

**SPECIAL SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS**

September 4, 2018

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Special Session September 4, 2018 at 1:03 p.m. at the Government Center in Austin, Minnesota.

All members present, viz: Jerry Reinartz, Chair
 Tony Bennett, Vice-Chair
 Mike Ankeny
 Polly Glynn
 Tim Gabrielson
 Craig Oscarson, County Coordinator

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

Cheryl Schewe, Lead Eligibility Worker, was recognized for retirement from Mower County with 38 years of service.

Joni Williamson, Lead Eligibility Worker, was recognized for retirement from Mower County with 32 years of service.

A Public Hearing was held in regard to CUP #870 of Benjamin D. and Brianna K. Farrell, landowners and petitioners, to place a drive across the publicly protected river to allow access from one side to the other which will require grading and/or fill to complete the project located in Section 21, Red Rock Township.

Angie Lipelt, Environmental Services Director, reviewed the permit and Planning Commission recommendations.

The Petitioner was present. No one spoke for or against CUP #870.

Date: September 4, 2018

Res. #88-18

RESOLUTION

On motion of Commissioner Bennett, seconded by Commissioner Gabrielson, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held September 4, 2018 at the Mower County Government Center, Austin, Minnesota.

WHEREAS, The Mower County Planning Commission having presented to the Mower County Board of Commissioners, CUP #870 of Benjamin D. & Brianna K. Farrell,

Landowners, and Petitioners, and to be issued pursuant to the Mower County Zoning Regulations for:

to place a drive across the publicly protected river to allow access from one side to the other which will require grading and/or fill to complete.

Location: on a 16.08 acre parcel, located in Section 21, Red Rock Township (T103N-R17W), and legally described as: full legal attached . This is abbreviated: Section 21 Township 103 Range 017, S283.9FT W1731.3FT NW1/4 & S265.15 NW1/4 EXC W1731.27FT, Mower County, Minnesota on a parcel identified per tax records as 16.021.0010; and

WHEREAS, Notice having been duly given, a public hearing held on the matter on August 28, 2018, at 7:00 p.m. in the Mower County Government Center, County Board Room before the Mower County Planning Commission, on said petition; and

WHEREAS, Notice having been duly given, a public hearing was held on September 4, 2018 before the Mower County Board of Commissioners, on said petition;

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 local (including Red Rock Township's Ordinance), state and federal regulations regarding the proposed use; and
2. Shoreland Alteration standards of Section 14-97 shall be met or exceeded; and
3. A shoreland alteration permit is required for grading/filling/clearing in shoreland and zoning permits are required for construction in addition to this CUP; and
4. The Owner/Applicant shall work cooperatively with Mower County to mitigate any issues brought to the attention of the County that are found to be legitimate and valid that may create a nuisance to adjoining landowners from the proposed use, and
5. Shoreland Overlay requires review of the existing septic system whenever a permit or variance of any type is required for any improvement on, or use of, the property. When applicable, a licensed septic inspector shall perform a compliance inspection and shall provide the results of that inspection in accordance with Mower County Septic Ordinance. Should the system be found to be non-compliant; an approved septic system permit must be obtained prior to or simultaneously with a permit for construction, reconstruction, expansion or additions to the use. The septic system shall be required to be installed in accordance with the time-frame defined by either State Rule or Mower County; and

6. A conditional use permit shall become void two (2) years from the date of approval by the County Board 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; and
7. A conditional use permit shall become void if the use is discontinued for a period of one (1) year; and
8. 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.

This permit is in accordance with Article II Division 2 Agricultural District Section Section 14-97 Shoreland Alteration Standards and requirements for CUPs.; and Article I Division 6 (Conditional Use Permits) of the Mower County Zoning Ordinance (effective date 01/01/2003).

Passed and approved this 4th day of September, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn, to approve the minutes of August 28, 2018. Motion carried.

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
Baudoin Oil Company	25,083.77	Metro Sales Inc	3,815.96
Department Of Corrections	11,375.00	MJ O'Connor Inc	3,975.00
Flint Hills Resources, LP	61,212.54	Norman J. Cohen PH.D.	3,000.00
Icon Constructors Llc	26,047.00	OAKLAND EDUCATION CENTER	4,029.00
Marston Consulting Group,LLC	6,000.00	School District 492	3,000.00
Mathy Construction Company	9,812.19	37 Payments less than 2000	11,592.40
		Final Total:	168,942.86

Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to approve the Resolution regarding the County Veterans Service Office Operational Enhancement Grant Program Agreement effective July 1, 2018 through June 30, 2019 and authorize the Chair and the Veteran Service Officer to sign the agreement. Motion carried.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to approve the request of the Rural MN Energy Board for a loan payment in the amount of

\$6,336 due and payable in January 2019 to assist with the payoff of the REED obligation portion of the PACE (Property Assessed Clean Energy) program. This loan is to be paid back commencing in 2025 over 13 years. Motion carried.

