

REGULAR SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

June 25, 2019

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session June 25, 2019 at 8:30 a.m. at the Government Center in Austin, Minnesota.

All members present, viz:     Mike Ankeny, Chair  
                                          Jeff Baldus  
                                          Polly Glynn  
                                          Tim Gabrielson  
                                          Jerry Reinartz  
                                          Trish Harren, County Administrator

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz, to approve the agenda with addition to approve a reimbursement travel expense beyond 60 days and to note that the June 17, 2019 minutes have been amended from those distributed with the board packet. Motion carried.

Under Community Health Services Business, Lisa Kocer, Director of Health & Human Services, presented for approval a Resolution selecting Mower County Managed Health Care Service Providers.

**Date: June 25, 2019**

**Res. #60-19**

**RESOLUTION**

On motion of Commissioner Glynn, seconded by Commissioner Baldus, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 25, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, the Minnesota Department of Human Services (DHS) has published a Request For Proposals (RFPs) to provide health care services to recipients of Families and Children and MinnesotaCare in eighty (80) Minnesota counties including Mower County; and

WHEREAS, DHS has requested County evaluations and recommendations regarding the RFP proposals from each respective county; and

WHEREAS, Medica, Blue Plus and UCare submitted proposals to provide managed health care services in Mower County; and

WHEREAS, representatives of Mower County Health & Human Services have reviewed and evaluated the proposals; and

WHEREAS, Blue Plus and UCare have submitted proposals suitable to meet our needs;

THEREFORE, BE IT RESOLVED that the Mower County Board of Commissioners supports the recommendation of Mower County Health & Human Services approving UCare and Blue Plus as Managed Care Organization(s) (MCO(s)) providing managed health care services in Mower County.

Passed and approved this 25<sup>th</sup> day of June, 2019.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to approve the Temporary Aid to Needy Families Home Visiting Grant Agreement effective July 1, 2019 through June 30, 2023 (\$203,256). Motion carried.

Under Community Health Updates, Lisa Kocer provided public health legislative updates and introduced the two employees (Rochelle Richardson and Tricia Nerison) that recently became Public Health Nurses under the pilot training program.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to approve the Health & Human Services accounts payable totaling \$228,651.40. Motion carried.

Dr. Reichard and Monica Kendall, from Southern MN Regional Medical Examiner's Office, provided the Board with the 2018 Medical Examiner Report. The report covered the number of deaths investigated and data pertaining to manner of death such as by natural or unnatural causes, suicide, homicide, accidental by falls, poisoning or drugs and accidental by vehicle crashes. Falls and poisoning/drugs are the most common causes of death in Minnesota. Mower County has a low rate for deaths by vehicles (1/year) in comparison to other counties in the region.

Motion made by Commissioner Glynn, seconded by Commissioner Baldus to approve the minutes of June 11, 2019. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Gabrielson, to approve the minutes of June 17, 2019 as revised to include more items of discussion under the public hearing. Motion carried.

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
180 Degrees, Inc.	7,466.62	MCHS SE Minnesota	5,924.94
Anoka County Corrections	20,902.00	Midwest Monitoring & Surveillance	3,375.13
Baudoin Oil Company	16,413.25	Office Of Mn It Services	5,631.16
Boe Brothers Tiling Inc	3,412.50	Olmsted County Community Services	15,400.00
Cedar Valley Services, Inc	54,745.55	Prairie Lakes Youth Programs Secure	21,363.64
Commissioner Of Transportation	7,501.01	Pro-West & Associates, Inc.	22,725.66
CPS Technolgy Solutions	3,100.00	RTVision, Inc.	3,625.00
Dell Marketing L P	5,866.64	School District 495	2,900.00
Donnelly Law Firm, PLLC	3,008.76	School District 499	2,999.99

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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Falk Construction Co./L.R.	10,919.63	THE HILLS YOUTH AND FAMILY SERVICES	17,546.00
Gerard Treatment Program	6,513.98	Thein Well Rochester, Inc.	2,500.00
Grifols USA LLC	8,081.28	Torkelson/Susan	2,999.99
Intradyn	2,090.00	Turtle Creek Engineering and Consulting	17,600.00
Jones Haugh & Smith Inc	26,350.00	Ziegler, Inc	6,965.73
Leroy Economic Development Authority	5,000.00	84 Payments less than 2000	39,863.84
Mark Lang Construction LLC	2,484.36	<b>Final Total:</b>	<b>355,276.66</b>

Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn, to set a 2020 budget work session on September 17 at 1:00 in the Ballroom. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Baldus, revise the 2019 fee schedule to eliminate the \$30.00 duplicate check fee effective June 25, 2019. Motion carried.

