

REGULAR SESSION OF THE MOWER COUNTY  
BOARD OF COMMISSIONERS

June 2, 2020

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session June 2, 2020 at 1:00 p.m. at the Government Center in Austin, Minnesota.

All members present, viz:     Jeff Baldus, Chair  
  Polly Glynn  
  Tim Gabrielson  
  Jerry Reinartz  
  Mike Ankeny  
  Trish Harren, County Administrator

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the agenda with the addition to consider the Sheriff's request for a resolution declaring a state of emergency pertaining to civil unrest and a motion to extend that state of emergency for civil unrest. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Motion carried 5 – 0.

Joe Schechinger, Lead Mechanic, was recognized for retirement from Mower County with 21 years of service.

Sheriff Sandvik appeared before the Board requesting that the Covid-19 State of Emergency be extended and requested the board approve a resolution declaring a State of Emergency for Civil Unrest effective May 29, 2020.

Sheriff Sandvik reported that the need for the Emergency Operations Center (EOC) continues as positive cases in Mower County continue to grow exponentially. The EOC continues to work with the Minnesota Department of Health (MDH) and local public health to abate the issues arising with the rise in positive cases. If needed, the EOC has developed a plan for the fairgrounds to be a testing site to test a large number of persons in a short period of time.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to amend Res. #26-20 dated March 18, 2020 and as amended on March 24, April 7, and April 28, 2020 that declares a peacetime state of emergency to extend the local state of emergency through July 7, 2020. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Ankeny aye, Commissioner Gabrielson aye, and Commissioner Baldus aye. Motion carried 5 – 0.

Sheriff Sandvik reported on the scheduled protest that occurred in Austin on Sunday May 31, 2020. The Sheriff stated that citizens have the right for peaceful protests. However, reports have revealed that not all protests have been peaceful and there is civil unrest throughout the State and the Nation. Therefore, the Sheriff prepared for the worst and hoped for the best for the protest to occur in Austin. He contacted Board Chair Jeff Baldus and requested that he declare a state of emergency that would provide authority for the Sheriff to access resources needed to respond. The Sheriff called in 22 support officers from six districts to support the Mower County Sheriff, the Austin Police Department and the Austin Fire Department in a joint effort to protect the community. There were some small incidents but overall the protest in Austin was peaceful. Intelligence received indicates that the protests aren't over yet and are expected to continue. Today the department is sending officers to Freeborn County and Waseca County to assist them in planned protests in their communities. Another protest may be scheduled in Mower County in the future.

Minnesota Statutes Chapter 12.29 authorizes the Chair of the Mower County Board of Commissioners to sign a Declaration of Local Emergency in Mower County valid for up to 72 hours after which a meeting of the Board of County Commissioners must approve an extension.

The Sheriff is requested confirmation by resolution of the Board Chair's declaration of a State of Emergency for civil unrest effective May 29, 2020 for the department's preparation for the May 31 protest in order to protect the citizens.

**Date: June 2, 2020**

**Res. #39-20**

**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 June 2, 2020 at the Government Center, Austin, Minnesota.

**WHEREAS**, on May 25, 2020, George Floyd died while in the custody of officers of the Minneapolis Police Department; and

**WHEREAS**, the Mower County Board recognizes and supports the right to peaceful protests as protected by the Constitution of the United States and the State of Minnesota; and

**WHEREAS**, an unprecedented amount of civil disturbance has emerged; and

**WHEREAS**, this civil unrest has the potential to include mass protests, vandalism, looting and the damage and destruction of public and private property; and

**WHEREAS**, civil unrest constitutes a local emergency as defined by Minnesota Statute Section 12:03, subd. 3; and

**WHEREAS**, with communities in Mower County it is necessary, proper and prudent to protect the safety of life and property in Mower County and to implement proactive measures to reduce the possibility of civil disobedience, vandalism, looting, civil unrest and rioting

resulting in property damage and threats to the health and safety of the citizens of Mower County; and

**WHEREAS**, these circumstances give rise to a county-wide emergency necessitating swift government action to preserve the safety and well-being of our citizens and their property. By way of this declaration of emergency, the chair of the Mower County Board of Commissioners is hereby assigned, delegated and empowered to implement reasonable restrictions on persons in and attempting to enter Mower County; and

**WHEREAS**, Minnesota Statutes Chapter 12.29 authorizes the Chair of the Mower County Board of Commissioners to sign a Declaration of Local Emergency in Mower County valid for up to 72 hours after which a meeting of the Board of County Commissioners will be needed to continue this Declaration; and

**WHEREAS**, The Chair of the Mower County Board of Commissioners, in consultation with the Mower County Sheriff, recommends the Mower County Board of Commissioners declare that a Local State of Emergency exists in Mower County:

**NOW, THEREFORE BE IT RESOLVED**, that the Mower County Board of Commissioners does hereby declare Mower County to be in a Local State of Emergency May 29, 2020, due to ongoing and expected response to civil unrest activity.

Passed and approved this 2<sup>nd</sup> day of June, 2020. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Motion carried 5 – 0.

The Sheriff requested that the civil unrest state of emergency be extended beyond the initial 72 hours due to continued civil unrest in the area, the State and the Nation.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to amend Resolution #39-20 adopted today, June 2, 2020, to extend the civil unrest state of emergency through August 4, 2020. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Motion carried 5 – 0.

A Public Hearing was held in regard to a Housing Tax Abatement request of Alexander & Rebecca Earl Application for Tax Abatement for construction of a single-family home, S430 FT N1860FT W½ NE¼EXC E306FT, Section 27, Lyle Township, Minnesota (PIN 11.027.0050).

