

SPECIAL SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

August 22, 2017

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session August 22, 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 Ankeny, seconded by Commissioner Glynn to approve the agenda. Motion carried.

Steve King, Correctional Services Director, provided the Board with a department update.

The Commissioners directed questions to Steve Reinartz, County Auditor-Treasurer regarding the continuation process on tax forfeited parcels.

Lisa Kocer, Health & Human Services Director, presented some highlights from the Local Public Health Performance Measures (2016) and introduced new employee, Sara Ferguson, to the Board.

Motion made by Commissioner Bennett, seconded by Commissioner Reinartz to approve the Human Services Accounts Payable including the late claim for payment to vendor Quality Case Management for \$3300. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Bennett to approve the minutes of August 8, 2017. 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>
3D Specialties Inc	3,656.29	Kindred Family Focus	2,740.40
Advanced Correctional Healthcare Inc	4,666.09	Mayo Clinic -Rochester	7,878.00
Applied Concepts Inc	2,526.90	Mille Lacs Academy	21,810.98
Beckleys	2,310.00	Neogov	4,256.00
Bob Barker Company Inc.	3,644.03	Prairie Lakes Youth Programs	12,896.00
Cedar Valley Services, Inc	47,297.55	Thomson Reuters-West Payment Center	2,351.11
Dave Lucas Consulting	7,075.00	Ulland Brothers Inc.	15,379.28
Davidson Septic Service LLC	2,238.46	Village Ranch Inc	5,523.89
Emergency Automotive Technologies, Inc	2,313.37	90 Payments less than 2000	34,878.53
Kiker Bros., Inc	4,950.00		
		<b>Final Total:</b>	<b>188,391.88</b>

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn, to ratify the provisions outlined in the Tentative Agreement with Local 9 for a new contract effective July 1, 2017 through June 30, 2020 and authorize the Chair and County Coordinator to execute the new contracts when completed. Motion carried.

A Public Hearing was held in regard to a Housing Tax Abatement request of Mark and Megan Theobald, applicants, to construct a single-family home in Section 12 of Frankford Township, Mower County, Minnesota.

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 Mark and Megan Theobald housing tax abatement application.

**Date: August 22, 2017**

**Res. #58-17**

**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 August 22, 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, Mark and Megan Theobald are the owners of certain property within Mower County, legally described as follows:

Lot 6, Block 1, Country Hills Estate, Section 12, Frankford Township, Mower County, Minnesota (PIN 06.034.0060)

WHEREAS, Mark and Megan Theobald 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 August 22, 2017 before the Mower County Board of Commissioners, on said application.

WHEREAS, Mark and Megan Theobald 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 22<sup>nd</sup> day of August, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Mower County has received a request from an heir of John Flink to repurchase tax forfeited parcel 20.029.0030. Health & Human Services has a lien against the estate. There is an interested person in the property that has previously entered into an agreement to purchase the property. There are several possible heirs with rights to repurchase. Hoverstein law firm has agreed to work with the handling of funds and property transfer(s) if the Board agrees to a repurchase and acquires the deed from the State.

**Date: August 22, 2017**

**Res. #59-17**

**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 August 22, 2017 at the Government Center, Austin, Minnesota.

WHEREAS, the Mower County Board of Commissioners has received a request from the heir(s) of John Flink for the repurchase of the John Flink tax forfeited property located at 18029 575<sup>th</sup> Avenue, Rose Creek, Minnesota and legally described as N5AC E½ E½ NW¼ Section 29-102-17, Rose Creek, Minnesota (PIN 20.029.0030); and

WHEREAS, the Mower County Board has determined and classified the parcel as non-conservation land as provided for in Minnesota's Statutes 282.01; and

WHEREAS, the Mower County Board has determined the repurchase of the parcel by the heir(s) of the former owner John Flink will promote the use of the land that will best serve the public.

NOW, THEREFORE, BE IT RESOLVED That the Mower County Board of Commissioners approve the repurchase of the tax forfeited property parcel #20.029.0030 by the heir(s) of the former owner John Flink subject to proper documentation by all heir(s) at the repurchase price of \$5,514.70 which price includes costs related to the tax forfeiture process.

Passed and approved this 22<sup>nd</sup> day of August, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

**Date: August 22, 2017**

**Res. #60-17**

**RESOLUTION**

On motion of Commissioner Glynn, seconded by Commissioner Bennett, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 22, 2017 at the Government Center, Austin, Minnesota.

