

REGULAR SESSION OF THE MOWER COUNTY
BOARD OF COMMISSIONERS

June 23, 2020

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session June 23, 2020 at 9:00 a.m. at the Government Center in Austin, Minnesota.

All members present, viz: Jeff Baldus, Chair
 Polly Glynn
 Tim Gabrielson (virtually)
 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. 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.

Under Community Health Business Chris Weis provided the Board with information pertaining to the proposed new tobacco ordinance. The proposed ordinance is to align the Mower County ordinance with new state and federal laws related to tobacco. The next step in adopting the new proposed ordinance is to hold a public hearing.

Health & Human Services Director Lisa Kocer introduced to the Board Darr Ehmke, a new registered nurse, and noted the recent promotion of Trisha Blaser to Fiscal Services Supervisor.

Lisa Kocer, Pam Kellogg, Crystal Peterson, Amy Lammey, David Pike and Steve Sandvik provided to the board a report on the COVID-19 mass testing that occurred on June 20 and 21 at the Mower County Fairgrounds. Over 2000 persons were tested. It was a remarkable team effort to pull this event together in two days with such success. IPAUSE was used to send out messages about the testing and provided a direct link for registering for a test. The results from the tests have not been finalized yet. (*Test results: 2059 tests administered; 39 positive results*)

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve the Health & Human Services accounts payable totaling \$244,617.86. 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.

The Board recessed at 9:40 a.m. to convene as the County Board of Appeal & Equalization and reconvened again as the County Board at 9:57 a.m.

Mike Hanson, Public Works Director, provided the Board with information pertaining to the Road Use and Repair Agreement for the FPL Wind Repower Project and recommended approval.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn, to approve the Road Use and Repair Agreement for the FLP Wind Repower Project; and authorize the Chair, Administrator, County Attorney, and County Engineer to execute the Agreement subject to the County Attorney's review. 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.

Mr. Hanson requested the Board to approve right-of-way purchases for project SAP 050-607-040 (curve project) near Adams.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve Right-of-way purchases (Roger Weness: \$18,240; Peter & Whitney Thome: \$25,118.70; Craig Hegge: \$720.00) at \$8000 / acre for project SAP 050-607-040 and authorization the Public Works Director to sign the Mower County Highway Right Of Way Plat No. 31 for County State and Highway No. 7, located in Sections 1 & 2, Township 101 North, Range 16 West and Sections 13, 14, 23, 24, 25, 26, 35 & 36 Township 102 North, Range 16 West, Mower County, Minnesota. 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.

Commissioner Ankeny on behalf of the Personnel Committee informed the Board that the committee had reviewed proposed changes to the Dress Code policy. A motivating factor to making changes is due to employee preference for a more casual dress code. Due to the varied work done by County employees this policy is intended to give staff more discretion to dress according to the work they will be doing each day.

Motion made by Commissioner Ankeny, seconded by Commissioner Gabrielson, to adopt Personnel Policy B270 Professional Appearance effective June 23, 2020 by replacing the former policy B270 Professional Dress with the following new language for Policy B270 Professional Appearance:

B270
PERSONAL APPEARANCE

Policy Statement:

Mower County employees work in a wide-range of positions that includes office, administrative, and field staff whose varied and diverse duties require appropriate and safety-conscious attire. Just as employees are expected to be thoughtful in their verbal communications, they are expected to be thoughtful about their non-verbal communications, including appearance, hygiene and grooming. Clothes should be neat, clean, and appropriate to the type of work being performed.

Purpose:

This policy provides broad guidance to assist staff and management to avoid potential problems with regard to personal appearance. This policy is intended to assist department heads in managing personal appearance of

employees working within their department. Where it is appropriate, uniforms may be required for the work being performed.

This policy acknowledges the civil rights of our employees as well as cultural diversity and religious freedom issues. Included in this policy are guidelines of appropriate dress for department heads to discuss with their staff; however, final decisions and discretion regarding these guidelines will be left to each department head.

Minimum Standards:

“Dress for the day” is the guiding factor when determining appropriate attire in the work place. It is recognized that work location and activities can vary from day to day, in other words, “dress for the day”. The County believes employees appreciate having the option to wear casual attire or business attire. The County recognizes that different job classifications may have different functions and work environments that will influence the type of apparel that is appropriate for each job.

Guidelines

Because not all casual clothing is suitable for the office, these guidelines will help you determine what is appropriate to wear to work. This is a general overview of appropriate business casual attire, indicating what is and is not generally acceptable. No dress policy can cover all contingencies so employees must exert a certain amount of judgment in their choice of clothing to wear to work.

The following is generally not acceptable:

1. Clothing that works well for the beach, gardening or yard work, housecleaning, dance clubs, and exercise sessions.
2. Clothing that reveals too much cleavage or thigh, chest, back, stomach, or undergarments.
3. Torn, dirty, or frayed clothing.
4. Clothing with words, terms or pictures – including beer or alcohol ads, sexual innuendos or phrases – which may be offensive to other employees or customers. (Fashion brand names, county or department logos, or other very modest logos on clothing are generally acceptable.)
5. Clothing and shoes need to be safe for the tasks being performed.

