

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

February 26, 2019

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session February 26, 2019 at 8:30 a.m. at the Government Center in Austin, Minnesota.

Members present, viz: Mike Ankeny, Chair
 Polly Glynn
 Tim Gabrielson
 Trish Harren, County Administrator

Members absent: Jeff Baldus
 Jerry Reinartz

Motion made by Commissioner Glynn , seconded by Commissioner Gabrielson, to approve the agenda with the addition of Emergency Management, Mower County Sheriff and County Engineer report on the February 23, 2019 Blizzard. Motion carried.

Wayne Madson, Emergency Management Director, and Sheriff Sandvik, provided the Board with a blizzard report. Many motorists were stranded; hotels were full; local businesses opened up to allow stranded motorists shelter; snowmobile clubs helped to rescue stranded motorists.

Scott Felten, County Auditor-Treasurer, provided the Board with a department update including information pertaining to property taxes, elections and general staffing.

Lisa Kocer, Community Health Supervisor, provided an update on Local Public Health Funding with the legislature.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn, to approve the Health & Human Services accounts payable totaling \$203,687.21. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to approve the minutes of February 12, 2019. Motion carried.

Motion made by Commissioner Glynn, 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>
Anoka County Corrections	16,014.00	Midwest Monitoring & Surveillance	7,230.40
Axon Enterprise, Inc	15,070.00	Olmsted County Community Services	9,240.00
Baudoin Oil Company	15,734.23	Prairie Lakes Youth Programs Secure	36,888.63
CDW Government	10,159.40	Rochester Sand And Gravel, Inc	2,905.87
Cedar Valley Services, Inc	49,042.41	School District 492	2,064.99

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

Complete Automotive Services	3,290.59	SEMVGET	7,426.30
Fitzgerald Excavating & Trucking, Inc	28,904.04	Thomson Reuters-West Payment Center	2,917.86
K O'Conner LLC	5,250.00	61 Payments less than 2000	27,801.83
		Final Total:	239,940.55

Motion carried.

Motion made by Commissioner Glynn, seconded by Commission Gabrielson, to waive the \$500 fee for Conditional Use Permit #881 for Cedar River Watershed District flood control project located in Red Rock Township, Section 14, SW1/4. Motion carried.

Date: February 26, 2019

Res. #11-19

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 26, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, Minnesota counties are required by law to manage solid waste in a manner that protects the state's land, air, water and other natural resources, and public health by ensuring that certain reduction, separation and recovery, resources recovery, and proper disposal methods of solid waste is set forth in an ordinance; and,

WHEREAS, Pursuant to Minn. State. §§115A.919 and 400.16 and as part of the County's authority and mandate from the State to manage solid waste, and regulate and license solid waste facilities, the County is authorized to establish a system of fees and deposits to mitigate the substantial adverse effects associated with landfilling various solid wastes at solid waste facilities located within the county; and,

WHEREAS, the County Board amended its solid waste management ordinance (ORD 21) to establish a system of fees and deposits to compensate the County for and protect the County against the costs, expenses and risks associated with locating a solid waste landfill within the County; and,

WHEREAS, Section 7.2 (H) of ORD-21 provides for Host Fee agreements to be negotiated in lieu of fees and deposits as established

NOW, THERE FORE, BE IT RESOLVED, the Mower County Board of Commissioners hereby agrees to enter into Host Fee Agreements for both SKB Lansing Landfill, and WCI Austin Landfill as negotiated.

Passed and approved this 26th day of February, 2019.

Sergeant Kim Lenz, Austin Police Department, acknowledged the heroic efforts of Officers Leif, Officer Schuweiler, Officer Jimenez and Deputy Bresser for life saving efforts on a victim that was unresponsive.

A Public Hearing was held in regard to a Housing Tax Abatement request of Katherine Shapinsky, applicant, to construct a single-family home, located at Lot 2, Block 4 The Meadows, Austin, Minnesota (PIN 34.742.0350).

Trish Harren reviewed the application and the recommendation is to approve the application.

The Applicant was present and spoke on her own behalf. No one else spoke for or against the Shapinsky housing tax abatement application.

Date: February 26, 2019

Res. #12-19

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

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 26, 2019 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, Katherine F. Shapinsky is the owner of certain property within Mower County, legally described as follows:

The Meadows Lot 2, Block 4 Subdivision CD 34742, Austin, MN (PIN 34.742.0350)

WHEREAS, Katherine. F. Shapinsky 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 February 26, 2019 before the Mower County Board of Commissioners, on said application.

WHEREAS, Katherine F. Shapinsky 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 the single-family home.
2. The tax abatement will be for no more than five years commencing, in the tax year the property realizes a value increase over original value due to construction of the housing project. Partially constructed housing may result in an abatement in the first abatement year that may be significantly less than the following years. This will still be considered one of the five years of eligible abatement. In the event construction has not commenced within one year of approval, the abatement is eliminated and the property owner will need to reapply in accordance with this policy.
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 real estate taxes to be abated shall be for up to the full amount of the real estate taxes collected due to the added tax base of the newly constructed housing/home annually. The current value of the property is not eligible for the abatement, will not be abated as part of this program and is further defined as the "original value." Any eligible abatement years are calculated on the tax increase due to a value increase over the original value.

Passed and approved this 26th day of February, 2019.

A Public Hearing was held in regard to a Housing Tax Abatement request of New Horizon Homes, applicant, (Nature Ridge Properties, landowner) to construct a single-family home Lot 9, Block 2 Nature Ridge, Austin, Minnesota (PIN 34.465.0117).

Trish Harren reviewed the application and the recommendation is to approve the application.

