

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

March 5, 2019

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session March 5, 2019 at 1:00 p.m. at the Government Center in Austin, Minnesota.

Members present, viz:	Jeff Baldus, Vice-Chair Polly Glynn Tim Gabrielson Jerry Reinartz Trish Harren, County Administrator
Member absent:	Mike Ankeny, Chair

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz, to approve the agenda with the additions under Public Works for a Resolution for Seasonal Road Restrictions and the Professional Services Agreement with RT Vision for electronic time recording in Public Works. Motion carried.

Under Finance Committee, Commissioner Glynn reported that the committee had met with the Sheriff AND Emergency Management for a storm debrief. They discussed an emergency notification system called Code Red. A brief discussion followed and the agreement for Code Red will be presented at a future meeting.

Under Building Committee, Commissioner Gabrielson reported that the committee had met with the Fair Board regarding the request for a beer garden; met with the Auditor-Treasurer regarding the space available north of their office; and had discussed office space needs of Health & Human Services and Law Enforcement and possible solutions. A discussion followed without any action taken at this time.

A Public Hearing was held in regard to a Housing Tax Abatement request of Don and Jan Lanning, applicants, to construct a single-family home located at Lot 3, Block 1 Subdivision CD Country Hills Estate, Section 12, Frankford Township, Minnesota (PIN 06.034.0030).

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 Lanning housing tax abatement application.

Date: March 5, 2019

Res. #21-19

**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 March 5, 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, Donald D. Lanning Revocable Trust is the owner(s) of certain property within Mower County, legally described as follows:

Lot 3, Block 1 Subdivision Cd Country Hills Estates, Section 12, Frankford Township, Minnesota (PIN 06.034.0030)

WHEREAS, Don and Jan Lanning 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 March 5, 2019 before the Mower County Board of Commissioners, on said application.

WHEREAS, Donald D. Lanning Revocable Trust / Don and Jan Lanning 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 5th day of March, 2019.

Under Building Committee it was further noted that the Austin Daily Herald building east of the Justice Center has been posted for sale.

Date: March 5, 2019

Res. #22-19

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 5, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, project number CP 50-16-01 completed under contract number 21609 by Fitzgerald Excavating & Trucking, Inc., 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: \$ 621,845.75
Final Amount: \$ 590,667.61 [99.49%]
Final Payment: \$ 94,150.90

Passed and approved this 5th day of March, 2019.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to set the project letting date to April 4, 2019 at 1:00 p.m. at the office of Public Works and awarded at the County Board of Commissioner's meeting for County project SAP 050-601-036 on CSAH 1 in Racine between TH 63 and a point 3,250 feet east thereof. Motion carried.

Date: March 5, 2019

Res. #23-19

**RESOLUTION
2019 ROAD RESTRICTIONS**

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 5, 2019 at the Government Center, Austin, Minnesota.

BE IT RESOLVED, that pursuant to Section 169.87, Seasonal Load Restrictions and 163.02, Subdivision 3, Load Restrictions, the following described County State Aid Highways and County Roads within Mower County, Minnesota, are hereby restricted to a maximum axle load as noted below, that the County Highway Engineer is hereby authorized to impose weight and load restrictions on any highway under County Jurisdiction during the calendar year of 2019 and the County Engineer be hereby authorized to erect proper signs plainly indicating the prohibition or restriction at each end of these described roads. All restrictions shall become effective when appropriate signs are erected.

Six Ton per Axle

C.S.A.H. No. 5 – From T.H. 218 to C.S.A.H. No. 7
C.S.A.H. No. 9 – Iowa State Line to C.S.A.H. No. 6
C.S.A.H. No. 11 – From T.H. No. 56 to East County Line
C.S.A.H. No. 18 – From C.S.A.H. No. 7 to Iowa State Line
C.S.A.H. No. 19 – From Rose Creek to C.S.A.H. No. 46
C.S.A.H. No. 20 – From C.S.A.H. No. 7 to 1 ½ miles west
C.S.A.H. No. 22 – From T.H. 218 to C.S.A.H. No. 19
County Road No. 52 – From C.S.A.H. No. 4 to T.H. 56
County Road No.58 – From Co. Rd. 58 to T.H. 56
County Road No. 61 – Austin North to C.S.A.H. No. 2

Seven Tons per Axle

C.S.A.H. No. 1 & 15 – C.S.A.H. No. 20 to C.S.A.H. No. 8
C.S.A.H. No 1 – From T.H. 63 to C.S.A.H. No. 8
C.S.A.H. No. 3 – From T.H. 56 to C.S.A.H. No. 8
C.S.A.H. No. 4 – From West County Line to C.S.A.H. No. 29
C.S.A.H. No. 6 – From C.S.A.H. No. 19 South to T.H. 56
C.S.A.H. No. 8 – From C.S.A.H. No. 1 North to Olmsted County Line
C.S.A.H. No. 8 – From T.H. 16 South to T.H. 56
C.S.A.H. No. 10 – From C.S.A.H. No. 1 North to County Line
C.S.A.H. No. 13 – Interstate 90 to C.S.A.H. No. 7
C.S.A.H. No. 20 – From North County Line to C.S.A.H. No. 46
C.S.A.H. No. 25 – From C.S.A.H. 25 East to C.S.A.H. 2
C.S.A.H. No. 26 – From West County Line to T.H. 218
C.S.A.H. No. 27 – From West County Line to 1,595 ft. west of T.H. 218
C.S.A.H. No. 28 – From West County Line to T.H. 218
County Road No. 57 – From C.S.A.H. No. 16 to C.S.A.H. No. 20