Pants: Any pants that are not torn or reveal undergarments can be worn at work; for example: dress pants, slacks, colored denim, jeans and dressy capris are acceptable.

Skirts and dresses: Skirts and dresses are to be of a length that is not too revealing as is described in the above list of what is not acceptable wear.

Shirts, Tops and Sweatshirts: Mower County logo apparel may be worn. Sweatshirts are acceptable as long as they do not have any potentially offensive words, terms, logos, pictures, cartoons or slogans. Sports team, university, and fashion brand names on clothing are acceptable.

Shirts, tops, blouses, and jackets: Casual shirts, dress shirts, sweaters, tops, golf-type shirts, and turtlenecks are acceptable attire for work. Suit jackets or sport jackets are also acceptable attire for the office.

Footwear: Athletic shoes, loafers, clogs, boots, flats, dress shoes, dress sandals and leather deck-type shoes are acceptable for work.

Hats and Head Covering: Clean hats and head coverings in good repair and free of any potentially offensive words, terms, logos, pictures, cartoons or slogans are acceptable to be worn.

The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz NAY, Commissioner Ankeny aye, Commissioner Gabrielson aye, and Commissioner Baldus aye. Motion carried 4 – 1.

Human Resources Director Sherry Roth informed the Board that Mower County had been selected for the award Best Place to Work.

The Board was informed that AFSCME had asked for a contract extension. Due to Covid-19 restrictions, negotiations for a new contract have not yet commenced. The current

contract officially expires on June 30, 2020 with the benefit package effective through the end of the year.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn, to approve the Memorandum of Agreement with AFSCME for contract extension and authorize the chair to sign any other contract extensions if requested by the other unions. 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.

Commissioner Baldus, Chair of the Board, administered the Oath of Office to the new Veteran Services Officer Rodney Streich.

Wayne Madson, Veteran Services Officer, was recognized for retirement with 23 years of service. Greg Peterson, President MACVSO, presented Mr. Madson a plaque for his service.

Commissioner Glynn on behalf of the Finance Committee informed the Board that the committee had reviewed the request of the Auditor-Treasurer for partial refunds of liquor license fees.

Date: June 23, 2020

Res. #46-20

**RESOLUTION TO PROVIDE FOR PARTIAL REFUND OF
LIQUOR LICENSE FEES**

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 23, 2020 at the Government Center, Austin, Minnesota.

WHEREAS due to Executive Order 20-04 put in place by the State of Minnesota in response to the COVID-19 pandemic, bars and restaurants were required to close on March 16, 2020;

WHEREAS there are businesses under Mower County's jurisdiction for liquor licensing purposes that were negatively impacted by the Executive Order;

WHEREAS these businesses were allowed by the State of Minnesota to partially re-open for outdoor dining business only effective June 1, 2020, and allowed to only partially re-open for indoor dining business effective June 10, 2020;

WHEREAS the deadline is approaching for submitting the annual liquor license renewal application for the period July 1, 2020 – June 30, 2021 and full payment of that liquor license fee is due with the license renewal application;

WHEREAS Mower County recognizes that these businesses have been closed for a significant period of time and have been generating little or no revenue;

WHEREAS Mower County, per MN Statute 340.408 Subd. 5, may refund to the licensee a pro-rata share of an annual license fee if the licensee ceases to carry on the licensed business under the license;

NOW, THEREFORE BE IT RESOLVED, that Mower County hereby approves the refund of 3 months of the license fee only for those businesses that had purchased a “full on sale” liquor license and a “Sunday liquor” liquor license for the period July 1, 2019 through June 30, 2020;

Passed and approved this 23rd day of June, 2020 with a vote of 5 - 0. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Ankeny aye, Commissioner Gabrielson aye, and Commissioner Baldus aye.

Ms. Glynn further indicated that the Finance Committee had reviewed a request for a loan as Support for River Bend Townhomes Development. The Committee recommends the adoption of the proposed resolution. It is a short-term loan at two percent interest. The Finance Director also recommends approval.

Date: June 23, 2020

Res. #47-20

**RESOLUTION OF SUPPORT FOR
RIVER BEND TOWNHOMES DEVELOPMENT**

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 23, 2020 at the Government Center, Austin, Minnesota.

WHEREAS, the County of Mower is a municipal corporation and political subdivision duly organized and existing under the Constitution and laws of the State of Minnesota; and

WHEREAS, a need has been identified for additional affordable housing in Mower County, based on a 2017 Housing Study commissioned by the City of Austin; and

WHEREAS, Southwest Minnesota Housing Partnership is a non-profit organization dedicated to creating affordable housing; and

WHEREAS, Southwest Minnesota Housing Partnership is currently proposing to develop an affordable housing project consisting of thirty (30) townhome apartment units at 300 15th Avenue NE in Austin, MN for low and moderate income households; and

WHEREAS, it is anticipated that successful development of the project will require participation of the County through a construction loan; and

WHEREAS, Southwest Minnesota Housing Partnership will be submitting a Low-Income Housing Tax Credit application to the Minnesota Housing Finance Agency in July of 2020 for the project; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mower finds that the project will meet an identified need to provide additional affordable housing and furthermore, the County supports a construction loan to the River Bend Townhomes Project with the following terms:

Loan Amount	\$1,000,000
Term	12 months
Rate	2% deferred
Principal	Deferred to maturity
Position	Subordinate to Greater Minnesota Housing Fund at \$6,250,000

This resolution shall become effective immediately upon passage and without publication.

