

REGULAR SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

August 3, 2021

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session August 3, 2021 at 1:03 p.m. at the Government Center in Austin, Minnesota.

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

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Ankeny, seconded by Commissioner Mueller, to approve the agenda. Motion carried.

The meeting was opened for Public Input regarding the Board's intent to move the County Recorder position Elected to Appointed in accordance with Minnesota Statute 375A.10, subdivision 2. No persons appeared in person or by remote connection to the Board meeting to comment on the County Board's intent. County Administrator indicated that no written or oral communications had been received in the office of the County Administrator. Notice of the County Board's intent was published in accordance with the process outlined in the Statute. In addition, the notice was published on the Mower County website.

**Date: August 3, 2021**

**Res. #55-21**

**RESOLUTION**

On motion of Commissioner Baldus, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 3, 2021 at the Government Center, Austin, Minnesota.

**WHEREAS**, each county in the state is required to have a Recorder who is elected or appointed by the county board of commissioners based on his or her knowledge and training; and

**WHEREAS**, Minnesota Statute 375A.1205 APPOINTING COUNTY OFFICERS Subdivision 1. Authority to appoint certain officers states that:

A county board may appoint the county auditor, county treasurer, or county recorder under section [375A.10, subdivision 2](#), or the auditor-treasurer under section [375A.10](#).

[subdivision 5](#), by following the process outlined in this section. Notwithstanding section [375A.12](#), a referendum is not required if the appointment is made pursuant to this section. A county board shall only use the authority to appoint under the following circumstances:

- (1) there is a vacancy in the office as provided in section [351.02](#);
- (2) the current office holder has notified the county board that the officer will not file for the office, as provided in subdivision 2; or
- (3) there is a signed contract with the county board and the incumbent auditor, treasurer, auditor-treasurer, or recorder that provides that the incumbent officer will be appointed to the position and retain tenure, pay, and benefits equal to or greater than length of service.

**WHEREAS**, the Mower County Recorder has tendered her resignation effective July 31, 2021 leaving a vacancy in the office; and

**WHEREAS**, Mower County has met the requirements laid out in Minnesota Statute 375A.1205, Subd. 6. **Publishing resolution; petition; referendum.**

- (a) Before the adoption of the resolution to provide for the appointment of an office as described in subdivision 1, the county board must publish a proposed resolution notifying the public of its intent to consider the issue once each week, for two consecutive weeks, in the official publication of the county. Following publication and prior to formally adopting the resolution, the county board shall provide an opportunity at its next regular meeting for public comment relating to the issue. After the public comment opportunity, at the same meeting or a subsequent meeting, the county board of commissioners may adopt a resolution that provides for the appointment of the office or offices as permitted in this section. The resolution must be approved by at least 80 percent of the members of the county board. The resolution may take effect 30 days after it is adopted, or at a later date stated in the resolution, unless a petition is filed as provided in paragraph (b).

**NOW, THEREFORE, BE IT RESOLVED**, that the Mower County Board of Commissioners hereby authorize the appointment of the Mower County Recorder effective September 7, 2021.

Passed and approved this 3rd day of August, 2021.

Public Works Director Michal Hanson presented to the Board for approval two MnDOT agreements for Local Bridge Replacement funding along with a corresponding resolution for bonding for each with a recommendation for approval.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny, to approve MnDot Agreement No. 1046799 Local Bridge Replacement Program (LBRP) Grant Agreement for Project SAP 50-604-028, Bridge 50K87 granting \$47,316.75 in LBRP funds. Motion carried.

**Date: August 3, 2021**

**Res. #56-21**

**RESOLUTION  
For Agreement to State Transportation Fund  
Local Bridge Replacement Program  
Grant Terms and Conditions  
SAP 050-604-028**

On motion of Commissioner Baldus, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held August 3, 2021 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. 50K87; 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 \$47,316.75 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 and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

Passed and approved this 3<sup>rd</sup> day of August, 2021.

Motion made by Commissioner Baldus, seconded by Commissioner Mueller, to approve MnDot Agreement No. 1046768 Local Bridge Replacement Program (LBRP) Grant Agreement for Project SAP 50-604-027, Bridge 50K86 granting \$50,989.35 in LBRP funds. Motion carried.

**Date: August 3, 2021**

**Res. #57-21**

**RESOLUTION  
For Agreement to State Transportation Fund  
Local Bridge Replacement Program  
Grant Terms and Conditions  
SAP 050-604-027**

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 3, 2021 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. 50K86; 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 \$50,989.35 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 and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

Passed and approved this 3<sup>rd</sup> day of August, 2021.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the minutes of July 27, 2021. Motion carried.