Nine Tons per Axle

C.S.A.H. No. 1 – From C.S.A.H. No. 36 to C.S.A.H. No. 20
C.S.A.H. No. 1 & 10 – From C.S.A.H. No. 2 to C.S.A.H. No. 15
C.S.A.H. No. 3 – From T.H. 218 to T.H. 56
C.S.A.H. No. 4 – From C.S.A.H. No. 29 to C.S.A.H. No. 7
C.S.A.H. No. 5 – From West County Line to T.H. 218
C.S.A.H. No. 5 – From C.S.A.H. No. 7 to T.H. 56
C.S.A.H. No. 6 – From West County Line to C.S.A.H. No. 19
C.S.A.H. No. 7 – From Iowa State Line to Interstate 90
C.S.A.H. No. 8 – From T.H. 16 North to C.S.A.H. No. 1
C.S.A.H. No. 16 – From Austin City Limits to C.S.A.H. No. 25
C.S.A.H. No. 19 – From C.S.A.H. No. 46 to C.S.A.H. No. 2
C.S.A.H. No. 19 – From C.S.A.H. No. 6 to T.H. 56 at Rose Creek
C.S.A.H. No. 20 – From Interstate 90 to C.S.A.H. No. 3
C.S.A.H. No. 21 – From C.S.A.H. No. 28 to T.H. 105
C.S.A.H. No. 23 – From C.S.A.H. No. 28 to Austin City Limits
C.S.A.H. No. 25 – From C.S.A.H. No. 2 to C.S.A.H. No. 1
C.S.A.H. No. 29 – From C.S.A.H. No. 4 to Austin City Limits
C.S.A.H. No. 36 – From C.S.A.H. No. 26 to C.S.A.H. No. 1
C.S.A.H. No. 46 East – From 28 St. N.E. exit to C.S.A.H. No. 20
C.S.A.H. No. 46 West – From Freeborn County Line to I-90
County Road No. 51 – From C.S.A.H. No. 21 to T.H. 105
County Road No. 58 – From Interstate 90 to C.S.A.H. No. 3
County Road No. 59 – From West end to C.S.A.H. No. 13
County Road No. 60 – From C.S.A.H. No. 20 east

Ten Tons per Axle

C.S.A.H. No. 2 – From West County Line to East County line
C.S.A.H. No. 7 – From Interstate 90 to C.S.A.H. No. 2 West
C.S.A.H. No. 12 – From Iowa State line to T.H. 56
C.S.A.H. No. 14 – From T.H. 56 to T.H. 16
C.S.A.H. No. 27 – From 1,595 ft. West of T.H. 218 to C.S.A.H. No. 45
C.S.A.H. No. 36 – From C.S.A.H. 2 to ½ mile North
C.S.A.H. No. 45 North – From Interstate 90 to T.H. 218
C.S.A.H. No. 45 South – From T.H. 218 to Austin City Limits

Five Tons per Axle

All other County State Aid Highways and County Roads of Mower County, Minnesota, not covered by the foregoing 6, 7, 9 & 10 ton per axle restrictions.

Passed and approved this 5th day of March, 2019.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to approve the Professional Services Agreement with RTVision for Timecard-Plus software for Public Works for an annual subscription fee based on a per employee cost (\$125/employee (29 employees)) of \$3,625 per year for three years plus a one-time installation cost of \$4,000. Motion carried.

Administrator Harren and Public Works Director Hanson reported on the Prairie Visions meeting attended. There is a desire to link the Wapsi Great Western Line Trail in Iowa to the Minnesota Shooting Star Trail near Taopi.

Motion made by Commissioner Reinartz, seconded by Commissioner Gabrielson, to approve the minutes of February 26, 2019. 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>
Austin Daily Herald	3,711.40	Hildi Inc	10,550.00
Baudoin Oil Company	5,418.55	Metro Sales Inc	2,879.43
Beckleys	2,263.20	57 Payments less than 2000	26,580.93
		Final Total:	51,403.51

Motion carried.

Date: March 5, 2019

Res. #24-19

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 March 5, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, Mower County is the host community to landfills and other solid waste facilities serving the surrounding communities; and,

WHEREAS, Ord-21 was adopted May 16, 30217, which allow for the collection of fees and deposits in order to mitigate the direct, indirect, and potential impacts that solid waste facilities have on the County, its residents and natural resources; and,

WHEREAS, Resolution #33-17, adopted May 16, 2017, established solid waste fees and deposits to be collected and remitted to the County in accordance with ORD-21; and,

WHEREAS, the County recognizes the need to adopt a policy to serve as a general guide for the establishment and use of a Solid Waste Fund.

