

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

October 26, 2021

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session October 26, 2021 at 9:00 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Chair Polly Glynn, Vice-Chair Jerry Reinartz, Mike Ankeny, Jeff Baldus, and John Mueller. Also in attendance were County Attorney Kristen Nelsen, Executive Assistant Denise Barthels, and many well-wishers for the retirees Brent Gunderson & Todd Lysne.

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Baldus, seconded by Commissioner Reinartz, to approve the agenda adding a request to repurchase tax forfeited parcel 34.916.0221. Motion carried.

Family Facilitator Brent Gunderson was recognized for retirement from Mower County with 34 years of service.

Income Maintenance Supervisor Todd Lysne was recognized for retirement from Mower County with 34 years of service.

For the Health & Human Services department update, representatives from Nexus Family Healing (Gerard) provided the Board with a program/facility update. Nexus Family Healing is a 93-bed facility with a qualified residential treatment program designation.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the minutes of October 12, 2021. Motion carried.

The Board recessed at 9:44 a.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 9:45 a.m. in regard to a Housing Tax Abatement request of Anna Smith, applicant, to construct a single-family home located SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11, City of Adams, MN (split from PIN 21.009.0130).

The application was complete and recommended for approval.

The applicant Anna Smith was not present. No one spoke for or against the Smith housing tax abatement application.

The Chair closed the Public Hearing at 9:46 a.m. in regard to the Anna Smith Housing Tax Abatement application.

The County Board reconvened its regular session at 9:46 a.m.

Date: October 26, 2021

Res. #76-21

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

On motion of Commissioner Ankeny, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 26, 2021 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, Anna K. Smith is the owner(s) of certain property within Mower County, legally described as follows:

SW¼ of SE¼ of Section 11, City of Adams, MN (split from PIN 21.009.0130)

WHEREAS, Anna K. Smith 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 October 26, 2021 before the Mower County Board of Commissioners, on said application.

WHEREAS, Anna K. Smith has 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 26th day of October, 2021.

Motion made by Commissioner Reinartz, 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>
Aaa Striping Service Company	69,549.48	Erickson Engineering Co., LLC	5,915.50
AMI Imaging Systems Inc	24,280.00	Fox Electric Company	5,141.34
Anoka County Corrections	16,776.00	KRIS Engineering Inc	2,080.60
Austin Public Schools ISD #492	2,268.00	Mayo Clinic	9,589.85
Baudoin Oil Company	22,249.96	Midwest Energy Efficiency Alliance	2,000.00
Bruening Rock Products Inc	92,786.62	Nexus-Mille Lacs Family Healing	7,922.22
Cedar Valley Services, Inc	53,913.85	REDI Transports, LLC	9,400.00
Consolidated Correctional Foodservice	16,679.77	Southern Minnesota Education Consortium	5,000.00
Department Of Corrections	6,900.00	Village Ranch Inc	11,942.52
Donnelly Law Firm, PLLC	6,922.78	74 Payments less than 2000	36,072.86
		Final Total:	407,391.35

Motion carried.

Environmental Services requested the approval of Resolutions adopting assessments for septic loans for five applicants. Promissory Notes will be prepared for each approved assessment.

Date: October 26, 2021

Res. #77-21

RESOLUTION ADOPTING ASSESSMENT

On motion of Commissioner Baldus, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 26, 2021 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): Mark & Mindy Kenyon

Property address: 52722 140th Street, Austin, MN 55912

Parcel Identification No: 11.009.0080

Tax parcel abbreviated description: Section 09 Township 101 Range 018 E478.7FT
W1352.7FT S728FT SE1/4

Assessment amount: \$16,474.50 (Sixteen Thousand, Four hundred seventy-four and
50/100)

**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 simple decreasing 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 2022, and shall bear interest at the rate of three percent per annum. Each payment including interest thereafter will be paid with taxes payable, until the assessment obligation is satisfied.
3. The owner of any property, so assessed, may pay the entire assessment on such property by December 31 (year of installation) without interest accrued.

Thereafter the owner of property, so assessed, may pay the annual assessment amount, or any amount exceeding the annual assessed amount so listed on the tax statement, with any unpaid interest accrued to December 31 of the year in which such payment is made.

Payments will be accepted by the County up until the close of business day December 31 in the year of payment. If December 31st is a weekend or holiday; payment must be received in advance of closing of the last business day in the year payment is made.

4. There shall be no penalty for early payment or pay-off of the full balance of the assessment.
5. The County Administrator / 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.

BE IT FURTHER RESOLVED, that the Mower County Board Chair is hereby authorized to execute the Promissory Note on behalf of the County for the loan of the funds from the Mower County Septic Loan program.

Passed and approved this 26th day of October, 2021.

