

ANNUAL MEETING OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

January 4, 2022

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met for its Annual Meeting Session January 4, 2022 at 1:00 p.m. at the Government Center in Austin, Minnesota.

All members present, viz: Chair Jeff Baldus, Vice-Chair Mike Ankeny, Jerry Reinartz, Polly Glynn, and John Mueller. Also in attendance were County Administrator Trish Harren, Executive Assistant Denise Barthels, Joe Merten and John Ryther.

The meeting was opened with the Pledge of Allegiance.

County Administrator/Board Clerk Trish Harren called for nominations for Chair. Are there any nominations for Chair? Commissioner Ankeny nominated Commissioner Baldus. The Board Clerk called for further nominations two additional times. Hearing none, the Board Clerk asked for a motion to close nominations for Chair and to cast a unanimous ballot.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to close nominations and cast a unanimous ballot for Commissioner Baldus for Board Chair. Motion carried.

Chair Commissioner Baldus called for nominations for Vice-Chair. Commissioner Glynn nominated Commissioner Mike Ankeny for Vice-Chair. Chair Commissioner Baldus called for further nominations two additional times. Hearing none, Chair Baldus called for a motion to close nominations and cast a unanimous ballot.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to close nominations and cast a unanimous ballot for Commissioner Ankeny as Vice-Chair. Motion carried.

The Commissioners reviewed and discussed the list of Committee Appointments.

The 2022 Committee Appointments (including all Association of Minnesota Counties Policy Committee Assignments) as set by the Chair and accepted by the Board are as follows:

<u>Committee</u>	<u>Commissioner(s)</u>
Finance & Purchasing	Ankeny / Mueller
Personnel	Glynn / Baldus
Buildings & Grounds	Baldus / Reinartz
Solid Waste	Reinartz / Ankeny
Planning	Muller / Baldus (alt.)
Land Use Committee	Reinartz / Glynn
Road & Bridge Committee	ALL

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

<u>Committee</u>	<u>Commissioner(s)</u>
Safety Committee	Reinartz
Austin Library Board (ex-officio)	Baldus
Austin Mower County Homeownership Fund Board	Baldus / Ankeny (alt.)
City/County Joint Issues (quarterly meeting)	Glynn / Mueller
Community Health Services	Reinartz / Glynn (alt.)
County Extension	Ankeny / Mueller
Fair Board (no vote)	Mueller / Ankeny (alt.)
Family Connections	Baldus / Reinartz
Historical Society	Ankeny
Impact Austin Committee	Ankeny
Interstate Trail Committee	Glynn
Law Library	Glynn
Law Enforcement Center Commission	Ankeny / Mueller
Minnesota Rural Counties (MRC)	Baldus / all other commissioners (alt.)
Mower County Senior Center	Reinartz
One Watershed / One Plan – Cedar River	Baldus
One Watershed / One Plan – Root River	Glynn
Rural Minnesota Energy Board	Glynn / Mueller (alt.)
SCHSAC Statewide Community Health Services Advisory Committee	Peterson / Reinartz
SE MN Emergency Communications Joint Powers Board	Reinartz / Mueller (alt.)
SE MN Medical Services Joint Powers Board (formerly listed as EMS JPB)	Glynn
SEMCAAC Southeast Minnesota Citizens Action Council, Inc.	Glynn
SEMREX Joint Powers Board	Ankeny
Siebel Visitation Center Advisory Board	Ankeny / Mueller (alt.)
SMART Southern Mn Assn of Regional Trail Advisory Committee	Reinartz
Soil and Water Conservation Board (ex-officio)	Glynn
Work Force Development Joint Powers Board	Baldus

Assoc. of MN Counties -- Policy Committees					
Environmental & Natural Resources	Public Safety	General Government	Health & Human Services	Transportation & Infrastructure	Economic Dev., Workforce & Housing Policy Subcommittee
Ankeny	Mueller	Baldus	Glynn	Reinartz	Baldus

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

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn, to approve the minutes of December 28, 2021. Motion carried.

The Board recessed at 1:30 p.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 1:30 p.m. in regard to CUP #923 of Michael Merten (applicant) and MJ Merten Partnership (c/o Michael F Merten and Joseph F. Merten) (landowner) for an exemption from platting under subdivision 13-129 to separate a 2.35 acre parcel from a larger farm tract for an additional single-family dwelling in the quarter section to be located in a mature wooded area in Section 28, Austin Township.

