

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

April 25, 2023

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session April 25, 2023 at 9:00 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Chair Mike Ankeny, Vice-Chair Jerry Reinartz, John Mueller, Dan Sparks and Polly Glynn. Also in attendance were County Attorney Kristen Nelsen, County Administrator Trish Harren and Executive Assistant Denise Barthels.

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the agenda adding reclassifications of positions in County Attorney office. Motion carried.

Date: April 25, 2023

Res. #37-23

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 April 25, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, on April 25, 2023 the American Legion Post 146 presented a request for a Minnesota Lawful Gambling LG214 Premises Permit for gambling to be conducted at the Cedar River Country Club.

BE IT RESOLVED THAT, the Mower County Board of Commissioners does hereby approve the issuance of a Minnesota Lawful Gambling LG214 Premises Permit for gambling to be conducted at the Cedar River Country Club, Adams, MN.

Passed and adopted this 25th day of April, 2023.

Finance Manager Loni Swenson provided the board with a department update which included the first quarter financial report. The department is learning payroll, moved audit work deadlines earlier to April, and will be starting the 2024 budget process and implementing new invoicing software. Ms. Swenson also provided the Board with the February and March Investment Reports.

The Board acknowledged receiving and approved the Investment the February and March 2023 Investment reports.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve the RTVision GovAP quote and contract for software for vendor invoice management (3 year agreement \$40,000). Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to adopt Property Tax Overpayment Policy effective April 25, 2023 (*supersedes Res. #57-03 dated 5/27/03*). The policy is as follows:

Property Tax Overpayment Policy

Property Tax Payments

Property tax payments will be applied in the following order:

- *Most Current Delinquent taxes, unless the taxpayer is making payments under a Confession of Judgement Plan in accordance with Minnesota Statutes 548.22*
- *Current taxes*

Property Tax Overpayments

Overpayments of more than \$1 will be receipted to the tax fund liability account "Overremittance" and notification will be sent to the payer by mail or email. The notification will include instructions for requesting a refund or having the overpayment applied to future taxes in accordance with Minnesota Statutes 276.19(1).

A request for refund will not be issued until 2 weeks after the original receipt of payment to ensure payment is not returned for insufficient funds.

If no reply to the notification of overpayment is received within 3 years receipt of the overpayment, a "Notice of unclaimed property tax refunds" will be published in accordance with Minnesota Statutes 276.19(2).

If no request for refund is received within 90 days of publication of the "Notice of unclaimed property tax refunds" the overpayment will be considered abandoned. Abandoned overpayments will be distributed to the affected taxing districts in proportion to the current tax year levy in accordance with Minnesota Statutes 276.19(3)

Motion carried.

Chief Deputy Mark May was recognized for retirement from Mower County with 33 years of service.

The Board recessed at 9:47 a.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 9:47 a.m. regarding a Housing Tax Abatement application of Taylor Meyer for a single-family home located Lot 7, Block 1, River's Edge Addition, City of LeRoy, MN (PIN 26.070.0070).

County Administrator Trish Harren reviewed the application and recommended approval.

The applicant was not present. No one else spoke for or against the Taylor Meyer housing tax abatement application.

The Chair closed the Public Hearing at 9:49 a.m. regarding the Taylor Meyer Housing Tax Abatement application.

The Chair called the Public Hearing to order at 9:49 a.m. regarding a Housing Tax Abatement application of Greg & Courtney Hackensmith for a single-family home located S245Ft N½ NW¼ E of RR 5 Acres, Section 25 Lansing Twp, MN (PIN 08.025.0050).

County Administrator Trish Harren reviewed the application and recommended approval.

The applicant was not present. No one else spoke for or against the Greg & Courtney Hackensmith housing tax abatement application.

The Chair closed the Public Hearing at 9:50 a.m. regarding the Greg & Courtney Hackensmith Housing Tax Abatement application.

The County Board reconvened its regular session at 9:50 a.m.

Date: April 25, 2023

Res. #38-23

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

On motion of Commissioner Glynn, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held April 25, 2023 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, Eugene and Rita Miller (sellers) are the owner(s) of certain property within Mower County, legally described as follows:

Lot 7, Block 1, River's Edge Addition, City of LeRoy, MN (PIN 26.070.0070)

WHEREAS, Taylor Meyer (buyer) 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 April 25, 2023 before the Mower County Board of Commissioners, on said application.

WHEREAS, Eugene and Rita Miller (sellers) and Taylor Meyer (buyer) 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 25th day of April, 2023.

Date: April 25, 2023

Res. #39-23

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

On motion of Commissioner Mueller, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held April 25, 2023 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, K & N Homes, LLC is the owner of certain property within Mower County, legally described as follows:

S245Ft N½ NW¼ E of RR 5 Acres, Section 25 Lansing Township, MN (PIN 08.025.0050)

COMMISSIONERS' RECORD MOWER COUNTY, MINNESOTA

WHEREAS, Greg and Courtney Hackensmith 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 April 25, 2023 before the Mower County Board of Commissioners, on said application.