Date: October 26, 2021

Res. #78-21

RESOLUTION ADOPTING ASSESSMENT

On motion of Commissioner Ankeny, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 26, 2021 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): ROBERT E & JANET DOUTY

Property address: 15216 620TH AVE, ROSE CREEK MN 55970

Parcel Identification No: 01.006.0050

Tax parcel abbreviated description: Section 06 Township 101 Range 016 W584.5FT N372.7FT S1362.6FT SW1/4 5AC

Assessment amount: \$20,275.87 (Twenty Thousand, Two hundred Seventy-five and 87/100)

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 simple decreasing 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 2022, and shall bear interest at the rate of three percent per annum. Each payment including interest thereafter will be paid with taxes payable, until the assessment obligation is satisfied.
3. The owner of any property, so assessed, may pay the entire assessment on such property by December 31 (year of installation) without interest accrued.

Thereafter the owner of property, so assessed, may pay the annual assessment amount, or any amount exceeding the annual assessed amount so listed on the tax

statement, with any unpaid interest accrued to December 31 of the year in which such payment is made.

Payments will be accepted by the County up until the close of business day December 31 in the year of payment. If December 31st is a weekend or holiday; payment must be received in advance of closing of the last business day in the year payment is made.

4. There shall be no penalty for early payment or pay-off of the full balance of the assessment.
5. The County Administrator / 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.

BE IT FURTHER RESOLVED, that the Mower County Board Chair is hereby authorized to execute the Promissory Note on behalf of the County for the loan of the funds from the Mower County Septic Loan program.

Passed and approved this 26th day of October, 2021.

Date: October 26, 2021

Res. #79-21

RESOLUTION ADOPTING ASSESSMENT

On motion of Commissioner Mueller, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 26, 2021 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): BROOKE D HAMILTON

Property address: 1410 29TH AVE SE, AUSTIN MN 55912

Parcel Identification No: 02.052.0220

Tax parcel abbreviated description: Subdivision Name 14 102 18 OUT LOTS N1/2 SE1/4
Subdivision Cd 02052 OUT LOT 14 N1/2 SE1/4 5.05AC

Assessment amount: \$23,850.00 (Twenty-three Thousand, Eight Hundred fifty and no/100

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 simple decreasing 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 2022, and shall bear interest at the rate of three percent per annum. Each payment including interest thereafter will be paid with taxes payable, until the assessment obligation is satisfied.
3. The owner of any property, so assessed, may pay the entire assessment on such property by December 31 (year of installation) without interest accrued.

Thereafter the owner of property, so assessed, may pay the annual assessment amount, or any amount exceeding the annual assessed amount so listed on the tax statement, with any unpaid interest accrued to December 31 of the year in which such payment is made.

Payments will be accepted by the County up until the close of business day December 31 in the year of payment. If December 31st is a weekend or holiday; payment must be received in advance of closing of the last business day in the year payment is made.

4. There shall be no penalty for early payment or pay-off of the full balance of the assessment.
5. The County Administrator / 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.

BE IT FURTHER RESOLVED, that the Mower County Board Chair is hereby authorized to execute the Promissory Note on behalf of the County for the loan of the funds from the Mower County Septic Loan program.

Passed and approved this 26th day of October, 2021.

Date: October 26, 2021

Res. #80-21

RESOLUTION ADOPTING ASSESSMENT

On motion of Commissioner Reinartz, seconded by Commissioner Mueller, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 26, 2021 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): DAVID H CHAMPLIN

Property address: 501 1ST ST SW, AUSTIN MN 55912

Parcel Identification No: 08.032.0180

Tax parcel abbreviated description: Section 32 Township 103 Range 018 E180FT N242FT NE1/4 NE1/4

Assessment amount: \$11,000.00 (Eleven 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 simple decreasing 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 2022, and shall bear interest at the rate of three percent per annum. Each payment including interest thereafter will be paid with taxes payable, until the assessment obligation is satisfied.
3. The owner of any property, so assessed, may pay the entire assessment on such property by December 31 (year of installation) without interest accrued.

Thereafter the owner of property, so assessed, may pay the annual assessment amount, or any amount exceeding the annual assessed amount so listed on the tax statement, with any unpaid interest accrued to December 31 of the year in which such payment is made.

Payments will be accepted by the County up until the close of business day December 31 in the year of payment. If December 31st is a weekend or holiday; payment must

be received in advance of closing of the last business day in the year payment is made.

4. There shall be no penalty for early payment or pay-off of the full balance of the assessment.
5. The County Administrator / 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.

BE IT FURTHER RESOLVED, that the Mower County Board Chair is hereby authorized to execute the Promissory Note on behalf of the County for the loan of the funds from the Mower County Septic Loan program.

Passed and approved this 26th day of October, 2021.