WHEREAS, a Joint Voice Logging Equipment Memorandum of Understanding was originally entered into by the Counties of Dodge, Fillmore, Goodhue, Olmsted County/City of Rochester, Wabasha and Winona, dated May 1, 2014 and these public entities are referred to collectively as the Joint Voice Logging Equipment Committee (hereinafter the "Committee"); and,

WHEREAS, the Committee is a subset of and the members of the Committee are also all members of the Southeast Minnesota Regional Emergency Communications Board (hereinafter the "Board"); and,

WHEREAS, the Counties of Mower and Freeborn, who are also members of the Board, have now indicated their desire to become members of the Committee as well with Mower County indicating its desire to join in a resolution dated February 2, 2016 and Freeborn County indicating its desire to join in a resolution dated March 28, 2016; and,

WHEREAS, the Memorandum of Understanding indicates that in order for new members to be added to the Committee, the proposed new members need to apply to the Committee and a majority of all of the existing members of the Committee must vote affirmatively to permit the proposed members to join and in addition the new members must be prepared to be responsible for a proportional share of the original equipment and ongoing maintenance costs associated with the voice logging equipment and those prerequisites for the proposed new members to join the Committee have now been met; and,

WHEREAS, the parties wish to modify the terms of the original Memorandum of Understanding to reflect the addition of these two new members; and,

NOW THEREFORE BE IT RESOLVED, Mower County, in consideration of the mutual promises herein, the parties, intending to be legally bound, hereby approves the Addendum to Joint Voice Logging Equipment Memorandum of Understanding dated May 1, 2014 and authorizes the Chair and the County Coordinator to sign the Addendum and hereby agrees that the following constitutes additional terms and conditions of the original Memorandum of Understanding.

1. Additional Members: The Committee hereby approves adding Mower County and Freeborn County as new members of the Committee effective August 14, 2017.
2. Mower County and Freeborn County have reviewed the terms and conditions for the members of the Committee contained in the Joint Voice Logging Equipment Memorandum of Understanding dated May 1, 2014 and understand them and agree to be bound by them.
3. Mower County's pro rata share of the original equipment costs shall be \$24,364. Mower County's pro rata share of the ongoing equipment maintenance expenses shall be N/A%.
4. Other than as modified in this addendum, all of the remaining terms of the original Memorandum of Understanding remain in full force and effect and binding upon all of the members of the Committee.
5. This Addendum shall become effective as of the date it has been approved by all of the members of the Committee.

Passed and approved this 22<sup>nd</sup> day of August, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

The City of Austin has requested to acquire tax forfeited parcels #34.100.0370 and #34.100.0420 to correct blighted conditions and to develop affordable housing.

**Date: August 22, 2017**

**Res. #61-17**

**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 August 22, 2017 at the Government Center, Austin, Minnesota.

**WHEREAS**, the City of Austin has submitted a request to acquire parcels #34.100.0370 and #34.100.0420, tax forfeited properties, to correct blighted conditions or to develop affordable housing; 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 Austin 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 #34.100.0370 legally described as Lot 6, Block 5, Bolcom's Addition to the City of Austin, Mower County, Minnesota; and parcel #34.100.0420 legally described as Lot 10, Block 5, Bolcom's Addition to the City of Austin, except the West 45 feet thereof, Mower County, Minnesota, to the City of Austin free of charge and instructs and authorizes the Mower County Auditor-Treasurer to convey said parcel at the cost \$1,034.54 for costs including normal recording fees.

Passed and approved this 22<sup>nd</sup> day of August, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Public Works, Angela Lipelt, Environmental Services Supervisor, provided the Board with information pertaining to a request to expedite a hearing for a variance for Brian Hanson to construct an Ag building. Ms. Lipelt noted that there are other structures on the property that need variances too. The recommendation is to have Mr. Hanson make application for a variance at a cost of \$500 and the Ag building as well as the prior constructed structures to be included in the variance. A zoning permit will also be required and it is recommended to charge \$75 for the zoning permit and to waive the penalty fee for after the fact construction. It was noted that some counties charge an additional fee to expedite the variance hearing process.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve an expedited variance application for Brian Hanson for structures located on property in Section 10 of Frankford Township and to set the variance fee at \$500 and the zoning permit fee at \$75 without any penalty or expedite fees. Motion carried.