Valerie Sheedy, Assistant Environmental Services Supervisor, reviewed the permit and Planning Commission recommendations.

The Petitioner/Landowner Joe Merten was present and spoke on his own behalf. One other person spoke in favor and no one spoke against CUP #923.

The Chair closed the Public Hearing at 1:44 p.m. in regard to CUP #923 of Michael Merten (applicant).

The County Board reconvened its regular session at 1:44 p.m.

**Date: January 4, 2022**

**Res. #01-22**

**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 January 4, 2022 at the Government Center, Austin, Minnesota.

**WHEREAS**, The Mower County Planning Commission, having presented to the Mower County Board of Commissioners, CUP #923, by MJ Merten Partnership c/o Michael Merten and Joseph Merten, Landowner(s), and Michael Merten, Petitioner(s), who have petitioned the Mower County Board of Commissioners to allow for the site to be used for:

an exemption from platting under 13-129 (subdivision) to separate an approx. 2.35 acre parcel from a larger farm tract; and an additional single family dwelling in the quarter section to be located in a mature wooded area

Location:

The East 650 feet of the South 700 feet of the Northwest Quarter of the Southwest Quarter of Section 28, Township 102 North, Range 18 West, Mower County, Minnesota

To be split from parcel(s) identified per Mower County tax records as 02.025.0080; and

**WHEREAS**, Notice having been duly given, a public hearing was held on the matter on December 28, 2021, at 7:00 p.m. in the Mower County Government Center, Board Room before the Mower County Planning Commission, on said petition; and

**WHEREAS**, Notice having been duly given, a public hearing was held on January 4, 2022 before the Mower County Board of Commissioners, on said petition; and

**WHEREAS**, the County Board has received the Findings of Fact; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mower County Board has reviewed, accepts and adopts the findings of fact of the Mower County Planning Commission in the five required areas, which is hereby adopted by reference and kept on file in the Office of Environmental Services; and

**BE IT FURTHER RESOLVED**, that said petition is hereby approved, as recommended by the Mower County Planning Commission with conditions as follows:

1. Applicant shall follow all federal, state, and local regulations regarding the proposed use; and
2. A primary and secondary Type I septic system site(s) shall be located for future septic system placement, identified on a map and kept on file with the CUP and in the homeowner's records; this area should be preserved and protected from compaction and/or construction or other damages which would render the site unusable and jeopardize the viability of the site for residential purposes; and
3. An approved ISTS (septic) design for the proposed septic system shall be obtained and septic system permit submitted prior to construction of the residence and/or any other structure on the property; and
4. A Zoning Permit shall be obtained prior to the construction of any and all structures on the property. Accessory buildings to the residence cannot be constructed before the primary use (residence) is established; and
5. Petitioner must sign and notarize the "Rural and Agricultural Home Owners Assumption of Risk Assessment Form and have it recorded at the Mower County Recorder's Office; and
6. 911 addressing is required to be obtained through the Mower County Highway Dept. before construction if the site is not already assigned an E911 location; and
7. Wetland Review required: Petitioner has contacted the Mower County SWCD regarding the Wetland Conservation Act and provided letter stating there are no impacts from the proposed use; and
8. The approval of the conditional use permit shall expire and be considered null and void two (2) years from the date of such approval if no construction has begun or the use has not been established. For the purposes of this provision, construction shall include the installation of footings, slab, foundation, posts, walls or other portions of a building. Site preparation, land clearing or the installation of utilities shall not constitute construction. A conditional use permit shall become void if the use is established then discontinued for a period of one (1) year as stated by Ordinance Section 14-134(g); and
9. A violation of any condition set forth in a conditional use permit shall be a violation of this Ordinance and shall automatically terminate the permit (refer Section 14-35 Revocation); and
10. This permit is based upon representation given by the applicant during the hearing process and any misrepresentation presented in this process may be grounds for revoking the permit.
11. Applicant shall provide a survey map of the property and legal descriptions for each of the remaining parcels following the split and combination of property.