Date: October 26, 2021

Res. #81-21

RESOLUTION ADOPTING ASSESSMENT

On motion of Commissioner Baldus, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 26, 2021 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): SCOTT J & JENNIFER A HORGESHEIMER

Property address: 58826 175TH ST, ROSE CREEK MN 55970

Parcel Identification No: 20.028.0010

Tax parcel abbreviated description: Section 28 Township 102 Range 017 W640FT E1285FT S470FT NE1/4 CONTRACT (*contract satisfied – March 7, 2019)

Assessment amount: \$14,993.00 (Fourteen Thousand, Nine hundred ninety-three and no/100)

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 simple decreasing 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 2022, and shall bear interest at the rate of three percent per annum. Each payment including interest thereafter will be paid with taxes payable, until the assessment obligation is satisfied.
3. The owner of any property, so assessed, may pay the entire assessment on such property by December 31 (year of installation) without interest accrued.

Thereafter the owner of property, so assessed, may pay the annual assessment amount, or any amount exceeding the annual assessed amount so listed on the tax statement, with any unpaid interest accrued to December 31 of the year in which such payment is made.

Payments will be accepted by the County up until the close of business day December 31 in the year of payment. If December 31st is a weekend or holiday; payment must be received in advance of closing of the last business day in the year payment is made.

4. There shall be no penalty for early payment or pay-off of the full balance of the assessment.
5. The County Administrator / 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.

BE IT FURTHER RESOLVED, that the Mower County Board Chair is hereby authorized to execute the Promissory Note on behalf of the County for the loan of the funds from the Mower County Septic Loan program.

Passed and approved this 26th day of October, 2021.

Motion made by Commissioner Reinartz, seconded by Commissioner Baldus, to approve the Health & Human Services accounts payable totaling \$184,257.11. Motion carried.

Motion made by Commissioner Baldus, seconded by Commissioner Ankeny, to approve ordering 50 portable recycling containers from Thompson Sanitation totaling \$3062.50. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Mueller, to authorize the order of a forklift for the Recycling Center budgeted for 2022 at an estimated cost of \$40,000. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to award the low quote of \$19,900 for the Public Works Sand Shed repairs to The Joseph Company and have the project commence. Motion carried.

Motion made by Commissioner Mueller, seconded by Commissioner Reinartz, to approve a three (3) year maintenance service agreement with Ziegler/Cat for the Public Works backup generator effective 10/1/21 – 9/30/24; cost \$2086.74 annually. Motion carried.

Auditor-Treasurer Scott Felten presented to the Board for its review and approval two Repurchase Applications for Tax Forfeited Properties (Parcel 25.004.0210 and Parcel 34.916.0221).

Date: October 26, 2021

Res. #82-21

RESOLUTION

On motion of Commissioner Mueller, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held October 26, 2021 at the Government Center, Austin, Minnesota.

WHEREAS, the Mower County Board of Commissioners has received an application for repurchase of tax forfeited property located at 408 Main Street North, Grand Meadow, MN 55936 and legally described as N 48 ft. of Lot 8, Block 15, Proprietor's Addition, Village of Grand Meadow, Mower County, Minnesota (PIN 25.004.0210); and

WHEREAS, the Mower County Board has determined and classified the parcel as non-conservation land as provided for in Minnesota's Statutes 282.01; and

WHEREAS, the Mower County Board has determined the repurchase of the parcel by the former owner Matthew C. Leibfried will promote the use of the land that will best serve the public.

NOW, THEREFORE, BE IT RESOLVED that the Mower County Board of Commissioners approve the repurchase of the tax forfeited property parcel #25.004.0210 by the former owner Matthew C. Leibfried at the repurchase price of \$8,759.87 with the repurchase to be completed no later than November 30, 2021.

Passed and approved this 26th day of October, 2021.

Date: October 26, 2021

Res. #83-21

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 October 26, 2021 at the Government Center, Austin, Minnesota.

WHEREAS, the Mower County Board of Commissioners has received an application for repurchase of tax forfeited property located at 1400 30th Ave. NE, Austin, MN 55912 and legally described as N1/2 Out Lot 12, Old # 08.038.0221, City of Austin, Mower County, Minnesota (PIN 34.916.0221); and

WHEREAS, the Mower County Board has determined and classified the parcel as non-conservation land as provided for in Minnesota's Statutes 282.01; and

WHEREAS, the Mower County Board has determined the repurchase of the parcel by the former owner Edward A. Grzechowiak, Sr. will promote the use of the land that will best serve the public.

NOW, THEREFORE, BE IT RESOLVED that the Mower County Board of Commissioners approve the repurchase of the tax forfeited property parcel #34.916.0221 by the former owner Edward A. Grzechowiak Sr. at the repurchase price of \$20,622.75 with the repurchase to be completed no later than December 15, 2021.

Passed and approved this 26th day of October, 2021.

Under Committee Reports it was noted that the Association of Minnesota Counties District IX meeting will be on Monday, November 1, 2021 in Albert Lea. Commissioner Glynn attended the SEMCAC meeting virtually and Commissioner Reinartz attended the SCHSAC (Statewide Community Health Services Advisory Committee) meeting virtually.

Motion made by Commissioner Reinartz, seconded by Commissioner Baldus, to adjourn the meeting at 10:24 a.m. Motion carried. The next meeting is scheduled for November 2, 2021 at 1:00 p.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Administrator

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