Passed and approved this 23rd day of June, 2020 with a vote of 5 - 0. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Ankeny aye, Commissioner Gabrielson aye, and Commissioner Baldus aye.

Motion made by Commissioner Ankeny, seconded by Commissioner Gabrielson, to set July 28 at 9:30 a.m. as the public hearing date on the proposed Tobacco Ordinance. 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.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn, to approve the minutes of June 9, 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.

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>
Andersen, Inc./Earl F.	6,626.00	Little Falls Machine, Inc.	4,139.61
Anoka County Corrections	2,664.00	Prairie Lakes Youth Programs Secure	7,471.00
AUSTIN AUTOMOTIVE LLC	4,807.52	Regents Of The University Of Minnesota	36,878.92
Benchmark Behavioral Health Systems	14,725.00	SGTS Inc	6,215.00
Cedar Valley Services, Inc	105,852.53	The Hills Youth And Family Services	8,992.48
Charm-Tex Inc	3,114.00	TR Excavation & Hauling LLC	2,687.30
Department Of Corrections	19,995.00	Van Diest Supply Company	33,578.45
Erickson Engineering Co., LLC	11,382.00	Village Ranch Inc	24,478.14
Falk Construction Co./L.R.	2,232.06	Zarnoth Brush Works, Inc.	2,369.88
Fire Safety USA, Inc	14,470.95	90 Payments less than 2000	46,403.51
GovernmentJobs.com, Inc.	4,553.92	Final Total:	363,637.27

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.

Motion made by Commissioner Gabrielson, seconded by Commissioner Reinartz, to amend the septic loan policy to set the loan rate at 90% of the cost of the new septic system. 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.

Date: June 23, 2020

Res. #48-20

RESOLUTION

On motion of Commissioner Gabrielson, seconded by Commissioner Ankeny, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held June 23, 2020 at the Government Center, Austin, Minnesota.

WHEREAS, in compliance with MN Statutes 15.17, Mower County preserves and cares for the county's official records; and

WHEREAS, Mower County has adopted a record retention policy in accordance with the regulations of the State Historical Society Division of Archives and Manuscripts; and

WHEREAS, statute and state historical society regulations provide for the storage of official county records in the form of computerized records, and

WHEREAS, counties are required to officially authorize computerized storage as an allowable format; and

WHEREAS, Mower County has an interest in storing official records in computerized form; and

WHEREAS, the determination of which records to maintain in paper form and which records to maintain in computerized form will be at the discretion of the legal custodian of each specific type of record.

NOW THEREFORE BE IT RESOLVED, that the Mower County Board of Commissioners in compliance with MN Statutes and Minnesota Historical Society regulations, does hereby authorize official county records to be maintained in computerized form.

Passed and approved this 23rd day of June, 2020 with a vote of 5 - 0. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Ankeny aye, Commissioner Gabrielson aye, and Commissioner Baldus aye.

Approve Memorandum of Understanding with the Austin School District for Interpreters for the Covid-19 mass testing site

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the Memorandum of Understanding with the Austin School District for Interpreters for the Covid-19 mass testing site(s). 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.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve the renewal application of Soltau Enterprises, Inc. d/b/a BP Food Shop for a tobacco license effective July 1, 2020 through June 30, 2021. 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.

Motion made by Commissioner Glynn, seconded by Commissioner Ankeny, to approve the renewal application of NuWay – K & H Cooperative d/b/a K & H Classic Stop - LeRoy for a tobacco license effective July 1, 2020 through June 30, 2021. 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.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the renewal liquor application of Adventure Bound BT LLC d/b/a Adventure Bound Camping Resorts Beaver Trails for an on-off sale 3.2 beer license effective July 1, 2020 through June 30, 2021. 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.

Motion made by Commissioner Gabrielson, seconded by Commissioner Glynn, to approve/accept the NG911 GIS Grant (Grant No. A-DECN-NGGIS-2019-SEECB-6 effective 11/25/19 through 3/31/22; [Mower \$52,587.80]). 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. We get \$52,000+

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the contract with Pictometry International Corp. and Minnesota Counties Computer Cooperative for the 2021 and 2026 imagery flights. 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.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the monthly investment report for the month ending May 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.

The Commissioners decided to hold a work session on July 7, 2020 following the regular Board meeting.

Motion made by Commissioner Reinartz, seconded by Commissioner Gabrielson, to adjourn the meeting at 11:23 a.m. 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. The next meeting is scheduled for July 7, 2020 at 1:00 p.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Administrator

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