NOW, THEREFORE, THE MOWER COUNTY BOARD OF COMMISSIONERS HEREBY RESOLVES the approval and adoption of the following Solid Waste Fund Policy:

**Mower County
Solid Waste Fund Policy
Use of Solid Waste Funds**

- A. Policy Summary. The County shall have discretionary use of monies from the Solid Waste Fund to compensate the County for the direct, indirect, and potential impacts that solid waste facilities have on the County. Priority use of the Solid Waste Fund shall be for those uses intended to compensate the County for the various risks, costs, and direct, indirect, and potential impacts associated with hosting solid waste facilities within the County. This policy is intended to be flexible and allow for uses of

monies collected that, in the County's determination, allow the County to more effectively and efficiently perform its functions to encourage various landfill abatement related initiatives.

B. Policy Guidelines. Consistent with the above recitals and summary, the County shall be guided by the following in its use of the Solid Waste Fund:

1. The Solid waste funds may be used to compensate the County for the direct and indirect costs associated with administration and management of the County's various solid waste duties.
2. The Solid Waste Fund may be used as needed for regulatory costs, various monitoring and response actions, and mitigating and compensating for the local risks, costs, and other adverse effects of landfills that are located in the County. Such uses shall not have the effect of subsidizing or replacing the operational costs and other obligations of solid waste landfills located in the County.
3. The Solid Waste Fund may be used for landfill abatement related activities that may reduce the indiscriminate dependence of landfilling the County's mixed municipal solid waste (MSW). Landfill abatement related activities and programs may include, but are not limited to the following examples:
 - a) Waste reduction and reuse.
 - b) Waste recycling programs.
 - c) Composting of yard waste, food waste, and source-separated organics.
 - d) Resource recovery through MSW composting or incineration.
4. The Solid Waste Fund may be used to encourage programs and funding initiatives that will:
 - a) Reduce the amount of MSW generated.
 - b) Recycle the maximum amount of MSW.
 - c) Create and support markets for recycled products.
 - d) Remove problem materials from the solid waste stream and develop proper options for them.
 - e) Inform and educate all sectors of the public about proper solid waste management procedures.
 - f) Provide educational, technical, and financial assistance for litter prevention.
 - g) Process MSW generated in the County at a resource recovery facility located in Minnesota.
 - h) Compost source-separated compostable materials, including the provisions of receptacles for residential composting.
 - i) Prevent food waste or collect and transport food donated to humans or to be fed to animals.
 - j) Process source-separated compostable materials that are to be used to produce class I or class II compost, as defined in Minnesota Rules, part 7035.2836, after being processed in an anaerobic digester, but not to construct buildings or acquire equipment.
5. The Solid Waste Fund may be used to minimize the long-term loss of tax base to the County based on the presence of solid waste facilities, by investing in opportunities for economic development.
6. The Solid Waste Fund may be used to invest in opportunities to maximize the efficiency and effectiveness of County operations.

C. Process for Unique or Major Expenditures. In the discretion of the County Administrator, staff may present certain funding initiatives, ideas and programs that are consistent with the Policy to the Solid Waste Committee for consideration. The Solid Waste Committee will review and consider the

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

proposal as presented by staff and will then provide recommendations to the Mower County Board of Commissioners.

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

As a result of the Classification and Compensation Study implementation; there were adjustments to pay rates for classifications after the budget was approved that resulted in expenditures in excess of budgeted amounts requiring a transfer of funds from reserves to cover payroll line items.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, that due to the implementation of the Classification and Compensation Study, to amend the County 2018 budget for payroll adjustments authorizing the Finance Manager to transfer the funds from reserves as follows:

General Fund	
Auditor-Treasurer #42	\$ 24,124
Data Processing #61	17,555
Attorney #91	8,563
Recorder #101	20,425
Veterans #121	6,202
Sheriff #201	75,420
Bailiff #235	24,683
Corrections #252	30,141
Total to General Fund from Reserves:	<u>\$ 207,113</u>

and authorize the Finance Manger to transfer from the General Fund for the following additional payroll adjustments:

Public Health	\$ 56,000
Environmental	8,885
Recycling	1,248
Total from General Fund:	<u>\$ 66,133</u>

Motion carried.

In addition, a need for a 2018 budget correction in the Assessor's department was noted by the Finance Manager.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to amend the County Assessor's 2018 budget for a correction using contingency funds as follows:

Assessor's Dept. #01-104-000-0000-6274	\$ 62,000
Total Budget Adjustments from Contingency Fund	<u>\$ 62,000</u>

Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to adjourn the meeting at 2:22 p.m. Motion carried. The next meeting is scheduled for March 12, 2019 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Administrator

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