WHEREAS, K & N Homes, LLC and Greg and Courtney Hackensmith 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 25th day of April, 2023.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve the Health & Human Services accounts payable totaling \$280,777.78. Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn, to approve the minutes of April 11, 2023. Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Sparks, 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	3,152.76	Jones Law Firm	6,315.00
Baudoin Oil Company	5,783.09	Kiesler's Police Supply Inc	6,041.45

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Cedar Valley Services, Inc	70,078.82	Leadership Development Resources	4,771.00
Dakota County Financial Services	4,225.00	Marston Consulting Group, LLC	3,000.00
Dakota County Technical College	2,500.00	MCHS SE Minnesota	2,919.50
Dell Marketing L P	12,503.89	Midwest Monitoring & Surveillance	3,081.00
Department Of Corrections	30,160.00	Minnesota Counties Computer Cooperative	39,384.17
Department Of Transportation	13,097.84	Nexus-Mille Lacs Family Healing	7,688.00
Donnelly Law Firm, PLLC	5,120.01	Petroblend Corp.	3,854.70
Ergotech Controls LLC	4,139.49	REDI Transports, LLC	8,510.00
Erickson Engineering Co., LLC	10,541.50	Regents Of The University Of Minnesota	2,580.82
Falkstone LLC	3,476.22	Scott County Treasurer	2,400.00
Gallagher Benefit Services Inc	4,000.00	The Master's Touch, LLC	4,729.86
Healthiest You	3,220.00	Thomson Reuters-West Payment Center	2,405.90
Hope Haven Inc	2,517.51	Village Ranch Inc	15,956.86
Insight Direct USA, Inc	38,211.03	93 Payments less than 2000	45,069.25
Jones Haugh & Smith Inc	2,164.63	Final Total:	373,599.30

Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to approve the following list of surplus property for auction and/or disposal:

Quantity	Item	Department
1	Woods Bat Wing Mower (SN 10007067931001) Unit 43	Public Works
1	2011 Ford F-150 Crew Cab Unit 9253A VIN: 1FTFWIEF5BKD23219 Mileage: 163,128	Public Works
1	2010 Ford F-250 Unit 9054 VIN: 1FTNF2B51AEA55473 Mileage: 141,435	Public Works
1	1996 Ford F-47 (Bridge Truck) Unit 49 VIN: 1FDLF47F9TEB47126 Mileage: 128,490	Public Works
2	8'x10' garage doors with openers	Recycling
6 pallets	Scrap electronic equipment	IT

Motion carried.

Motion made by Commissioner Sparks, seconded by Commissioner Mueller, to approve a late claim for payment for employee #59. Motion carried.

Jon Erichson and James Fett provided the Board with Turtle Creek Watershed District annual update. The Turtle Creek Watershed District Board's main focus is drainage but is now shifting some focus on conservation and recreation. Much of the watershed is located in Freeborn County but cooperatively Freeborn and Mower County Soil & Water Conservation District oversee maintenance works such as tree cleanout and create watercraft access point.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to approve the DataWorks Plus maintenance and technical support renewal agreement for the jail fingerprinting machine (\$769.86 and correcting the expiration date as 5/31/2024). Motion carried.

Owatonna Area Wildlife Supervisor Jeanine Vorland with the MN DNR appeared before the Board with a request that the Board to pass a resolution in support of land acquisition of approximately 22 acres by the Ramsey Mill Pond. It was noted that by statute the DNR must get permission from the county to purchase the land.

Date: April 25, 2023

Res. #40-23

RESOLUTION
Review of Proposed State Land Acquisition

On motion of Commissioner Glynn, seconded by Commissioner Sparks, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held April 25, 2023 at the Government Center, Austin, Minnesota.

WHEREAS, In accordance with Minnesota Statutes 97A.145, Subd. 2, the Commissioner of the Department of Natural Resources on April 25, 2023 provided the Mower County board with a description of lands to be acquired by the State of Minnesota for water, forestry, wildlife, and natural plant community conservation purposes.

Lands to be acquired are described as follows:

That part of the Northwest Quarter of the Northeast Quarter of Section 23, Township 103 North, Range 18 West, Mower County, Minnesota, lying easterly of the center line of Cedar River.

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board of Commissioners hereby supports the State's proposed acquisition of land located near the Ramsey Mill Pond and legal described as:

That part of the Northwest Quarter of the Northeast Quarter of Section 23, Township 103 North, Range 18 West, Mower County, Minnesota, lying easterly of the center line of Cedar River.

Passed and approved this 25th day of April, 2023.

