

REGULAR SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

February 23, 2021

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session February 23, 2021 at 9:00 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Polly Glynn, Chair  
Jerry Reinartz  
Mike Ankeny  
Jeff Baldus  
District One Seat Vacant  
Trish Harren, County Administrator

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the agenda with the addition of 1) Resolution to approve special assessment on Zhou property clean-up and 2) approve engagement letter for a specialized bond attorney for work related to the NuTek project. Motion carried.

Public Works Director Michal Hanson and staff presented a department update to the Board which included a summary of road and bridge projects recently done; a summary of Environmental Services projects; a summary of staff training and a list of 2021 goals for the department.

Health & Human Services Director Crystal Peterson provided the Board with Community Health Services updates which included a Covid 19 update. Mower County has had 3991 positive cases and 31 deaths. The daily number of new cases has been decreasing. The department has been busy hosting vaccination clinics. Per State guidelines, the current clinics are focused on finishing educators. Daycares have been completed.

Norm Hagstrom, Facilities Supervisor, was recognized for retirement from Mower County with 13 years of service.

The Board recessed at 10:02 a.m. for the purpose of a public hearing.

The Chair called the Public Hearing to order at 10:03 a.m. in regard to a Housing Tax Abatement request of Matt Schmit and Heather Kjos, applicants, to construct a single-family home Lot 9, Block 1, Turtle Creek Estates, Common Interest Community No. 13 as platted in that certain plat recorded as Document No. 514807 S½ SW¼ of Section 32, in Townships of Lansing and Austin, Mower County, MN (PINs 08.850.0090 & 02.850.0010).

County Administrator Trish Harren reviewed the application and recommended approval.

The applicant Matt Schmit was present and spoke on his own behalf. No one else spoke for or against the Schmit/Kjos housing tax abatement application.

The Chair closed the Public Hearing at 10:06 a.m. in regard to a Housing Tax Abatement request of Matt Schmit and Heather Kjos, applicants.

The County Board reconvened its regular session at 10:06 a.m.

**Date: February 23, 2021**

**Res. #14-21**

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

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 February 23, 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, Turtle Creek Estates, Inc. (Seller) is the owner of certain property within Mower County, legally described as follows:

Lot 9, Block 1, Turtle Creek Estates, Common Interest Community No. 13 as platted in that certain plat recorded as Document No. 514807  
S½ SW¼ of Section 32, in Townships of Lansing and Austin, Mower County, MN (PINs 08.850.0090 & 02.850.0010)

WHEREAS, Matt Schmit and Heather Kjos (Buyers) 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 February 23, 2021 before the Mower County Board of Commissioners, on said application.

WHEREAS, Turtle Creek Estates, Inc. (Seller) and Matt Schmit and Heather Kjos (Buyers) 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 30<sup>th</sup> 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 23<sup>rd</sup> day of February, 2021.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to approve the minutes of February 9, 2021. Motion carried.

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

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
180 Degrees, Inc.	10,706.04	Midstates Equipment & Supply	13,321.01
Advanced Correctional Healthcare, Inc	9,792.76	Midwest Monitoring & Surveillance	6,043.50
Bauer Built Tire	2,702.45	Minnesota Counties Computer Cooperative	9,581.66
Benchmark Behavioral Health Systems	14,725.00	MJ O'Connor Inc	3,802.65
Cedar Valley Services, Inc	55,979.28	Office Of Mn It Services	5,257.47
Consolidated Correctional Foodservice	15,037.87	SGTS Inc	50,450.00
Erickson Engineering Co., LLC	11,531.50	Slowinski Flooring	24,700.00
General Parts, LLC	2,709.45	Thomson Reuters-West Payment Center	2,268.66
Jones Haugh & Smith Inc	4,249.20	Tiny's Body Shop	13,134.45
Marston Consulting Group,LLC	3,000.00	Travel Back in Time CEO	2,000.00
Mayo Clinic Rochester	8,875.50	Village Ranch Inc	25,802.54
Metal Services of Blooming Prairie, Inc.	2,425.00	Ziegler, Inc	11,645.70
Metro Sales Inc	2,015.56	67 Payments less than 2000	38,415.98
		<b>Final Total:</b>	<b>350,173.23</b>

Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to approve the Health & Human Services accounts payable totaling \$255,484.56. Motion carried.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to appoint Michal Hanson, Public Works Director, and Scott Felten, Auditor-Treasurer, as the

Mower County Association of Minnesota Counties (AMC) 2021 staff delegates. Motion carried.