**Date: June 25, 2019**

**Res. #61-19**

**RESOLUTION**

On motion of Commissioner Glynn, seconded by Commissioner Baldus, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 25, 2019 at the Government Center, Austin, Minnesota.

**WHEREAS**, pursuant to the policies of the Mower County Septic Loan program the owner of property has requested a loan from Mower County for replacement of a failing septic system on the below-listed property and has requested to pay back that loan by assessment to the subject property, to Mower County, over a ten year term.

**Property owner(s):** Harvey Dean Mullenbach

**Property address:** 10158 630<sup>th</sup> Avenue, Adams MN 55909

**Parcel Identification No:** 01.031.0100

**Tax parcel abbreviated description:** Section 32 Township 101 Range 016  
N268.89FT S827FT W243FT SW1/4 SW1/4

**Assessment amount:** \$14,000.00 (Fourteen Thousand dollars)

**NOW, THEREFORE, BE IT RESOLVED BY THE MOWER COUNTY BOARD OF COMMISSIONERS, MINNESOTA:**

1. Such proposed assessment, made part hereof, is hereby accepted and shall constitute the special assessment against the lands named herein, and each tract of land herein included is hereby found to be benefitted by the proposed improvement and the amount of the assessment levied against it.
2. Such assessment shall be payable in equal bi-annual installments extending over ten (10) years. The first of the installments shall be payable along with the first half taxes when due, as reflected on the tax statement payable year 2020, and shall bear interest

- at the rate of three percent per annum from the date of the adoption of this assessment resolution. Each payment including interest is due thereafter will be paid with taxes payable, until the assessment obligation is satisfied.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole assessment on such property, with interest accrued to the date of payment, to the County Auditor, except no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may do so at any time thereafter, to the County Auditor, the entire amount of the assessment remaining unpaid with interest accrued to December 31, of the year in which such payment is made. Such payment must be made before November 15, or interest will be charged through December 31 of the next succeeding year.
  4. There shall be no penalty for early payment or pay-off of the full balance of the assessment.
  5. The County Coordinator / clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax list of the County and such assessment shall be collected and paid over the same manner as other municipal taxes.
  6. This assessment must be paid in full at time of property transfer to any other owner, owners, heirs, assigns or entity.

Passed and approved this 25<sup>th</sup> day of June, 2019.

Motion made by Commissioner Reinartz, seconded by Commissioner Baldus, to approve the full liquor On Sale and Sunday license effective July 1, 2019 through June 30, 2020 for Grafing Company, Inc. d/b/a Echo Lanes. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Baldus , to approve the On/Off Sale 3.2 Beer license effective July 1, 2019 through June 30, 2020 for Adventure Bound BT LLC d/b/a Yogi Bears Jellystone Park Austin, Minnesota. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Baldus, to approve the full liquor On Sale and Sunday license effective July 1, 2019 through June 30, 2020 for Lansing Corners Supper Club LLC d/b/a Lansing Corners Supper Club. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz, to amend the Credit Card & Charge Account Policy effective immediately by modifying the language of the policy as follows:

Mower County  
Credit Card & Charge Account Policy

**I. Purpose:** The purpose of this policy and procedure is to provide detailed information regarding the use of credit cards and charge accounts assigned to approved Mower County employees for work related expenses listed herein.

**II. Scope:** The policy and procedure applies to all County departments and agencies that have received approval for credit cards and charge accounts.

**III. Background:** The County Board of Commissioners acknowledges that credit card and charge accounts can be an efficient use of time and financial resources. Approved credit cards and charge accounts are to be monitored by the appropriate department head. No personal use of a county owned credit card or charge account is authorized for any county employee. If a county officer or employee makes a purchase by credit card or charge account that is not authorized by this policy, the officer or employee is personally liable for the amount of purchase.

Each of the authorized county officials shall be limited to \$12,000 per statement period. All attempts must be made to pay the monthly statement in full before interest charges accrue.

Any department who is not an approved credit card user and believes they or one of their employees need a credit card for official business purposes must receive approval by the County Board of Commissioners. Approval shall be by Board motion with said motion to be considered an amendment to this policy and attached thereto.

The ~~County Coordinator and the~~ Finance Director or designee shall ~~co~~-sign credit card applications for officials authorized by the Board.

**IV. Approval and Use of Credit Cards and Charge Accounts**

The following positions and uses shall be approved by the County Board of Commissioners:

A. The items that can be charged to a Mower County credit card are as follows:

1. Emergency and unexpected travel costs for prisoners, deputies (guards), witnesses and clients limited to vehicle gas and airfare.
2. Hotel/motel expenses, airline tickets, advance registration, gasoline for county vehicles when outside the range of county gas pumps, emergency repairs or towing of county vehicles and meals when overnight travel is necessary.