Motion made by Commissioner Mueller, 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>
Applied Concepts Inc	14,830.00	Minnesota Counties Computer Cooperative	17,243.75
Bruening Rock Products Inc	9,986.95	Mower County Soil & Water Cons	32,620.96
Commissioner Of Transportation	19,004.78	Pakor, Inc.	2,036.72
Freeborn County Co-Operative Oil Co.	4,374.90	Rochester Sand And Gravel, Inc	26,448.95
Hanson Tire Of Austin Inc	7,189.92	Talos Dynamics	2,451.68
J & S Repair Inc	13,062.66	Thomson Reuters-West Payment Center	3,194.44
MATTHEW BENDER & CO., INC.	2,464.44	44 Payments less than 2000	18,557.75
		<b>Final Total:</b>	<b>173,467.90</b>

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to accept the donation of property through a Quit Claim Deed from the City of Austin for a parcel of land commonly referred to as Sterling Park and is legally described as follows:

All that portion of Pinecrest First Addition to the City of Austin, according to the plat thereof recorded in Book 5 of Plats, page 49, in the office of the Register of Deeds of said County, designated as Playground Park on said plat, being all that portion of said Addition lying Northerly and Easterly of Block 3 thereof; upon condition (in favor of Miller Home Development, Inc., and its successors in interest) that said premises be used for public park purposes only.

Motion carried.

Through the office of the County Auditor-Treasurer the City of Austin has requested that Mower County approve the sale of a thirty-three foot permanent public infrastructure easement to the City of Austin on tax forfeited parcel 08.035.0040.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to approve the sale (\$1. purchase price) of a thirty-three foot permanent public infrastructure easement to the City of Austin on tax forfeited parcel 08.035.0040. The Commissioners voted as follows: Commissioner Baldus aye, Commissioner Ankeny aye, Commissioner Mueller nay, Commissioner Reinartz aye, and Commissioner Glynn aye. Motion carried 4-1.

Human Resource Director Kristina Kohn presented items reviewed and recommended by the Personnel Committee for approval.

Motion made by Commissioner Reinartz, seconded by Commissioner Baldus, to approve the following changes to job descriptions / DBM ratings effective August 3, 2021:

Position / Job Description (current)	Position / Job Description (revised/ new)	DBM Rating (current)	DBM Rating (revised / new)
Office Support Specialist, Sr.	Technician	B21	B22
Payroll Benefits Coordinator	NA	B23	B24
Assistant Jail Administrator	NA	C41	C42
Jail Administrator	NA	C43	C44
Office Support Specialist, Sr.-HR	HR Assistant	B21	B22
Human Resources Coordinator	NA	B24	B25

Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Ankeny, to approve the job description / DBM rating for a new position classification of Captain with a rating of C45 in the Sheriff's Department effective August 3, 2021. (Note: the department is requesting this new position for the 2022 Budget and it will not be filled at this time.) Motion carried.

Motion made by Commissioner Baldus, seconded by Commissioner Ankeny, to approve the extra duty pay for the Interim County Recorder at \$1200 per month effective August 1, 2021. Motion carried.

Under Committee Reports it was noted that the Finance Committee will be holding meetings this week with departments and outside agencies to discuss 2022 budget requests. Under Building Committee Trish Harren happily noted that the air conditioning had been fixed in the south wing of the Government Center. Commissioners were appreciative that the grounds have shown improvement. Under Solid Waste there was a brief discussion to encourage entities such as the Fair Board to obtain and place recycling containers at events such as the fair, events at the fair grounds and other community held events such as the Artworks Festival.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to adjourn the meeting at 1:52 p.m. Motion carried. The next meeting is scheduled for August 10, 2021 at 9:00 a.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

**By:** \_\_\_\_\_  
**Clerk/Administrator**

**INDEX**

**A**

adjourn, 198  
agenda, 193

**D**

donation  
Quit Claim Deed-Sterling Park  
from the City of Austin, 196

**E**

Easement  
Permanent Public Infrastructure  
08.035.0040, 197  
extra duty pay  
Interim County Recorder, 197

**J**

job descriptions  
DBM rating change  
Assistant Jail Administrator, 197  
Human Resources Coordinator, 197  
Jail Administrator, 197  
Payroll Benefits Coordinator, 197  
New Position  
Captain, 197

title and DBM rating change  
Office Support Specialist, Sr. - HR to HR Assistant,  
197  
Office Support Specialist, Sr. to Technician, 197

**L**

Local Bridge Replacement Program (LBRP) Grant Agr  
#1046768  
Bridge 50K86, 195  
Local Bridge Replacement Program (LBRP) Grant Agr  
#1046799  
Bridge 50K87, 194

**M**

minutes  
7.27.21, 196

**R**

Res. #55-21 change County Recorder to an appointed  
position, 193  
Res. #56-21 Bridge Bonding for Bridge #50K87, 195  
Res. #57-21 Bridge Bonding for Bridge #50K86, 195

**W**

warrants  
Commissioner, 196