Motion by Commissioner Baldus, seconded by Commissioner Ankeny, to approve the following list of surplus property:

Quantity	Item	Department
6	Toughbook Mobile Computers w/docking stations (for donation to Riverland Community College)	Sheriff
1	2002 John Deere 6420 Tractor mower (for auction)	Public Works

Motion carried.

**Date: February 23, 2021**

**Res. #15-21**

**RESOLUTION**

On motion of Commissioner Reinartz, seconded by Commissioner Baldus, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 23, 2021 at the Government Center, Austin, Minnesota.

**WHEREAS**, on February 23, 2021 the Fraternal Order of the Eagles #703 presented to the County Board a LG214 Premises Permit Application for a Minnesota Lawful Gambling License for gambling to be conducted at the Windrift, LLC, Austin, MN.

**BE IT RESOLVED THAT**, the Mower County Board of Commissioners does hereby approve the issuance of a Minnesota Lawful Gambling Premises Permit to the Fraternal Order of the Eagles #703 for gambling at the Windrift, LLC, Austin, MN.

Passed and approved this 23<sup>rd</sup> day of February, 2021.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to approve Mower County's Grow Austin Fund Allocation for the NuTek project due to job creation – (\$91,350 allocated). Motion carried.

Motion made by Commissioner Reinartz, seconded by Commissioner Baldus, to approve the Development Corporation of Austin's recommendation of seventy-seven (77) businesses to receive a Mower County EE 20-99 Business Relief Program Grant:

<b>Mower County Executive Order 20-99 Small Business Relief Program February 22, 2021</b>			
Total decrease in revenue from 2019	Grant amount	Number of grants	Total
800+	\$ 25,000	1	\$ 25,000
100k-250k	21,250	11	233,750
50k-100k	15,000	9	135,000
25k-50k	12,500	15	187,500

15k-25k	10,000	8	80,000
10k-15k	7,500	7	52,500
5k-10k	3,500	11	38,500
Under 5K (1/2)	Approximately half of loss	15	20,750
<b>Total grants</b>		<b>77</b>	<b>\$ 773,000</b>

The Commissioner's voted as follows: Commissioner Baldus aye, Commissioner Reinartz aye, Commissioner Ankeny abstained, Commissioner Glynn aye. Motion carried.

The Commissioners discussed a proposed resolution prepared by Minnesota Rural Counties (MRC) opposing Governor Walz's decision to implement clean car standards through rule making instead of legislative action.

**Date: February 23, 2021**

**Res. #16-21**

**RESOLUTION**

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 February 23, 2021 at the Government Center, Austin, Minnesota.

**WHEREAS**, Mower County is responsible for providing essential government services such as transportation infrastructure and solid waste management that promote a vibrant community;

**WHEREAS** Mower County works tirelessly to be good stewards of our tax dollars and provide these programs in a cost-effective and efficient manner;

**WHEREAS**, the Minnesota Pollution Control Agency (MPCA) is in the process of adopting California's Low-Emission Vehicle (LEV) and Zero-Emission Vehicle (ZEV) mandates, which are expected to phase-out the sale of fuel-powered passenger vehicles by 2035;

**WHEREAS**, the adoption of these rules is being conducted by rulemaking, which limits the scope of the discussion to a narrow set of issues, precluding a broader policy debate on the economic development, transportation, energy, and waste disposal impacts of the policy. The proposed rule and process for adopting it also fail to address many of the Minnesota-specific concerns related to our county's demographics and climate.

**WHEREAS**, the MPCA's own documents show that the plan to mandate California's LEV and ZEV standards is likely to increase the cost of all light- and medium-duty vehicles sold in Minnesota by an average of \$1,139;

**WHEREAS**, the MPCA estimates the rule will displace 674 million gallons of fuel by 2034, before the phasing out of fuel-powered vehicles, but the MPCA's documents do not address the long-term consequences on our county's transportation revenues [or the impacts on our local ethanol plant/biofuels industry];

**WHEREAS**, batteries in electric vehicles weigh ten-times as much as batteries in vehicles with internal combustion engines and include more toxic elements, exposing our county to increased disposal costs and liabilities;

**THEREFORE BE IT RESOLVED** that Mower County opposes the MPCA's attempt to adopt California's mandates through rulemaking without consulting the Legislature; and

**BE IT FURTHER RESOLVED** that Mower County encourages the Walz administration to withdraw its proposed rulemaking and bring a proposal to the Legislature where a more comprehensive policy can be considered; and

**BE IT FURTHER RESOLVED** that Mower County stands ready to advise the Governor, his administration, and our regional Legislators on proactive methods to achieve the goals raised by Governor Walz without adversely impacting our ability to provide public services; and

**BE IT FINALLY RESOLVED** that Mower County will advocate against this rulemaking to ensure that our concerns about increased costs, lost transportation revenues, and battery waste are contemplated and mitigated.