This permit is issued in accordance with Article II, Division 2 – Agricultural District, Section 14-51 of the Mower County Zoning Ordinance (effective date 01/01/2003), and Section 13-129 Small Subdivision, of Mower County's Subdivision Ordinance.

Passed and approved this 4<sup>th</sup> day of January, 2022.

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

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Motion made by Commissioner Ankeny, seconded by Commissioner Mueller, to approve the following Commissioner warrants for payment:

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Association Of Minnesota Counties	20,080.00	Minnesota Counties Computer Cooperative	27,789.24
CliftonLarsonAllen LLP	6,865.69	Minnesota Counties Intergov'tal Trust	551,530.00
Computer Information Systems Inc	55,620.00	Minnesota County Attorneys Association	5,634.00
Damel Corporation Morem Tree Service	6,000.00	Olympic Fire Protection Corp	2,325.00
Dude Solution Inc.	9,008.37	TOWMASTER	5,218.07
Iowa Bankers Mortgage Corporation	2,534.82	32      Payments less than 2000	16,389.78
Midwest Door Inc	2,469.00	<b>Final Total:</b>	<b>711,463.97</b>

Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to maintain the Board meeting schedule to meet on the first, second and fourth Tuesdays of the month at 1:00 p.m., 9:00 a.m. and 9:00 a.m. respectively, subject to change to accommodate holidays, other conflicts or to ensure a quorum and approve the proposed 2022 Board Meeting Calendar that reflects the Board meeting dates and Association of Minnesota meetings. A calendar of regular board meetings can be found on the county website (<https://www.co.mower.mn.us/DocumentCenter/View/3192/2021-Board-Meeting-Calendar---adopted-1521>) or a copy can be obtained from County Administration.

**Date: January 4, 2022**

**Res. #02-22**

**RESOLUTION**

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 January 4, 2022 at the Government Center, Austin, Minnesota.

**BE IT RESOLVED**, that the County Auditor-Treasurer be authorized to make the following expenditures from the County General Revenue Funds. Payment in full to be made for all appropriations under \$5,000.00. All appropriations over \$5,000.00 to be disbursed quarterly.

SEMCAC .....	\$4,000.00
Senior Citizen Appropriations:	
Lyle Senior Citizens.....	600.00
LeRoy Senior Citizens .....	600.00
Brownsdale Seniors .....	600.00
Sargeant Seniors.....	600.00
Mower County Senior Citizens	
Building \$40,000	
Operations \$16,000 .....	56,000.00
Total Senior Citizen Appropriations .....	58,400.00
Mower County Senior Citizens -- Chore .....	36,000.00
Mower County Soil & Water .....	162,000.00
Historical Society .....	61,866.00
SEMN Initiative Fund.....	1,500.00
Southern Minnesota Tourism.....	1,958.15

Discover Austin .....	2,500.00
SE MN EMS .....	5,000.00
Minnesota Rural Counties.....	2,700.00
SE MN Emergency Communications JPB .....	1,000.00

Passed and approved this 4<sup>th</sup> day of January, 2022.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to allocate the fairgrounds minor repair fund as follows for 2022 and to authorize full distribution of the 2022 amounts.

Ag Society	50%	\$ 15,000
Historical Society	35%	10,500
Extension	15%	<u>4,500</u>
TOTAL		\$30,000

Motion carried.

**Date: January 4, 2022**

**Res. #03-22**

**RESOLUTION**

On motion of Commissioner Glynn, seconded by Commissioner Mueller, the following Resolution was unanimously passed and adopted at a meeting held January 4, 2022 at the Government Center in Austin, Minnesota.

**BE IT RESOLVED**, by the Board of County Commissioners of Mower County, Minnesota to appoint the following persons as Mower County Delegates to the Association of Minnesota Counties for 2022: Commissioner Jerry Reinartz, Commissioner Polly Glynn, District One Commissioner, Commissioner Jeff Baldus, Commissioner Mike Ankeny, County Administrator Trish Harren, and two staff delegates: Health & Human Services Director Crystal Peterson and Emergency Manager Amy Lammey.

Passed and approved this 4<sup>th</sup> day of January, 2022.