Commissioner Glynn requested that Public Works work on spreading the word to the rural communities the need for permits before building structures.

Mower County received a request from the heir(s) of Chester Klingfus to repurchase tax forfeited parcel 02.042.0010. The structure on the property has burned and Mower County has been in the process of preparing the property for demolition. There are potentially other heirs that have the right to make a request to repurchase the property.

**Date: August 22, 2017**

**Res. #62-17**

**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 August 22, 2017 at the Government Center, Austin, Minnesota.

WHEREAS, the Mower County Board of Commissioners has received a request from Roger Klingfus for the repurchase of Chester Klingfus tax forfeited property located at 2106 16<sup>th</sup> Street SE, Austin, Minnesota and legally described as Lot 1 Block 1 Bellman's Subdivision, Austin, Minnesota (PIN 02.042.0010); and

WHEREAS, the Mower County Board has determined and classified the parcel as non-conservation land as provided for in Minnesota's Statutes 282.01; and

WHEREAS, the Mower County Board has determined the repurchase of the parcel by the heir(s) of the former owner Chester Klingfus will promote the use of the land that will best serve the public.

NOW, THEREFORE, BE IT RESOLVED That the Mower County Board of Commissioners approve the repurchase of the tax forfeited property parcel #02.042.0010 by the heir(s) of the former owner Chester Klingfus subject to proper documentation by all heir(s) at the repurchase price of \$14,474 which price includes costs related to the tax forfeiture process.

Passed and approved this 22<sup>nd</sup> day of August, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Mower County has been informed that Robert Hebl is interested in repurchasing tax forfeited parcel 34.165.0230. A written request has not been received.

**Date: August 22, 2017**

**Res. #63-17**

**RESOLUTION**

On motion of Commissioner Bennett, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 22, 2017 at the Government Center, Austin, Minnesota.

WHEREAS, the Mower County Board of Commissioners has received a request from former owner Robert Hebl for repurchase of tax forfeited property located at 911 12<sup>th</sup> Avenue NE, Austin, Minnesota and legally described as Lot 25, Block 1 Crane 2<sup>nd</sup> Addition, Austin, Minnesota (PIN 34.165.0230); and

WHEREAS, the Mower County Board has determined and classified the parcel as non-conservation land as provided for in Minnesota's Statutes 282.01; and

WHEREAS, the Mower County Board has determined the repurchase of the parcel by the former owner Robert Hebl will promote the use of the land that will best serve the public.

NOW, THEREFORE, BE IT RESOLVED That the Mower County Board of Commissioners approve the repurchase of the tax forfeited property parcel #34.165.0230 by the former owner Robert Hebl at the repurchase price of \$5,666.54 which price includes costs related to the tax forfeiture process subject to receipt of a formal written request by the qualified former owner.

Passed and approved this 22<sup>nd</sup> day of August, 2017.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

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

Mower County has received a request from K & L Housing (Kevin Finley) to purchase adjacent tax forfeited parcel 34.105.0800. The tax forfeited parcel needs to be offered to all adjacent property owners.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to set a minimum value of \$15,000 on tax forfeited parcel #34.105.0800 and authorize the Auditor-Treasurer to sell property using the adjacent property owner method. Motion carried.

Mower County has received a request from Edward P. Miller (and Kim Gwilt) to repurchase tax forfeited parcel 34.689.0080. It was noted that the former owners are still living on the property.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny to table to the next board meeting (September 5) the Edward Miller and Kim Gwilt request to repurchase tax forfeited parcel 34.689.0080 located at 504 31<sup>st</sup> Street NW, Austin, Minnesota and instruct staff to gather additional information regarding the forfeiture such as if the eviction notice was served and/or processed, are there any liens on the property and if Assessor staff has seen the inside of the property during valuation. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny to approve the road closure of CSAH 111 (Main Street in Waltham) for a street dance that was held on August 19. Motion carried.

The request to approve an Amendment to Mower County Recycling Contract with Freeborn County Coop Oil Co. to add an additional pickup site to the contract for Brookside



Campground was tabled to September 5. It was requested that the Solid Waste Office furnish additional information pertaining to the requested amendment.

There were not any action items under Committee Reports.

The Chair adjourned the meeting at 10:59 a.m. The next meeting is scheduled for September 5, 2017 at 1:00 p.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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