Trish Harren, County Administrator, reviewed the application and recommended approval.

The applicants Alexander and Rebecca Earl were present virtually but were unable to be heard audibly due to technical difficulties. No one spoke for or against the Earl housing tax abatement application.

**Date: June 2, 2020**

**Res. #40-20**

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

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 June 2, 2020 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, Alexander and Rebecca Earl are the owners of certain property within Mower County, legally described as follows:

S430 FT N1860FT W½ NE¼EXC E306FT, Section 27, Lyle Township, Minnesota (PIN 11.027.0050)

WHEREAS, Alexander and Rebecca Earl 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 June 2, 2020 before the Mower County Board of Commissioners, on said application.

WHEREAS, Alexander and Rebecca Earl 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 2<sup>nd</sup> day of June, 2020. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Motion carried 5 – 0.

Scott Felten, County Auditor-Treasurer, appeared before the Board to request a resolution to establish an Absentee Ballot Board for the August 11 primary election and the November 3 general election.

**Date: June 2, 2020**

**Res. #41-20**

**RESOLUTION  
ESTABLISHING ABSENTEE BALLOT BOARD**

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 June 2, 2020 at the Government Center, Austin, Minnesota.

**WHEREAS**, Mower County is required by Minnesota Statutes 203B.121, Subd. 1 to establish an Absentee Ballot Board effective June 2, 2020 for the August 11, 2020 primary election, the November 3 general election, and all other eligible elections through December 31, 2020; and

**WHEREAS**, this board will bring uniformity in the processing of accepting or rejecting returned absentee ballots in Mower County; and

**WHEREAS**, the Absentee Ballot Board would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy county auditors trained in the processing and counting of absentee ballots;

**THEREFORE, BE IT RESOLVED THAT**, the Mower County Board of Commissioners hereby establishes an Absentee Ballot Board that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 or deputy auditors to perform the task.

Passed and approved this 2<sup>nd</sup> day of June, 2020. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Pass with a vote of 5 – 0.

Auditor-Treasurer Felten informed the Board that staff had reviewed and recommends the use of the space available at the Austin City Hall for an alternative location for processing absentee and mail ballots. The elections occur at the same time that there is

high traffic in the Government Center for the payment of property taxes and it would be difficult to maintain social distancing guidelines. If there is a change in location it has to be for both elections and has to be designated now.

**Date: June 2, 2020**

**Res. #42-20**

**RESOLUTION DESIGNATING AUSTIN CITY HALL AS LOCATION OF MOWER COUNTY ELECTIONS OPERATIONS FOR 2020 ELECTIONS**

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 June 2, 2020 at the Government Center, Austin, Minnesota.

**WHEREAS**, the Mower County Auditor-Treasurer's office in the Mower County Government Center is the regular location for administrating elections; and

**WHEREAS**, in 2020 due to public safety concerns of voters and election workers related to the COVID-19 pandemic, and due to the expected increase in the number of people who will choose to absentee vote, and due to the fact that the absentee voting period for the November general election overlaps the time period of when many taxpayers will come to the Auditor-Treasurer's office to pay their second half property taxes in person, Mower County has determined that using the Auditor-Treasurer's office in the Government Center for elections in 2020 would make it extremely difficult to accommodate the expected high volume of traffic in the space that is available while still maintaining social distancing guidelines which are expected to still be in place for the rest of 2020; and

**WHEREAS**, it is desirable to designate an alternate location from which the Mower County Auditor-Treasurer's office can conduct elections operations in 2020; and

**WHEREAS**, the City of Austin has offered to Mower County the use of vacant space that is available in their city hall building; and

**WHEREAS**, it has been determined that the space in the City of Austin's building will meet the needs of a Mower County elections office and allow for the safer administrating of elections in 2020;

**THEREFORE, BE IT RESOLVED THAT**, the Mower County Board of Commissioners hereby designates the Austin City Hall building as the location from which the Mower County Auditor-Treasurer's office will conduct election administration activities related to the August 11, 2020 primary and the November 3, 2020 general elections.

Passed and approved this 2<sup>nd</sup> day of June, 2020. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Passed with a vote of 5 – 0.

Motion made by Commissioner Ankeny, seconded by Commissioner Glynn, to remove \$4,654.92 from the outstanding warrant list (Pre Positive Pay Software System). The

Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Motion carried 5 – 0.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to approve the FLP Wind Decommissioning Plan. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Motion carried 5 – 0.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, 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	11,460.91	30 Payments less than 2000	10,429.00
FREEBORN COUNTY	9,112.70		
		<b>Final Total:</b>	<b>31,002.61</b>

The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Motion carried 5 – 0.

Motion made by Commissioner Ankeny, seconded by Commissioner Reinartz, to approve the minutes of May 12 and May 26, 2020. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Motion carried 5 – 0.

Under other committee reports it was noted that currently the Mower County fair is still scheduled to occur. A final decision is expected at the Fair Board meeting on July 1.

County Administrator Harren gave a brief report on the opening of the Government Center. There were some successes and some areas needing to be addressed. Initial procedures and signage continue to be modified.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to adjourn the meeting at 2:30 p.m. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Gabrielson aye, Commissioner Reinartz aye, Commissioner Ankeny aye, and Commissioner Baldus aye. Motion carried 5 – 0. The next meeting is scheduled for June 9, 2020 at 9:00 a.m.

**THE MOWER COUNTY BOARD OF COMMISSIONERS**

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

**Attest:**

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

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