The Board received the following quotes for 2022 legal newspaper:

Austin Daily Herald	\$5.47 per column inch
Mower County Independent	\$4.65 per column inch

A quote adjustment had been calculated due to the difference between the total characters in a column inch between the two newspapers. (Austin Daily Herald \$5.47 per column inch and Mower County Independent \$5.73 average per column inch.) With the calculated quote adjustment, the Austin Daily Herald was the low quote and had the larger circulation.

**Date: January 4, 2022**

**Res. #04-22**

**RESOLUTION**

On motion of Commissioner Ankeny, seconded by Commissioner Mueller, the following Resolution was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held January 4, 2022 at the Government Center, Austin, Minnesota.

**BE IT RESOLVED**, based on the low quote and being in the best interest of the public, that the award go to the “*Austin Daily Herald*”, a bi-weekly newspaper, with general circulation in Mower County, as the newspaper in which the notice and list of real estate remaining delinquent on the first business day in January 2022, the Financial Statement of the year 2021 and the proceedings of the County Board of said County for the year 2022 shall be published and the same is hereby accepted as per quote of \$5.47 per column inch.

**BE IT FURTHER RESOLVED**, that the “*Mower County Independent*”, a weekly newspaper, be awarded as the secondary county newspaper with a quote of \$4.65 per column inch in which the proceedings of the annual meeting, the County Board of Equalization and 2021 Financial Statement shall be published.

Passed and approved this 4<sup>th</sup> day of January, 2022.

**Date: January 4, 2022**

**Res. #05-22**

**RESOLUTION**

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was unanimously passed and adopted by the Mower County Board of Commissioners at a meeting held January 4, 2022 at the Government Center, Austin, Minnesota 55912.

**BE IT RESOLVED** that pursuant to M.S. Chapter 375.34 & 375.35, the sum of up to \$300.00 to be paid to each recognized military organization or society including their auxiliary, with a maximum of \$600.00 per post, and the same is hereby appropriated out of the General Revenue Fund of Mower County to each of the recognized Military Persons' Organizations or Societies filing bills showing expenses in this amount, for the purpose of Memorial Day Exercises and the County Auditor/Treasurer is expected to draw his warrant for the amount shown on the itemized bill not to exceed \$300.00.

Passed and approved this 4<sup>th</sup> day of January, 2022.

**Date: January 4, 2022**

**Res. #06-22**

**RESOLUTION**

On motion of Commissioner Mueller, seconded by Commissioner Glynn, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 4, 2022 at the Government Center, Austin, Minnesota.

**BE IT RESOLVED** That the County Auditor-Treasurer be allowed to pay various incidental expenses, refunds, state agency payments, tax apportionments and Board approved appropriations. Items paid by auditor warrant include: utilities; telephone; requests by a Judge for immediate payment; postage; license fees; tax overpayments; employee benefits;

and payroll deductions; credit card payments, when necessary to avoid late penalties and charges and costs associated with employee travel and conferences. All claims for employee reimbursement must be submitted Human Resources within sixty (60) days of occurrence in order to qualify for payment.

**BE IT FURTHER RESOLVED**, that the County Auditor-Treasurer be allowed to pay the, partial contract payments and claims for payment from foster care, guardianship and placement care providers. An auditor warrant may be issued provided a signed legal contract is on file, the department head supervising the contract has approved the payment for work completed and that the payment is not a final payment on a contract;

**BE IT FURTHER RESOLVED**, that the County Administrator be allowed to approve payment via auditor warrant up to \$50,000 for emergency items, legal settlements, and disaster recovery items.

Passed and approved this 4<sup>th</sup> day of January, 2022.

**Date: January 4, 2022**

**Res. #07-22**

**RESOLUTION**

On motion of Commissioner Glynn, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 4, 2022 at the Government Center, Austin, Minnesota.

**WHEREAS**, Mower County receives and disburses public funds and shall deposit such funds in a commercial bank, savings association, trust company, credit union or other financial institution as defined by law in Minnesota Statutes 118A.01;

**WHEREAS**, Mower County will designate as a depository of its funds one or more financial institutions per MS 118A.02;

**WHEREAS**, the following financial institutions are designated depositories for 2022:

First Farmers and Merchants -- Austin, Brownsdale and Grand Meadow  
US Bank  
Home Federal Savings Bank  
Mower County Employees Credit Union  
Minnesota Association of Government Investing for Counties /PFM Asset Management LLC  
UBS

**BE IT RESOLVED THAT**, the Mower County Board of Commissioners adopt and designate the listed financial institutions in this resolution as depositories of public funds for the year 2022.