Taxable meals are not an allowable expense through the use of the credit card. Taxable meals mean any meal provided by the county while employee is at a one-day meeting where no overnight travel is needed. These meals require that federal and state tax is taken from the meal deduction and must be submitted through payroll. Therefore, making it impossible to properly use the credit card.

No tips or alcoholic beverages are to be included in the credit card billing when used for meals connected with overnight travel. This is included in personnel policy that tips and alcoholic beverages are not paid by the county.

3. The credit card can also be used for approved department budgeted expenditures noting this is limited in total by department pursuant to this policy.
4. Budgeted data processing equipment that could be purchased via internet for a savings in equipment purchased through traditional methods.
5. **Capital Asset purchases if previously approved budgeted expenditures.**

For purposes of this Section IV. A., the following Mower County officials are approved for a County Credit Card:

<del>Coordinator</del> Administrator	Recorder
Attorney	Assessor
Data Processing Manager	Auditor-Treasurer
Sheriff	Public Works Director
Health & Human Services Director	Human Resources Director
Correctional Services Director	Chief Deputy Sheriff
Building Maintenance Supervisor	

B. In addition, credit cards are approved limited to specific purposes and specific employees as follows:

1. Sheriff Deputies are authorized to use credit cards for fuel purchases only for marked and unmarked cars when the county gas pump is unavailable.

2. Credit cards for fuel purchases for pool vehicles when outside the range of county gas pumps. Pool vehicles can be signed out by employees for government use only, not personal use.
3. **No personal use is allowed with County Credit Card or Charge Accounts. This includes fuel for a personal vehicle, even when on County business.**

C. All existing and new charge accounts must be approved by the ~~County Coordinator and the~~ Finance Director **or designee**. Charge accounts may be used for the following purposes:

1. Office supplies;
2. Vehicle, building or equipment repairs and parts; and
3. Client department needs for Health and Human Services.

Department heads are responsible for providing the ~~County Coordinator's~~ Finance office with a list of authorized charge account users and for updating the list as authorized users change.

**V. Abuse or misuse:** Unauthorized and unapproved credit card and charge account purchases will be the personal responsibility of the user. Abuse or misuse shall subject the employee to discipline up to and including termination and may be subject to prosecution.

**VI. Documentation:** Employee must submit all receipts to County Administrator's office in time for monthly statement to be paid prior to due date. If receipt is not provided, charged item will be charged back to employee through payroll.

**VII. Sales Tax:** Minnesota Statutes section 297A.70, subdivision 2, allows local governments to buy some goods and services without paying sales and use tax. Examples of exempt inputs include:

- Cleaning and maintenance of buildings
- Lawn care and tree removal services
- Construction equipment that is not licensed for road use
- Most police and emergency equipment – including repair parts, accessories, protective gear, fuel, except motor vehicles
- Office supplies, computers, software, printers, furniture, etc.
- Other vehicles that are not licensed for road use, such as aircraft, snowmobiles, and watercraft
- Road-building materials and the delivery of aggregate materials
- Chemicals, and fuels

If employee needs a Certificate of Exemption (ST3) to be sent to vendor, please contact Finance Department.

Examples of purchases that do not qualify for the exemption:

- Gas and electric utilities
- Solid waste hauling
- Solid waste recycling
- Purchases of lodging, prepared food, candy, and soft drinks
- Purchases of motor vehicles
- Purchases made by an employee that are reimbursed by the local government

No sales tax that is exempt should be charged to credit card or charge accounts. If sales tax is charged on exempt items, employee is responsible to contact vendor for a credit back. If credit back has not been received within two statement cycles, sales tax will be charged back to employee through payroll.

**VIII. Acknowledgement:** Each Mower County official approved for a County Credit Card will sign an acknowledgement of Credit Card and Charge Account Policy. Acknowledgements will be tracked by Finance Department.

Motion carried.

Motion made by Commissioner Baldus, seconded by Commissioner Glynn, to approve out-of-state travel for Sheriff department staff to attend chemical munitions training in Kansas City, Missouri. Motion carried.

A Public Hearing was held in regard to a Housing Tax Abatement request of Randy and Deidre Smith, applicants, to construct a single-family home located at W363FT E1092FT S495FT NE1/4 EXC W150FT BK292 PG75 Section 6 Township 102 Range 18, Austin, Minnesota (PIN 34.876.0030).

Trish Harren, County Administrator, reviewed the application. It was noted that the applicant does not have proof of ownership. The property was the applicant's father property and the deed has not been transferred. The recommendation is to defer this to another meeting.