The Applicant was not present. No one else spoke for or against the New Horizon Homes housing tax abatement application.

Date: February 26, 2019

Res. #13-19

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

On motion of Commissioner Gabrielson, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 26, 2019 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, Nature Ridge Properties of Austin Co. are the owner(s) of certain property within Mower County, legally described as follows:

Lot 9, Block 2 Nature Ridge, Austin, Minnesota (PIN 34.465.0117)

WHEREAS, Nature Ridge Properties of Austin Co., Seller, and New Horizon Homes LLC, Purchaser and Developer, 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 February 26, 2019 before the Mower County Board of Commissioners, on said application.

WHEREAS, Nature Ridge Properties of Austin Co., Seller, and New Horizon Homes LLC, Purchaser and Developer, 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 the single-family home.
2. The tax abatement will be for no more than five years commencing, in the tax year the property realizes a value increase over original value due to construction of the housing project. Partially constructed housing may result in an abatement in the first abatement year that may be significantly less than the following years. This will still be considered one of the five years of eligible abatement. In the event construction has not commenced within one year of approval, the abatement is eliminated and the property owner will need to reapply in accordance with this policy.
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 real estate taxes to be abated shall be for up to the full amount of the real estate taxes collected due to the added tax base of the newly constructed housing/home annually. The current value of the property is not eligible for the abatement, will not be abated as part of this program and is further defined as the "original value." Any eligible abatement years are calculated on the tax increase due to a value increase over the original value.

Passed and approved this 26th day of February, 2019.

Dan Regner, Highway Department Supervisor, was scheduled to be recognized for retirement from Mower County with 24 years of service but was unable to attend.

Date: February 26, 2019

Res. #14-19

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 26, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, project number CP 50-18-01 completed under contract number 21803 by Rochester Sand & Gravel, 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: \$2,682,465.94
Final Amount: \$2,792,071.58 [104.09%]
Final Payment: \$ 139,603.58

Passed and approved this 26th day of February, 2019.

Date: February 26, 2019

Res. #15-19

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 26, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, project number CP 50-18-02 completed under contract number 21803 by Rochester Sand & Gravel, 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: \$ 812,457.92
Final Amount: \$ 837,029.48 [103.02%]
Final Payment: \$ 41,851.47

Passed and approved this 26th day of February, 2019.

Date: February 26, 2019

Res. #16-19

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 26, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, project number CP 50-18-03 completed under contract number 21803 by Rochester Sand & Gravel, 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: \$ 880,057.07
Final Amount: \$ 850,624.68 [96.66%]
Final Payment: \$ 42,531.23

Passed and approved this 26th day of February, 2019.

Date: February 26, 2019

Res. #17-19

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 26, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, project number CP 50-18-04 completed under contract number 21803 by Rochester Sand & Gravel 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: \$ 819,116.16
Final Amount: \$ 865,549.36 [105.67%]
Final Payment: \$ 43,277.46

Passed and approved this 26th day of February, 2019.

Date: February 26, 2019

Res. #18-19

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 26, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, project number CP 50-18-17 completed under contract number 21815 by Rochester Sand & Gravel, 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: \$ 328,000.00
Final Amount: \$ 127,622.96 [38.91%]
Final Payment: \$ 6,381.15

Passed and approved this 26th day of February, 2019.

Date: February 26, 2019

Res. #19-19

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 26, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-625-015 completed under contract number 21802 by Rochester Sand & Gravel, 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: \$ 641,365.55
Final Amount: \$ 682,256.59 [106.38%]
Final Payment: \$ 34,112.84

Passed and approved this 26th day of February, 2019.

Date: February 26, 2019

Res. #20-19

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 26, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, project number SAP 50-628-010 completed under contract number 21811 by Rochester Sand & Gravel, 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: \$ 419,972.90
Final Amount: \$ 398,932.62 [94.99%]
Final Payment: \$ 19,946.63

Passed and approved this 26th day of February, 2019.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to adjourn the meeting at 10:12 a.m. Motion carried. The next meeting is scheduled for March 5, 2019 at 1:00 p.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Administrator

INDEX

A

adjourn, 36
agenda as amended, 28

C

Conditional Use Permit #881
application fee waived
Cedar River Watershed District, 29

H

heroic efforts recognized, 30
Host Fee Agreements
SKB Landfill, 29
WCI Austin Landfill, 29
Human Services accounts payable, 28

M

minutes 2.12.19, 28

P

Public Hearing
Housing Tax Abatement
New Horizon Homes 34.465.0117, 31
Shapinski 34.742.-0350, 30

R

Res. #11-19 Host Fee Agreements Solid Waste
SKB Landfill, 29
WCI Austin Landfill, 29
Res. #12-19 housing tax abatement Shapinsky
34.742.0350, 30
Res. #13-19 housing tax abatement New Horizon Homes
34.465.0117, 31
Res. #14-19 Final Payment CP50-18-01 Rochester Sand
& Gravel, 33
Res. #15-19 Final Payment CP50-18-02 Rochester Sand
& Gravel, 33
Res. #16-19 Final Payment CP50-18-03 Rochester Sand
& Gravel, 34
Res. #17-19 Final Payment CP50-18-04 Rochester Sand
& Gravel, 34
Res. #18-19 Final Payment CP50-18-17 Rochester Sand
& Gravel, 35
Res. #19-19 Final Payment SAP50-625-015 Rochester
Sand & Gravel, 35
Res. #20-19 Final Payment SAP50-628-010 Rochester
Sand & Gravel, 36
retirement
Dan Regner, 33

W

waive CUP fee
CUP #881 Cedar River Watershed District, 29
warrants
Commissioner, 28