Passed and approved this 4<sup>th</sup> day of January, 2022.



Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the annual Electronic Funds Transfer Policy for 2022. Policy on file in the office of County Administration. Motion carried.

**Date: January 4, 2022**

**Res. #08-22**

**RESOLUTION**

On motion of Commissioner Glynn, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held January 4, 2022 at the Government Center, Austin, Minnesota.

**BE IT RESOLVED;** That Jenna Wheeler Anderson, M.D., be appointed as Mower County Medical Consultant / Health Officer for the year 2022;

**BE IT FURTHER RESOLVED:** that the medical officer shall receive \$2,600.00 per year plus expenses upon receipt of an itemized and verified bill for said expenses.

Passed and approved this 4<sup>th</sup> day of January, 2022.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to set the County Board of Review & Equalization for June 14, 2022 at 6:30 p.m. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn, to approve the 2022 Countywide Fee Schedule as proposed. The fee schedule is on file in the office of the County Administrator. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to accept \$1000 donation from the Austin Area Foundation for the Health & Human Services Diaper Drive. Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to approve the Master Customer Agreement with Motorola Solutions, Inc./Watchguard for the purchase of BodyCams for the Sheriff's department subject to review by the County Attorney and authorizing payment on the contract upon approval. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve Assignment of SEMA Tax Abatement to the new owner Minnesota Ag Power, Inc. Motion carried.

The Board discussed waiving zoning permit fees for storm damage repairs for citizens that experienced extensive property damage because of the December 15, 2021 windstorm.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn, to waive zoning permit fees and septic certificate of compliance requirements for 1:1 replacement or repair of structures damaged in the December 15, 2021 storm. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to change modify the job classification / DMB rating for the Captain job description from C45 to D61. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to modify the job classification / DMB rating for the Chief Deputy job description from D61 to D62. Motion carried.

Under Committee Reports Commissioner Reinartz noted that the Personnel Committee had met on January 3. There were not any other committee reports to note.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to adjourn the meeting at 2:27 p.m. Motion carried. The next meeting is scheduled for January 11, 2022 at 9:00 a.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

**INDEX**

**2**

2022 Chair – Commissioner Baldus, 1  
2022 committee appointments, 1  
2022 Countywide Fee Schedule, 9  
2022 Vice-Chair – Commissioner Ankeny, 1

**A**

adjourn, 10  
agenda, 2

**B**

Board of Equalization set  
6-14-22 @ 6 .30 pm, 9  
BodyCams  
Master Agreement w/ Motorola/Watchguard, 9  
payment authorized following Co.Attorney review, 9

**D**

department update  
County Administrator, 1  
donation  
\$1000 - from Austin Area Foundation for HHS Diaper  
Drive, 9

**J**

job description  
Captain  
modify DMB C45 to D61, 10  
Chief Deputy  
modify DMB D61 to D62, 10

**M**

meeting schedule 2022 calendar, 5  
minor repair allocation  
Ag, Historical & Extension, 6  
minutes, 2

**P**

policy  
Electronic Funds Transfer Policy - annual adoption, 9  
Public Hearing  
CUP #923 Merten, 2

**R**

Res. #01-22  
CUP #923 Merten, 3  
Res. #02-22 general fund allocations, 5  
Res. #03-22 AMC delegates, 6  
Res. #04-22 2022 legal newspaper, 6  
*Res. #05-22 Memorial Day Expenses, 7*  
Res. #06-22 incidental expenses, 7  
Res. #07-22 Depositories, 8  
Res. #08-22 2022 Health Officer – Wheeler Anderson  
MD, 9

**S**

SEMA Tax Abatement reassigned  
Minnesota Ag Power, Inc., 9

**T**

Tax Abatement Assignment  
SEMA Tax Abatement TO Minnesota Ag Power, 9

**W**

waive septic certificate of compliance  
1to1 replacement of structures damaged in wind  
storms 12.15.21, 10  
waive zoning permit fees  
1to1 replacement of structures damaged in wind  
storms 12.15.21, 10  
warrants  
Commissioner, 5  
wind storm structure replacements  
waive permit fees, 10