Motion made by Commissioner Glynn, seconded by Commissioner Mueller, to authorize the Vice-Chair and County Administrator to sign Release of Land from Judgment Liens effective April 12, 2023 - (5 Judgments on property in Galloway's Second Addition, City of Austin). Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve the 2022 County Feedlot Officer (CFO) Annual Report and Financial Report. Motion carried.

Public Works Director Michal Hanson appeared before the Board with quotes for major equipment purchases. Mr. Hanson recommends approving two of the quotes but tabling the one for the Freightliner.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to table an award of the quote received for the LW 4000WT mounted on 2024 Freightliner M2 CARB. (*for new water truck*) Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve the purchase of the 2023 RDX-117 Snow Blower (approximately \$28000). Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn, to approve the purchase of the 2023 Caterpillar 926M Wheel Loader (approximately \$183,400 after trade-in allowance for 936F Caterpillar unit #20). Motion carried.

The Board discussed the request of NACO that public land counties like Mower County contribute one percent of the Local Assistance and Tribal Consistency Fund (LATCF) received by them towards National Center for public lands. A discussion followed.

Motion made by Commissioner Glynn, seconded by Commissioner Sparks, to approve a voluntary distribution of 1% (\$1000) of the Local Assistance and Tribal Consistency Fund (LATCF) received as a flexible, targeted federal investment in public land counties to NaCO for the National Center for Public Lands Counties (The Center) for staffing to write the stories and serve as a long-term tool for public land counties such as Mower. Motion carried.

County Administrator Trish Harren provided the Board with an ARPA update and a proposed / revised plan for use of ARPA Funds. The new amended budget reflects the addition of \$100,000 in LACTF funds and the \$300,000 (for general fund) additional wind tax revenue.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the revised plan for the use of the ARPA funds:

Category	Preliminary Budget Amount
Public Health	\$1,000,000
Negative Economic Impacts	800,000
Services to Disproportionately Impacted Communities	2,000,000
Premium Pay	0
Infrastructure	1,700,000
Revenue Replacement	1,925,000
Administrative/Other	775,000
TOTAL ARPA FUNDS	\$8,200,000

and approve the distribution of allocated funds as follows:

Server Solution CDW	\$ 218,180.64
CDW Rack/Power Pack	\$2,026.24
Veterans Memorial	\$50,000
Rachels Hope	\$5,000
Gravel Bed Nursery 2023	\$3,000
Workforce Development	\$20,000
PRC Partnering With Parents	\$5,000
Nexus Gerard	\$30,000
Siebel Family Center	\$20,000
Special Olympics	\$2,000
Cedar Valley	\$20,000

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Salvation Army	\$10,000
IMS	\$10,000
Recovery is Happening	\$10,000
Austin Aspires	\$47,000
Nexus Gerard CMH	\$75,000
Recovery is Happening	\$75,000

Motion carried.

Human Resource Director Kris Kohn provided the Board with information and a request to reclassify support staff positions in the county attorney's office. Currently the department has four paralegals, one legal secretary and one office support specialist. It has come to the attention that the legal secretary is doing the same type of work as the paralegals and subsequently is working out of class. A person with the correct skills would assist the department with transcription services that require a quick turnaround saving the department some of the higher costs associated with the emergency transcription work from the contracted service. It is recommended to reclassify the one legal secretary to an additional paralegal and to reclassify the office support specialist to a legal secretary.

Motion made by Commissioner Reinartz, seconded by Commissioner Sparks, to approve the reclassification of positions in the County Attorney office reclassifying the Legal Secretary to a Paralegal, reclassifying the Office Support Specialist to a Legal Secretary and amending the 2023 approved staffing levels in the County Attorney's office to indicate the department has 5 Paralegal positions, 1 Legal Secretary position and no Office Support Specialist position. Motion carried.

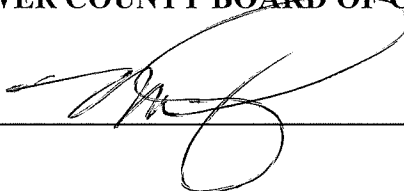
Under Committee Reports Commissioner Glynn reported she had attended the SWCD meeting on April 12. Commissioner Reinartz reported he had attended the Senior Center Board meeting on April 21.

County Administrator Trish Harren noted that the annual employee award's event is approaching. Nominations have been received and it is requested that the Finance Committee review the nominations under innovation and that the Personnel Committee review the value-based nominations. A date for the event has yet to be determined.

The Chair adjourned the meeting at 11:28 a.m. The next meeting is scheduled for May 2, 2023 at 1:00 p.m.

~~THE MOWER COUNTY BOARD OF COMMISSIONERS~~

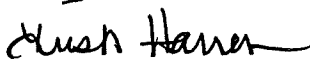
BY: _____



Chairperson

Attest:

By: _____



Clerk/Administrator