A Public Hearing was held in regard to a Housing Tax Abatement request of Bigelow & Lennon Construction, applicant, to construct a single-family home located at Lot 4, Block 5, Nature Ridge, Austin, MN (PIN 34.465.0407)

Craig Oscarson reviewed the application and the recommendation is to approve the application.

A representative for the applicant was present and spoke on behalf of the company in favor of its application. No one else spoke for or against the Bigelow & Lennon Construction housing tax abatement application for parcel 34.464.0407.

Date: September 4, 2018

Res. #89-18

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

On motion of Commissioner Ankeny, seconded by Commissioner Bennett, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held September 4, 2018 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, Nature Ridge Properties of Austin Co. is the owner and seller of certain property within Mower County, legally described as follows:

Lot 4, Block 5, Nature Ridge, Austin, MN (PIN 34.465.0407)

WHEREAS, Bigelow & Lennon Construction, LLC is the developer and purchaser making 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 September 4, 2018 before the Mower County Board of Commissioners, on said application.

WHEREAS, Nature Ridge Properties of Austin Co., seller, and Bigelow & Lennon Construction, LLC, developer and purchaser, 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 4th day of September, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

A Public Hearing was held in regard to a Housing Tax Abatement request of Bigelow & Lennon, applicant, to construct a single-family home located at Lot 7, Block 5, Nature Ridge, Austin, MN (PIN 34.465.0413)

Craig Oscarson reviewed the application and the recommendation is to approve the application.

A representative for the applicant was present and spoke on behalf of the company in favor of its application. No one else spoke for or against the Bigelow & Lennon Construction housing tax abatement application for parcel 34.464.0413

Date: September 4, 2018

Res. #90-18

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

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 September 4, 2018 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, Nature Ridge Properties of Austin Co. is the owner and seller of certain property within Mower County, legally described as follows:

Lot 7, Block 5, Nature Ridge, Austin, MN (PIN 34.465.0413)

WHEREAS, Bigelow & Lennon Construction, LLC is the developer and purchaser making 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 September 4, 2018 before the Mower County Board of Commissioners, on said application.

WHEREAS, Nature Ridge Properties of Austin Co., seller, and Bigelow & Lennon Construction, LLC, developer and purchaser, 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 4th day of September, 2018.

THE MOWER COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

By: _____
Clerk/Coordinator

Gary Weiers, Management Consultant, David Drown Associates Company, provided the Board with an update on the Executive Search being performed by the company for the replacement of the County Coordinator. The consultant presented various documents for review and approval as part of the search process.

Motion made by Commissioner Bennett, seconded by Commissioner Ankeny, to approve the profile, job description (with the removal of the phrase "including the human body") and the salary range for a County Administrator position and to proceed with the executive search process. Motion carried.

In the absence of the Public Works Director, Craig Oscarson presented bid information received for projects CP 50-18-17 Class 2 Aggregate shoulders and appurtenant construction; SAP 50-645-009: Electrical lighting bids for CSAH 45 (4th St. NW); and CP 50-18-09: Weed spraying bids.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to award the bid to the low bidder Rochester Sand & Gravel with a low bid of \$328,000 on project CP 50-18-17 and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

Motion made by Commissioner Gabrielson, seconded by Commissioner Ankeny, to award the low quote of Fox Electric Co. with a low quote of \$75,300 on project SAP 50-645-009 and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

Motion made by Commissioner Glynn, seconded by Commissioner Bennett, to award the low bid of Sunshine Enterprises with a low bid of \$14,175 on project CP 50-18-09 and have the project commence. Motion carried. Full bid abstract on file in the office of the County Auditor-Treasurer and Public Works Director.

Motion made by Commissioner Bennett, seconded by Commissioner Ankeny, to adjourn the meeting at 2:11 a.m. Motion carried. The next meeting is scheduled for September 11, 2018 at 8:30 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Coordinator

INDEX

A

adjourn, 211
agenda, 204
award bid
 CP 50-18-09
 Sunshine Enterprises, 211
 CP 50-18-17
 Rochester Sand & Gravel, 210
 SAP 50-645-009
 Fox Electric Co., 211

E

executive search County Administrator
 profile, job description, salary range, 210

M

minutes 8.28.18, 206

P

PACE / Rural Energy Board loan
 \$6336, 207
Public Hearing

CUP #870 Farrell, 204
Housing Tax Abatement
 Bigelow & Lennon 34.465.0407, 207
 Bigelow & Lennon 34.465.0413, 208

R

Res. #88-18 CUP #870 Farrell, 204
Res. #89-18 housing tax abatement Bigelow
 34.464.0407, 207
Res. #90-18 housing tax abatement Bigelow
 34.464.0413, 209
retirement
 Schewe, Cheryl, 204
 Williamson, Joni, 204

V

Veterans Service Office Operational Enhancement
 Grant, 206

W

warrants
 Commissioner, 206