The applicant Randy Smith was not present. No one else spoke for or against the Randy and Deidre Smith housing tax abatement application.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to table the housing tax abatement application of Randy and Deidre Smith to the July 9 meeting at 9:30 a.m. Motion carried.

Trish Harren, County Administrator, presented a proposed resolution to the Board for participation in performance measurements. The County already measures some of the items that can be measured. Participation provides exemption from levy limits and earns the county a stipend of 14 cents per capita. The Board approved a similar resolution in 2010 but the performance measure reports have not been provided.

**Date: June 25, 2019**

**Res. #62-19**

**RESOLUTION**

On motion of Commissioner Glynn, seconded by Commissioner Baldus, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 25, 2019 at the Government Center, Austin, Minnesota.

**WHEREAS**, In 2010, the Minnesota Legislature created the Council on Local Results and Innovation; and

**WHEREAS**, The Council on Local Results and Innovation developed a standard set of performance measures that will aid residents, taxpayers, and state and local elected officials in determining the efficacy of counties in providing services and measure residents' opinion of those services; and

**WHEREAS**, Benefits to Mower County are outlined in MS 6.91 and include eligibility for a reimbursement as set by State statute; and

**WHEREAS**, Any county participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

**WHEREAS,** the Mower County Board has adopted and implemented at least 10 of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes; and

**NOW THEREFORE LET IT BE RESOLVED THAT,** Mower County will report the results of the performance measures to its citizenry by the end of the year through publication, direct mailing, posting on the county's website, or through a public hearing at which the budget and levy will be discussed and public input allowed.

**BE IT FURTHER RESOLVED,** Mower County will submit to the Office of the State Auditor the actual results of the performance measures adopted by the county.

Passed and approved this 25<sup>th</sup> day of June, 2019.

Nationwide Deferred Compensation is requesting approval / selection with a Nationwide Deferred Compensation Investment Option Agreement. A current investment option available to employees / retirees, will no longer be available.

Motion made by Commissioner Reinartz, seconded by Commissioner Gabrielson, to approve the Nationwide Deferred Compensation Investment Option Agreement with the selection of Option 1 which replaces the Fixed Account Endorsement to a Fixed Account Amendment to lower the Guaranteed Minimum Interest Rate annually. Motion carried.

Motion made by Commissioner Gabrielson, seconded by Commissioner Baldus, to approve the late claim for travel reimbursement beyond sixty days for employee number 57. Motion carried.

**Date: June 25, 2019**

**Res. #63-19**

**RESOLUTION**

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 June 25, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, project number CP 50-18-18 completed under contract number 21816 by Hansen Hauling & Excavating, 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: \$ 22,500.00  
Final Amount: \$ 22,500.00 [100%]



Final Payment: \$ 1,125.00

Passed and approved this 25<sup>th</sup> day of June, 2019.

**Date: June 25, 2019**

**Res. #64-19**

**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 June 25, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, project number CP 50-18-10 A-D completed under contract number 21815 by Century Fence Company 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: \$ 73,884.85  
Final Amount: \$ 88,732.37 [120.10%]  
Final Payment: \$ 4,436.62

Passed and approved this 25<sup>th</sup> day of June, 2019.

Mike Hanson, Public Works Director, presented bid information received for project SAP 50-620-014 / CSAH 20 project with Dodge County.

Motion made by Commissioner Baldus, seconded by Commissioner Glynn to award the bid to the low bidder Rochester Sand & Gravel for the Mower County portion of the Dodge County project SAP 50-620-014 with a low bid of \$117,062.07 for the Mower County portion of the project and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

**Date: June 25, 2019**

**Res. #65-19**

**RESOLUTION**

**For Agreement to State Transportation Fund (Bridge Bonds)  
Grant Terms and Conditions  
SAP 050-601-035**

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 June 25, 2019 at the Government Center, Austin, Minnesota.

WHEREAS, Mower County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 50K65; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, the amount of the grant has been determined to be \$46,868.75 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Mower County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

Passed and approved this 25<sup>th</sup> day of June, 2019.

Commissioner Glynn noted that SEMA is hosting an open house on July 10.

John Karnes appeared before the Board to bring to the Board's attention the need for road repairs by the Mandolin apartments and the need for better heating in the jail.

Scott Guttenson appeared before the Board asking about the current situation with the jail food contract. A new request for proposal has been sent out.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn, to adjourn the meeting at 10:14 a.m. Motion carried. The next meeting is scheduled for July 2, 2019 at 1:00 p.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Chairperson**

**Attest:**

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

**Clerk/Administrator**

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