 a.m.

**Date: June 27, 2017**

**Res. #47-17**

**RESOLUTION**

On motion of Commissioner Bennett, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 27, 2017 at the Government Center, Austin, Minnesota.

**WHEREAS**, on June 27, 2017 Disabled American Veterans Mayo SE presented a request for a Minnesota Lawful Gambling License for gambling to be conducted at Deer Creek Speedway on August 19, 2017.

**BE IT RESOLVED THAT**, the Mower County Board of Commissioners does hereby approve the issuance of a Minnesota Lawful Gambling License to Disabled American Veterans Mayo SE for gambling at Deer Creek Speedway on August 19, 2017.

Passed and adopted this 27<sup>th</sup> day of June, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
**Chairperson**

By: \_\_\_\_\_  
**Clerk/Coordinator**

Jennifer Nelson, Vice President of Development, of Southern Minnesota Initiative Foundation provided the Board with an annual program update, thanked the Board for its past financial support and requested continued financial support.

A Public Hearing was held in regard Tax Abatement Request for assisted living project in Brownsdale.

Craig Oscarson reviewed the application and the recommendation is to approve the application.

The Applicant was present and spoke on her own behalf. Two persons spoke in favor of a tax abatement.

**Date: June 27, 2017**

**Res. #48-17**

**RESOLUTION**

On motion of Commissioner Ankeny, seconded by Commissioner Bennett, the following Resolution was passed and adopted by the Mower County Board of

Commissioners at a meeting held June 27, 2017 at the Government Center, Austin, Minnesota.

**WHEREAS**, Legacy of Brownsdale, LLC has submitted a request for a fifteen (15) year tax abatement to convert the former Brownsdale Elementary School currently owned by the City of Brownsdale for a thirty-two (32) unit assisted living facility; and

**WHEREAS**, MS 469.1813 provides the authority to grant the abatement request subject to a public hearing; and

**WHEREAS**, on June 27, 2017 a public hearing was held in regard to said request;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mower County Board of Commissioners finds the request to be in the public interest by providing a long-term increase in tax base and by providing employment opportunities; and

**BE IT FURTHER RESOLVED**, that the Mower County Board of Commissioners approves a fifteen (15) year tax abatement of the County's portion of real property taxes as follows:

- a) The taxes abated shall be equal to the full taxes assessed on the assessed value of the site as determined by the Mower County Assessor in good faith and using customary valuation methods; and
- b) The period of the abatement shall be fifteen (15) years beginning with the first year the property is no longer considered exempt from real property taxation and as a result real property taxes are due and payable; and

AND subject to an approved tax abatement development agreement with the following conditions:

- 1) The facility shall be operational and licensed within twenty-four (24) months of acquiring title; and
- 2) The developer agrees to create up to twelve (12) part-time jobs and thirteen (13) full-time jobs with the employment level based on resident occupancy as further detailed in the tax abatement development agreement.

Passed and approved this 27<sup>th</sup> day of June, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Chairperson

By: \_\_\_\_\_  
Clerk/Coordinator

Date: June 27, 2017

Res. #49-17

**RESOLUTION**

On motion of Commissioner Ankeny, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 27, 2017 at the Government Center, Austin, Minnesota.

**WHEREAS**, The Minnesota Department of Transportation wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

**WHEREAS**, MnDOT and local governments are authorized by Minnesota Statutes sections 471.59, 174.02, and 161.20, to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

**WHEREAS**, the parties wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write “work orders” against a master contract would provide the greatest speed and flexibility in responding to identified needs.

**THEREFORE, BE IT RESOLVED,**

1. That the Mower County enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the Board.
2. That the proper County officers are authorized to execute such contract, and any amendments thereto.
3. That the Mower County Engineer is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts may provide for payment to or from MnDOT, and that the County Engineer may execute such work order contracts on behalf of the Mower County without further approval by this Board.

Passed and approved this 27<sup>th</sup> day of June, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

By: \_\_\_\_\_  
Chairperson

By: \_\_\_\_\_  
Clerk/Coordinator

Mike Hanson, County Engineer/Public Works Director, provided the Board with a report regarding options for bridging the short-fall in transportation funding for county roads and bridges. Mr. Hanson presented three recommended options: 1) Keep the adopted ½% local option sales tax; 2) Increase the wheelage tax from \$10 to \$20 and 3) Adopt an Aggregate Material Removal / Production tax. A discussion followed with public comment.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn to table a decision on the adopted ½% local options sales tax adopted by Resolution #44-16 and possible other options for bridge and transportation funding to July 11 at 2:00 p.m. Motion carried.

Brad Stout, lessor of the tax forfeited property (Long Trucking), made a request to the Board to lease the property with an option to buy. Mr. Stout indicated that he was attempting to purchase the property from the owner when the property tax foreclosure of the property happened. Kristen Nelsen, County Attorney, stated that Mr. Stout's request is being researched and, initially it appears that Mr. Stout cannot lease or purchase the property under the judge's decree as he is not the owner of the property. More research is being conducted.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn to table a decision on Mr. Stout's request to July 11, 2017 at 1:45 p.m. with the request to receive further legal opinion prior to the meeting. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn to adjourn the meeting at 12:02 p.m. Motion carried. The next meeting is scheduled for July 11, 2017 at 1:00 p.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

**BY:** \_\_\_\_\_  
**Chairperson**

**Attest:**

**By:** \_\_\_\_\_  
**Clerk/Coordinator**

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