Passed and approved this 23<sup>rd</sup> day of February, 2021.

The County Administrator informed the Board that neither the property owner Xiao Zhou nor a representative have responded to the County's request for payment on the costs to clean-up the property following the fire that left the property at 2910 12<sup>th</sup> Avenue NW in Austin a public hazard.

**Date: February 23, 2021**

**Res. #17-21**

**RESOLUTION**

On motion of Commissioner Ankeny, seconded by Commissioner Baldus, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held February 23, 2021 at the Government Center, Austin, Minnesota.

**WHEREAS**, the property located at 2910 12th Ave NW, Austin, MN Mower County owned by Xiao Zhou, hereto referred as "Zhou Property" was involved in a fire that left it in a state of a public health hazard; and

**WHEREAS**, the property is located in Mower County, here to referred to as "County" about the fire and concerns regarding a public safety risk were brought to the County's attention; and

**WHEREAS**, the County contacted the owner to advise of the fire and the hazardous status of the property and advised that the property would need to be assessed and potentially abated for multiple hazards including asbestos; and

**WHEREAS**, the daughter of the Zhou Property owner, Emma Liu, authorized the county to have an assessment completed and to get estimates to complete the needed clean-up; and

**WHEREAS**, the County sought multiple quotes to get the abatement work completed and submitted those quotes to Emma Liu; and

**WHEREAS**, the county did not get any response from Emma Liu or the Zhou property owners; and

**WHEREAS**, the County advised the owners that they had 30 days to begin abatement of the property or that the county would contract to have the work done on their behalf and they would be responsible to pay the bill; and

**WHEREAS**, the County received no response from the owners; and

**WHEREAS**, the County commenced to have the work done; and

**WHEREAS**, the County expended \$61,950 to complete the work to mitigate the public health hazards; and

**WHEREAS**, on January 25, 2021, the County sent a letter to Emma Liu advising that the work had been completed and provided receipts for the work that was done and advised that if the county had not been paid for the expenses by February 15, 2021, that the County Board would adopt a motion for a special assessment to be placed on the real estate taxes beginning in Year 2021; and

**WHEREAS**, the county has received no response from Emma Liu or any family member and the invoice has not been paid.

**NOW, THEREFORE, BE IT RESOLVED**, that the County does hereby assess \$61,950 against the property located at 2910 12<sup>th</sup> Ave NW, Austin, MN Mower County owned by Xiao Zhou for a term of 5 years at 5% interest.

Passed and approved this 23<sup>rd</sup> day of February, 2021.

Motion made by Commissioner Baldus, seconded by Commissioner Reinartz, to approve engagement letter with Faegre Drinker Biddle & Reath, LLP for legal/ bond services in relation to the NuTek project and authorize the County Administrator to sign the engagement letter. Motion carried.

Under Miscellaneous Correspondence the Board was informed of a letter received from Fredericksen and Bryan that indicated that the firm had submitted a permit application for a solar farm project/facility in Mower County.

Under Personnel Committee, Commissioner Reinartz indicated that the committee had met and received from the Human Resources Director a hiring status report and an update on the 2021 market review project. Annually a third of all classifications are reviewed by DDA. In April the Committee expects to receive the market review report.

Under Building Committee the Administrator reported that the City of Austin has asked to meet to discuss a parcel of land known as Sterling Park. The committee will meet with the City and the matter will be placed on the Work Session for discussion next week.

Under Solid Waste Committee, Commissioner Ankeny reported that the committee had held a brief emergency meeting the previous day related to approving a MPCA resolution.

Under Other Committee reports, Commissioner Baldus indicated he had received a letter pertaining to genetically engineered plants that he will share with the rest of the commissioners and some of the Commissioners had attended the Association of Minnesota Counties policy meetings held remotely.

Motion made by Commissioner Ankeny, seconded by Commissioner Baldus, to adjourn the meeting at 11:02 a.m. Motion carried. The next meeting is scheduled for March 2, 2021 at 1:00 p.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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



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